

2009

Open to Public Inspection

Form 990-EZ

Short Form Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

Sponsoring organizations of donor advised funds and controlling organizations as defined in section 512(b)(13) must file Form 990. All other organizations with gross receipts less than \$500,000 and total assets less than \$1,250,000 at the end of the year may use this form. The organization may have to use a copy of this return to satisfy state reporting requirements.

Department of the Treasury Internal Revenue Service

A For the 2009 calendar year, or tax year beginning 07/01, 2009, and ending 06/30, 20 10

- B Check if applicable: Address change, Name change, Initial return, Terminated, Amended return, Application pending.

Please use IRS label or print or type. See Specific Instructions.

C Name of organization: BAY AREA CHARTER ELEMENTARY SCHOOL PTO. Number and street (or P O box, if mail is not delivered to street address): 2600 Humble Drive. City or town, state or country, and ZIP + 4: El Lago, TX 77586.

D Employer identification number: 76-0600113. E Telephone number: 281-326-4555. F Group Exemption Number.

Section 501(c)(3) organizations and 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A (Form 990 or 990-EZ).

G Accounting Method: [X] Cash [] Accrual Other (specify).

I Website: www.bacespto.org

H Check [X] if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF).

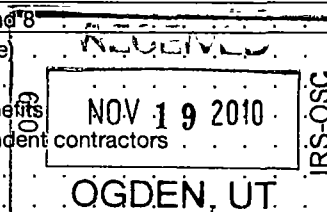
J Tax-exempt status (check only one) - [X] 501(c) (3) (insert no) [] 4947(a)(1) or [] 527

K Check [] if the organization is not a section 509(a)(3) supporting organization and its gross receipts are normally not more than \$25,000. A Form 990-EZ or Form 990 return is not required, but if the organization chooses to file a return, be sure to file a complete return.

L Add lines 5b, 6b, and 7b, to line 9 to determine gross receipts; if \$500,000 or more, file Form 990 instead of Form 990-EZ. \$ 30,799

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See the instructions for Part I.)

Table with 21 rows for Revenue, Expenses, and Net Assets. Revenue total: 19,767. Expenses total: 16,065. Net Assets total: 25,236.



Part II Balance Sheets. If Total assets on line 25, column (B) are \$1,250,000 or more, file Form 990 instead of Form 990-EZ.

(See the instructions for Part II.)

Table with 7 rows for Balance Sheets. Total assets: 25,944. Total liabilities: 708. Net assets or fund balances: 25,236.

SCANNED DEC 16 2010

1499

Part V Other Information (Note the statement requirements in the instructions for Part V.)

| | | Yes | No |
|------------|--|-----|----|
| 33 | Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity | | ✓ |
| 34 | Were any changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the changes | ✓ | |
| 35 | If the organization had income from business activities, such as those reported on lines 2, 6a, and 7a (among others), but not reported on Form 990-T, attach a statement explaining why the organization did not report the income on Form 990-T. | | |
| a | Did the organization have unrelated business gross income of \$1,000 or more or was it subject to section 6033(e) notice, reporting, and proxy tax requirements? | | ✓ |
| b | If "Yes," has it filed a tax return on Form 990-T for this year? | | |
| 36 | Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N | | ✓ |
| 37a | Enter amount of political expenditures, direct or indirect, as described in the instructions. ▶ 37a <u>0</u> | | |
| b | Did the organization file Form 1120-POL for this year? | | ✓ |
| 38a | Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee or were any such loans made in a prior year and still outstanding at the end of the period covered by this return? | | ✓ |
| b | If "Yes," complete Schedule L, Part II and enter the total amount involved 38b _____ | | |
| 39 | Section 501(c)(7) organizations. Enter: | | |
| a | Initiation fees and capital contributions included on line 9 39a _____ | | |
| b | Gross receipts, included on line 9, for public use of club facilities 39b _____ | | |
| 40a | Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under: section 4911 ▶ <u>0</u> ; section 4912 ▶ <u>0</u> ; section 4955 ▶ <u>0</u> | | |
| b | Section 501(c)(3) and 501(c)(4) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year or is it aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I | | ✓ |
| c | Section 501(c)(3) and 501(c)(4) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 ▶ <u>0</u> | | |
| d | Section 501(c)(3) and 501(c)(4) organizations. Enter amount of tax on line 40c reimbursed by the organization ▶ <u>0</u> | | |
| e | All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T. | | ✓ |
| 41 | List the states with which a copy of this return is filed. ▶ _____ | | |
| 42a | The organization's books are in care of ▶ <u>Kelly Demel</u> Telephone no. ▶ <u>281-326-4555</u> Located at ▶ <u>2600 Humble Drive, El Lago, TX 77586</u> ZIP + 4 ▶ <u>77586</u> | | |
| b | At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? | | ✓ |
| | If "Yes," enter the name of the foreign country: ▶ _____ See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts . | | |
| c | At any time during the calendar year, did the organization maintain an office outside of the U.S.? | | ✓ |
| | If "Yes," enter the name of the foreign country. ▶ _____ | | |
| 43 | Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of Form 1041 —Check here ▶ <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the tax year ▶ 43 <u>0</u> | | |
| 44 | Did the organization maintain any donor advised funds? If "Yes," Form 990 must be completed instead of Form 990-EZ | | ✓ |
| 45 | Is any related organization a controlled entity of the organization within the meaning of section 512(b)(13)? If "Yes," Form 990 must be completed instead of Form 990-EZ | | ✓ |

Part VI Section 501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts only. All section 501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts must answer questions 46-49b and complete the tables for lines 50 and 51.

| | Yes | No |
|--|------------|-------------------------------------|
| 46 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I | 46 | <input checked="" type="checkbox"/> |
| 47 Did the organization engage in lobbying activities? If "Yes," complete Schedule C, Part II | 47 | <input checked="" type="checkbox"/> |
| 48 Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E | 48 | <input checked="" type="checkbox"/> |
| 49a Did the organization make any transfers to an exempt non-charitable related organization? | 49a | <input checked="" type="checkbox"/> |
| b If "Yes," was the related organization a section 527 organization? | 49b | <input type="checkbox"/> |

50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

| (a) Name and address of each employee paid more than \$100,000 | (b) Title and average hours per week devoted to position | (c) Compensation | (d) Contributions to employee benefit plans & deferred compensation | (e) Expense account and other allowances |
|--|--|------------------|---|--|
| None | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

f Total number of other employees paid over \$100,000 ▶ _____

51 Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

| (a) Name and address of each independent contractor paid more than \$100,000 | (b) Type of service | (c) Compensation |
|--|---------------------|------------------|
| None | | |
| | | |
| | | |
| | | |
| | | |

d Total number of other independent contractors each receiving over \$100,000 . . . ▶ _____

Sign Here Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

▶ Nicole Colborn Signature of officer Date 11/15/2010

▶ Nicole Colborn, Treasurer Type or print name and title

Paid Preparer's Use Only

Preparer's signature ▶ _____ Date _____ Check if self-employed Preparer's identifying number (See instructions) _____

Firm's name (or yours if self-employed), address, and ZIP + 4 ▶ _____ EIN ▶ _____

Phone no ▶ _____

May the IRS discuss this return with the preparer shown above? See instructions Yes No

SCHEDULE A
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

OMB No 1545-0047

2009

Open to Public Inspection

Name of the organization

BAY AREA CHARTER ELEMENTARY SCHOOL PTO

Employer identification number

76 : 0600113

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 11, check only one box.)

- 1 A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i)**.
- 2 A school described in **section 170(b)(1)(A)(ii)**. (Attach Schedule E.)
- 3 A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii)**.
- 4 A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii)**. Enter the hospital's name, city, and state. _____
- 5 An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv)**. (Complete Part II.)
- 6 A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v)**.
- 7 An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi)**. (Complete Part II.)
- 8 A community trust described in **section 170(b)(1)(A)(vi)**. (Complete Part II.)
- 9 An organization that normally receives: (1) more than 33 1/3 % of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and (2) no more than 33 1/3 % of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2)**. (Complete Part III.)
- 10 An organization organized and operated exclusively to test for public safety. See **section 509(a)(4)**.
- 11 An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2). See **section 509(a)(3)**. Check the box that describes the type of supporting organization and complete lines 11e through 11h

a Type I b Type II c Type III—Functionally-integrated d Type III—Other

e By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2).

f If the organization received a written determination from the IRS that it is a Type I, Type II, or Type III supporting organization, check this box

g Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?

- (i) A person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the supported organization?
- (ii) A family member of a person described in (i) above?
- (iii) A 35% controlled entity of a person described in (i) or (ii) above?

| | Yes | No |
|----------|-----|----|
| 11g(i) | | |
| 11g(ii) | | |
| 11g(iii) | | |

h Provide the following information about the supported organization(s).

| (i) Name of supported organization | (ii) EIN | (iii) Type of organization (described on lines 1–9 above or IRC section (see instructions)) | (iv) Is the organization in col (i) listed in your governing document? | | (v) Did you notify the organization in col (i) of your support? | | (vi) Is the organization in col (i) organized in the U S ? | | (vii) Amount of support |
|------------------------------------|----------|---|--|----|---|----|--|----|-------------------------|
| | | | Yes | No | Yes | No | Yes | No | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| Total | | | | | | | | | |

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)
 (Complete only if you checked the box on line 5, 7, or 8 of Part I.)

Section A. Public Support

| Calendar year (or fiscal year beginning in) ▶ | (a) 2005 | (b) 2006 | (c) 2007 | (d) 2008 | (e) 2009 | (f) Total |
|---|-----------------------------------|----------|----------|----------|----------|-----------|
| 1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.") | <i>see explanation in Part IV</i> | 3,700 | 2,900 | 4,743 | 12,686 | 24,029 |
| 2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf | | | | | | |
| 3 The value of services or facilities furnished by a governmental unit to the organization without charge | | | | | | |
| 4 Total. Add lines 1 through 3 | 0 | 3,700 | 2,900 | 4,743 | 12,686 | 24,029 |
| 5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f) | | | | | | |
| 6 Public support. Subtract line 5 from line 4. | | | | | | 24,029 |

Section B. Total Support

| Calendar year (or fiscal year beginning in) ▶ | (a) 2005 | (b) 2006 | (c) 2007 | (d) 2008 | (e) 2009 | (f) Total |
|---|----------|----------|----------|----------|----------|-----------|
| 7 Amounts from line 4 | 0 | 3,700 | 2,900 | 4,743 | 12,686 | 24,029 |
| 8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources | | | | | | |
| 9 Net income from unrelated business activities, whether or not the business is regularly carried on | | | | | | |
| 10 Other income Do not include gain or loss from the sale of capital assets (Explain in Part IV) | | 6,700 | 8,600 | 10,000 | 5,500 | 30,800 |
| 11 Total support. Add lines 7 through 10 | | | | | | 54,829 |
| 12 Gross receipts from related activities, etc (see instructions) | | | | | 12 | 79,978 |
| 13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ▶ <input type="checkbox"/> | | | | | | |

Section C. Computation of Public Support Percentage

| | | |
|---|----|---------|
| 14 Public support percentage for 2009 (line 6, column (f) divided by line 11, column (f)) | 14 | 43.82 % |
| 15 Public support percentage from 2008 Schedule A, Part II, line 14 | 15 | 30.96 % |
| 16a 33 1/3 % support test—2009. If the organization did not check the box on line 13, and line 14 is 33 1/3 % or more, check this box and stop here. The organization qualifies as a publicly supported organization ▶ <input checked="" type="checkbox"/> | | |
| b 33 1/3 % support test—2008. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3 % or more, check this box and stop here. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/> | | |
| 17a 10%-facts-and-circumstances test—2009. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/> | | |
| b 10%-facts-and-circumstances test—2008. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/> | | |
| 18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions ▶ <input type="checkbox"/> | | |

Part III Support Schedule for Organizations Described in Section 509(a)(2)
 (Complete only if you checked the box on line 9 of Part I.)

Section A. Public Support

| Calendar year (or fiscal year beginning in) ▶ | (a) 2005 | (b) 2006 | (c) 2007 | (d) 2008 | (e) 2009 | (f) Total |
|---|----------|----------|----------|----------|----------|-----------|
| 1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants.") | | | | | | |
| 2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose | | | | | | |
| 3 Gross receipts from activities that are not an unrelated trade or business under section 513 | | | | | | |
| 4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf | | | | | | |
| 5 The value of services or facilities furnished by a governmental unit to the organization without charge | | | | | | |
| 6 Total. Add lines 1 through 5 | | | | | | |
| 7a Amounts included on lines 1, 2, and 3 received from disqualified persons | | | | | | |
| b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year | | | | | | |
| c Add lines 7a and 7b | | | | | | |
| 8 Public support (Subtract line 7c from line 6) | | | | | | |

Section B. Total Support

| Calendar year (or fiscal year beginning in) ▶ | (a) 2005 | (b) 2006 | (c) 2007 | (d) 2008 | (e) 2009 | (f) Total |
|---|----------|----------|----------|----------|----------|-----------|
| 9 Amounts from line 6 | | | | | | |
| 10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources | | | | | | |
| b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975 | | | | | | |
| c Add lines 10a and 10b | | | | | | |
| 11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on | | | | | | |
| 12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.) | | | | | | |
| 13 Total support. (Add lines 9, 10c, 11, and 12) | | | | | | |

14 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here**

Section C. Computation of Public Support Percentage

| | | |
|--|-----------|---|
| 15 Public support percentage for 2009 (line 8, column (f) divided by line 13, column (f)) | 15 | % |
| 16 Public support percentage from 2008 Schedule A, Part III, line 15 | 16 | % |

Section D. Computation of Investment Income Percentage

| | | |
|---|-----------|---|
| 17 Investment income percentage for 2009 (line 10c, column (f) divided by line 13, column (f)) | 17 | % |
| 18 Investment income percentage from 2008 Schedule A, Part III, line 17 | 18 | % |

19a 33 1/3 % support tests—2009. If the organization did not check the box on line 14, and line 15 is more than 33 1/3 %, and line 17 is not more than 33 1/3 %, check this box and **stop here**. The organization qualifies as a publicly supported organization

b 33 1/3 % support tests—2008. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3 %, and line 18 is not more than 33 1/3 %, check this box and **stop here**. The organization qualifies as a publicly supported organization

20 Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions

Part IV Supplemental Information. Complete this part to provide the explanations required by Part II, line 10; Part II, line 17a or 17b; and Part III, line 12. Provide any other additional information. See instructions.

General Explanation - Part II, line 10: Other income is generated from a carnival put on by parent and teacher volunteers; selling of coupon books; silent auctions of students / parents / teachers made items or donated items; and sales of school spirit apparel.

General Explanation - Part II, column A, year 2005. This data was not available from previous Treasurer for this previous year at time of completion. I am still trying to get this information to have as historical data.

Part II Fundraising Events. Complete if the organization answered "Yes" to Form 990, Part IV, line 18, or reported more than \$15,000 on Form 990-EZ, line 6a. List events with gross receipts greater than \$5,000.

| | | (a) Event #1 | (b) Event #2 | (c) Other events | (d) Total events |
|---|---|---------------------|--------------|------------------|-------------------------------|
| | | <u>Spring Fling</u> | | | (add col (a) through col (c)) |
| | | (event type) | (event type) | (total number) | |
| Revenue | 1 Gross receipts | 9,948 | | | 9,948 |
| | 2 Less: Charitable contributions | 1,270 | | | 1,270 |
| | 3 Gross income (line 1 minus line 2) | 8,678 | | | 8,678 |
| Direct Expenses | 4 Cash prizes | 0 | | | 0 |
| | 5 Noncash prizes | 499 | | | 499 |
| | 6 Rent/facility costs | 0 | | | 0 |
| | 7 Food and beverages | 490 | | 0 | 490 |
| | 8 Entertainment | 800 | | 0 | 800 |
| | 9 Other direct expenses | 703 | | | 703 |
| | 10 Direct expense summary. Add lines 4 through 9 in column (d) ▶ | | | | (2,492) |
| 11 Net income summary. Combine line 3, column (d), and line 10 ▶ | | | | 6,186 | |

Part III Gaming. Complete if the organization answered "Yes" to Form 990, Part IV, line 19, or reported more than \$15,000 on Form 990-EZ, line 6a.

| | | (a) Bingo | (b) Pull tabs/instant bingo/progressive bingo | (c) Other gaming | (d) Total gaming (add col (a) through col (c)) |
|--|---|---|---|------------------|--|
| | | Revenue | 1 Gross revenue | | |
| Direct Expenses | 2 Cash prizes | | | | |
| | 3 Noncash prizes | | | | |
| | 4 Rent/facility costs | | | | |
| | 5 Other direct expenses | | | | |
| 6 Volunteer labor | <input type="checkbox"/> Yes _____ % <input type="checkbox"/> No | <input type="checkbox"/> Yes _____ % <input type="checkbox"/> No | <input type="checkbox"/> Yes _____ % <input type="checkbox"/> No | | |
| 7 Direct expense summary. Add lines 2 through 5 in column (d) ▶ | | | | () | |
| 8 Net gaming income summary. Combine line 1, column d, and line 7 ▶ | | | | | |

| | Yes | No |
|---|------------|----|
| 9 Enter the state(s) in which the organization operates gaming activities. _____ | | |
| a Is the organization licensed to operate gaming activities in each of these states? | 9a | |
| b If "No," explain: _____ | | |
| 10a Were any of the organization's gaming licenses revoked, suspended or terminated during the tax year? | 10a | |
| b If "Yes," explain. _____ | | |
| 11 Does the organization operate gaming activities with nonmembers? | 11 | |
| 12 Is the organization a grantor, beneficiary or trustee of a trust or a member of a partnership or other entity formed to administer charitable gaming? | 12 | |

| | | Yes | No |
|------------|--|------------|----|
| 13 | Indicate the percentage of gaming activity operated in: | | |
| a | The organization's facility | 13a | % |
| b | An outside facility | 13b | % |
| 14 | Enter the name and address of the person who prepares the organization's gaming/special events books and records. | | |
| | Name ▶ | | |
| | Address ▶ | | |
| 15a | Does the organization have a contract with a third party from whom the organization receives gaming revenue? | 15a | |
| b | If "Yes," enter the amount of gaming revenue received by the organization ▶ \$ and the amount of gaming revenue retained by the third party ▶ \$ | | |
| c | If "Yes," enter name and address of the third party: | | |
| | Name ▶ | | |
| | Address ▶ | | |
| 16 | Gaming manager information: | | |
| | Name ▶ | | |
| | Gaming manager compensation ▶ \$ | | |
| | Description of services provided ▶ | | |
| | <input type="checkbox"/> Director/officer <input type="checkbox"/> Employee <input type="checkbox"/> Independent contractor | | |
| 17 | Mandatory distributions: | | |
| a | Is the organization required under state law to make charitable distributions from the gaming proceeds to retain the state gaming license? | 17a | |
| b | Enter the amount of distributions required under state law to be distributed to other exempt organizations or spent in the organization's own exempt activities during the tax year ▶ \$ | | |

- Statement 1 : General Explanations**
- Statement 2 : Other Expenses Schedule**
- Statement 3 : Other Changes In Net Assets Schedule**
- Statement 4 : Other Assets**
- Statement 5 : Liabilities Schedule**
- Statement 6 : Primary Exempt Purpose**
- Statement 7 : Other Program Service Accomplishments**

General Explanations

| Reference | Explanation |
|-----------------------------|--|
| Schedule G, Part II, Line 1 | All other Special Events had Gross Revenue less than \$5,000 |

Other Expenses Schedule

| Description | Amount |
|---------------------------------------|---------------|
| PTO Meeting Expenses | 23 |
| Banking Fees | 50 |
| PTO Insurance | 434 |
| Art Fund | 996 |
| Classroom Supplies | 3,092 |
| Field Trip Fund | 1,010 |
| Health & Safety Fund | 178 |
| PE Fund | 748 |
| Science Cart and Supplies | 4,200 |
| Student Assistance Fund | 210 |
| Teacher Classroom Supply Fund | 1,271 |
| Woodlands Fund | 126 |
| Teacher / Staff Appreciation Programs | 1,066 |
| Cost of shirts in Inventory | 2,000 |
| Total: | 15,404 |

Other Changes In Net Assets Schedule

| Description | Amount |
|--|--------------|
| Sprint Item apparel <i>Inventory purchased</i> | 2,000 |
| Prior Year Checks not cleared | -708 |
| Total: | 1,292 |

Statement 4

Form 990-EZ

Page 1

Line Number Part II Line 24

BAY AREA CHARTER ELEMENTARY SCHOOL PTO

76-0600113

Other Assets

| Description | BOY Amount | EOY Amount |
|--|---------------|---------------|
| Apparel Spirit Items <i>in Inventory</i> | 0 | 2,000 |
| Total: | 0 | 2,000 |

Liabilities Schedule

| Description | BOY Amount | EOY Amount |
|------------------------------------|---------------|---------------|
| Checks not cleared from prior year | 0 | 708 |
| Total | 0 | 708 |

Primary Exempt Purpose

Primary Exempt Purpose

It's purpose is to facilitate parent's and teachers working together to support Bay Area Charter Elementary School, a public educational organization chartered by the State of Texas Education Agency. The support the organization provides is volunteer work in the school and raising of money for needed supplies and equipment.

Other Program Service Accomplishments

| Description | Grants And Allocations | Includes Foreign Grants | Program Service Expenses |
|--|------------------------|-------------------------|--------------------------|
| Staff appreciation lunches for teachers and staff held monthly, all week during Teacher Appreciation Week and small gifts to the teachers and staff for Teacher Appreciation Week | 0 | | 1,066 |
| Field Trip entrance costs for underprivileged students The school pays for the students and the PTO reimburses the school at the end of the year | 0 | | 1,010 |
| Art Fund - This fund is used by the school Art teacher for supplies needed for art class All students enrolled at the school benefit from this | 0 | | 996 |
| PE Fund - This is used by the Physical Education teacher to buy and be reimbursed needed equipment for PE / Health class All students enrolled at the school benefit from this | 0 | | 748 |
| Other small programs - Health and safety fund (nurse first aid supplies), Woodlands fund (clean up and up keep of woodlands area used for outdoor classroom), Student Assistance Fund (used to help underprivileged students purchase books illustrated by students) | 0 | | 514 |
| Total: | | | 4,334 |

**BYLAWS OF THE BAY AREA CHARTER ELEMENTARY SCHOOL
PARENT-TEACHER ORGANIZATION (BACES – PTO)
A NON-PROFIT CORPORATION**

ARTICLE I. NAME, ORGANIZATION, AND OFFICES

Section 1.01 Name

The name of the organization is the Bay Area Charter Elementary School Parent-Teacher Organization ("PTO"), using the abbreviation BACES-PTO. The Board of Directors of the BACES-PTO will hereafter be referred to as the "Board of Directors"

Section 1.02 Organization

The PTO is organized under the Texas Non-Profit Corporation Act

Section 1.03 Principal Office

The principal office of the PTO is in the State of Texas and shall be located in the City of Seabrook, County of Harris, Texas. The PTO may change the location of the principal office, within the State of Texas, as the Board of Directors may determine or as the affairs of the PTO may require

Section 1.04 Registered Office and Registered Agent

The PTO shall have and continuously maintain in the State of Texas, a registered office and a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Association Act ("the Act"). The registered office may be, but need not be, identical with the principal office of the PTO in the State of Texas, and the address of the registered office may be changed from time to time by the Board of Directors

ARTICLE II. PURPOSE AND POLICIES

Section 2.01 Purpose

The purposes of the PTO are to initiate, sponsor, promote and carry out plans, policies and activities which will enhance the relations between the homes and school for the betterment of the school, the children enrolled in the Bay Area Charter Elementary School, their parents and the community

Section 2.02 Non-Intervention Policy

This PTO is a non-intervention organization. This organization and its members are not and shall not present themselves as official representatives of the faculty, staff, or the Board of Directors of Bay Area Charter School. This organization shall not, directly or indirectly, intervene, in any way, with the policies, resolutions, rules, By-laws, or Charter implemented by the School Administrator, the Board of Directors of the Bay Area Charter School and/or the Texas Education Agency (TEA)

Section 2.03 Non-Political Policy

This PTO is a non-partisan organization. This organization shall not, directly or indirectly, participate or intervene, in any way, in any political campaign on behalf or in opposition to any candidate for public office or special interest group, including but not limited to publishing or distributing statements. The name of this organization or the names of any members in their official capacities of the PTO shall not be used in any connection with any partisan interest or for any purpose not appropriately related to the stated purposes of this PTO

Section 2.04 Non-Commercial Policy

This PTO is a non-profit organization. The name of this organization or names of any members in their official capacities of the PTO shall not be used in any connection with any commercial interest or for any purpose not appropriately related to the stated purposes of this PTO.

Section 2.05 Non-Discrimination Policy

This PTO shall provide equal opportunity and treatment to all members and prospective members. No one shall be denied membership or opportunity to participate based on race, religion, sex, ethnic background, disability, age or national origin.

ARTICLE III. MEMBERSHIP

Section 3.01 Membership

Membership is annual for the Calendar School Year as determined by the Board of Directors of the Bay Area Charter School District. A new application for membership must be submitted each year along with dues. Applications are accepted throughout the school year for that current school year.

(A) Parent/Guardian Member

Any person who meets the requirements set forth below and such additional standards as the Membership Committee may from time to time prescribe may become a member. This person shall have all privileges to hold elected and/or appointed office in accordance with Article XII of these Bylaws and has one vote in the general membership business meetings.

- (1) Shall have one or more children which resides within their household and is enrolled as a student of Bay Area Charter Elementary School.
- (2) Shall have completed an application form for the household in which the student resides.
- (3) Shall have paid membership dues as prescribed in these Bylaws.
- (4) Shall agree to a criminal background check before doing volunteer work which requires direct contact of any children.

(B) Associate Member

Any person who meets the requirements set forth below and such additional standards as the Membership Committee may from time to time prescribe may become a member. This person shall not be eligible to hold elected offices. This person may hold an appointed office, which has been approved by the Board of Directors. This person is allowed to have one vote in the general membership business meetings.

- (1) Shall have one or more children to which he/she is related either by blood or marriage and is enrolled as a student of Bay Area Charter Elementary School and does not reside in the same household.
- (2) Shall have completed an application form.
- (3) Shall have paid membership dues as prescribed in these Bylaws.
- (4) Shall agree to a criminal background check before doing volunteer work which requires direct contact of any children.

(C) Teacher Member

Any person who meets the requirement set forth below and such additional standards as the Membership Committee may from time to time prescribe may become a member. This person shall have all privileges to hold elected and/or appointed office in accordance with Article XII of these Bylaws and has one vote in the general membership business meetings.

- (1) Shall be employed by the Bay Area Charter Elementary School as a teacher or administrative staff

Section 3.02 Application Procedure

Application to become a member of the PTO shall be made on forms that have been approved by the Board of Directors. If the Membership Committee does not approve an application because the applicant has failed to meet all of the requirements for membership, the Membership Committee shall promptly notify the applicant of the decision in writing. If the Membership Committee reviews an application that is questionable, the Membership Committee will meet with the Board of Directors to discuss the questionable application before granting a decision. An applicant may resubmit his or her application upon fulfillment of the requirements for membership.

Section 3.03 Disciplinary Action

A member may be reprimanded or have his/her membership suspended or revoked for a finding of willful misrepresentation upon application for membership.

Section 3.04 Removal of Member

(A) Felony Conviction

Any person convicted of a felony is not eligible for membership in the PTO. Any member of the PTO who is convicted of a felony will immediately be removed from the membership of the PTO. Any person who has proof of a member's conviction on a felony charge shall convey such proof to the Board of Directors, who shall have the authority to remove such member from the membership rolls of the PTO.

(B) Improper Conduct

Any member, director, officer, or representative may be expelled from the PTO for failing to perform duties of their office or for illegal and/or immoral conduct. The definition of improper conduct is actions of a member that could be considered to be damaging to the PTO or the Bay Area Charter Elementary School.

Section 3.05 Presentation of Accusations

All accusations of (a) failure to perform duties, (b) improper, illegal and/or immoral conduct, (c) felony conviction, or (d) misrepresentation on application must be presented to the Board of Directors in writing. The Board will, at the next regular Board meeting, discuss and examine charges for compliance with the Bylaws, and after a majority affirmative vote, will notify the affected member, officer, director or representative in writing and place charges on the agenda for the next general membership meeting. The member, officer, director or representative will be expelled from the PTO by a majority vote of a quorum of the membership present at the next general membership meeting.

Section 3.06 Right to Appeal

Any member, officer, director or representative who has been expelled has the right to appeal, within ninety (90) days, in writing, to the general membership for a hearing at the next general membership meeting. The written appeal must be presented to the Board of Directors at least thirty (30) days prior to the hearing. The expelled individual may bring all the facts to the attention of the general membership present. The Board of Directors may also present all evidence or findings to the general membership pertaining to the expelled individual's conduct. A two-thirds majority vote of a quorum of the membership present at the hearing is required to reverse the expulsion and win the appeal. The vote at the appeal hearing shall be considered final.

ARTICLE IV. ANNUAL DUES

Section 4.01 Annual Dues

Annual dues shall be assessed for all members in such amounts as the Board of Directors may determine from time to time, upon approval of the two-thirds majority vote of members. Dues shall become payable no later than the 1st day of September of each year. If a member joins after the 1st day of September, due to late enrollment of a student, that member will not be considered delinquent.

(A) Parent/Guardian Members

Annual dues are \$10 per household

(B) Associate Members

Annual dues are \$10 per person

(C) Teacher Members

Teachers are exempt from paying dues. If a parent is also a Teacher or Administrative Staff, then that parent will have all privileges of a Parent/Guardian Member and is exempt from paying dues.

Section 4.02 Delinquency

When any member shall be in default in the payment of dues for a period of 30 days from the 1st of September, the Treasurer shall immediately cause notice thereof to be sent to such member. If any member shall be in default by the November general membership meeting, such person's right to vote will be suspended until payment of dues is received. If payment of delinquent dues is not received by the 1st of December, such person's membership may thereupon be terminated. Individuals so terminated may be reinstated at any time upon resubmission of application and payment of required dues. If a member joins after the 1st day of September, due to late enrollment of a student, that member will not be considered delinquent.

ARTICLE V. GENERAL MEMBERSHIP MEETINGS

Section 5.01 Regular Meetings

Regular meetings of the PTO for business, educational and social purposes of general interest to the membership shall be held once each month during the school year at Bay Area Charter Elementary School at a day and time as determined by the current Board of Directors. So as not to interfere with planned School functions, the President shall coordinate with the School Administrator the exact date of each meeting. Written notice stating the date, place and hour of such regular meetings shall be provided to the membership at least seven (7) days, but not more than sixty (60) days, prior to such meetings. By action of the Board of Directors, a regular monthly meeting's place, hour or date may be changed or the meeting may be postponed or canceled.

Section 5.02 Annual Meetings

The regular meeting held in the month of May of each year shall be designated as the annual meeting for the purpose of the outgoing officers and all committees to make a final year end report of all activities, including financial, and installing newly elected officers.

Section 5.03 Special Meetings

Special meetings of members may be called at any time by the President or by a majority of the Board of Directors or by twenty-five percent (25%) of the members. Written notice stating the date, place, hour and purpose of such special meeting shall be provided to the membership at least ten (10) days, but not more than sixty (60) days, prior to such meeting.

Section 5.04 Voting

(A) Voting Members Defined

Only members that have met the membership requirements as stated in Article III of these Bylaws and have the right to vote and are entitled to cast one vote. Non-members present at the general membership meetings can not vote.

(B) Method of Voting

All votes shall generally be cast by a "show of hands". However, any member may call for a vote by secret ballot on any issue. There shall be no absentee or proxy voting permitted.

(C) Presumption of Assent

If a member does not give a dissenting or abstaining vote at the time such action is being taken, then the member's vote will be counted as an affirming vote in favor of the action being taken.

Section 5.05 Quorum

At least three Voting Members present at a meeting, notice for which shall have been duly given, shall constitute a quorum for the purpose of the transaction of any business requiring the vote of the Voting Members of the PTO.

Section 5.06 Disputes in Meetings

The PTO shall be governed by the common accord. Any disputes arising in any meeting or regarding any action or lack thereof shall be handled in accordance with *Robert's Rules of Order, Newly Revised*.

ARTICLE VI. BOARD OF DIRECTORS

Section 6.01 Powers

The Board of Directors shall be the governing body of the PTO and shall manage, control and direct the affairs and property of the PTO. The function of the Board of Directors is to approve all activities and expenditures presented or proposed by the officers or general membership to ensure that the PTO operates in accordance with its charter and Bylaws.

Section 6.02 Composition

The Board of Directors shall consist of the Elected Officers of the PTO, Appointed Officers, and the Faculty Liaison. If the Board of Directors has voted for and has created the ex-officio office, which office shall be filled by the immediate past President of the PTO, such office shall be non-voting. While serving on the Board of Directors, all Board members must be current with their annual dues. Each Board member shall have one vote on all matters requiring approval. There shall be no absentee or proxy voting.

Section 6.03 Representation of the PTO

The President of another member of the Board of Directors, which member may volunteer or be appointed by the President, will represent the PTO at meetings of the Board of Directors for Bay Area Charter Elementary School.

Section 6.04 Place of Meeting

Meetings of the Board of Directors may be within the State of Texas, at whatever place is specified by the officers or Directors calling a meeting.

Section 6.05 Meetings

All meetings of the Board of Directors of the PTO shall be open to non-Board members to attend. Non-Board members are not entitled to vote

Section 6.06 Regular Meetings

Regular meetings of the Board of Directors shall be held within fourteen (14) days prior to a regular meeting of the general membership. The regular meeting of the Board shall be held at such date, place, and hour as may be determined by the President. However, no more than forty-five (45) days shall pass between meeting dates at which time the President-Elect shall call a meeting of the Board. If a meeting is to be postponed or canceled, the President must give verbal or written notice to the other Directors prior to such meeting.

Section 6.07 Special Meetings

Special meetings of the Board of Directors may be called by the President or by any other two members of the Board of Directors, upon verbal or written notice furnished to the other members of the Board of Directors not less than 24 hours prior to such meeting.

Section 6.08 Telephone/Internet Meetings

Regular or Special meetings of the Board of Directors may be held by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear and/or view the conversation of each other. Participation in a meeting held over the phone or internet shall constitute presence in person at such meeting. No such meeting shall be held if any member of the Board wishing to be present at such meeting does not have access to the communication equipment being used to conduct the meeting.

Section 6.09 Disputes in Meetings

The Board shall be governed by the common accord. Any disputes arising in any meeting or regarding any action or lack thereof shall be handled in accordance with *Robert's Rules of Order, Newly Revised*.

Section 6.10 Vacancy in Office of President-Elect

If a vacancy exists in the office of the President-Elect it shall be announced as open at the general membership meeting and opened for nomination of qualified candidates.

Section 6.11 Vacancies on the Board of Directors in Other Offices, other than that of President-Elect

Vacancies on the Board of Directors shall be filled by the affirmative vote of the majority of the voting members of the PTO, only if the vacancies occur 60 days or more before the May date of installation of officers. Each person so elected shall serve for the unexpired portion of the term and until a successor has been duly elected and has so qualified according to Article XII, Section 7 02 Election. If vacancies occur 60 days or less before the May date of installation of officers, the remaining Board members may appoint a person to serve for the unexpired portion of the term and until a successor has been duly elected and has so qualified according to Article XII, Section 7 02 Election.

Section 6.12 Resignations

Any Director of the PTO may resign at any time by giving written notice to the President or the Secretary of the PTO. Such resignation shall take effect upon the receipt of such notice or at any later time specified therein.

Section 6.13 Removal

Any Director may be removed by a majority vote of the remaining voting Directors whenever in the judgment of the Board the best interests of the PTO would be served thereby. Prior written notice of such action shall be furnished to each Director, including the member whose removal is being considered.

Section 6.14 Interest of Directors

Any contract or other transaction between the PTO and one or more of its Directors or between the PTO and any firm or organization of which one or more of its Directors are members, employees, shareholders, Directors, officers, or in which they are interested, shall be valid for all purposes. However, the fact of such interest shall be disclosed or known to the Board of Directors prior to authorization, approval or ratification of any such contract or transaction. If the Board of Directors shall, nevertheless, authorize, approve, and ratify such contract or transaction by a vote of a majority of the Directors present, such interested Director or Directors shall abstain from voting on such a contract or transaction.

Section 6.15 Quorum

A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board, but if less than a majority of the voting Directors is present at a meeting, the meeting shall be adjourned without further notice and rescheduled.

Section 6.16 Manner of Acting

The action of the majority of the Directors present at a meeting at which a quorum is present shall be the action of the Board of Directors unless the action of a greater number is required by law or these Bylaws.

Section 6.17 Number of Directors

The number of Directors shall be no fewer than three and no greater than eleven. The number of Directors may be increased or decreased from time to time by an amendment to these Bylaws, but no decrease shall have the effect of shortening the term of any incumbent Director. Any directorship filled by a reason of increase in number of Directors shall be filled by election according to Article XII, Section 7.02 Election of the Bylaws.

Section 6.18 Attendance

A Director may be removed for failure to attend three (3) regularly scheduled Board meetings without good cause during his or her term. Attendance may be made in written report. It shall be the duty of each Director to report to the President the reason for any absence if he or she is unable to attend any Board meeting. Written notice of pending removal shall be given to the Director in question at least five days prior to the next regularly scheduled Board meeting. Such Director shall have the right to attend the meeting and speak to the other Board members regarding such absences. If a majority of the voting Directors present at the meeting following the third absence finds that good cause for such absences has not been shown, such non-attending Director shall automatically be removed from the Board and his or her position shall be declared vacant by the President.

Section 6.19 Compensation

Directors, as such, shall not receive any stated salaries, other remuneration or compensation for their services as officers of the PTO. Directors may receive reimbursement of a valid expense (s) of operation of the PTO where previously approved by the Board.

ARTICLE VII. OFFICERS

Section 7.01 Number, Term and Designation

(A) Elected Officers

The elected officers of the PTO shall be a President, President-Elect, Vice-President, Secretary, and Treasurer. Each elected officer shall have a directorship on the Board of Directors. The President shall automatically assume the responsibilities of the office of President upon completion of his or her elected term as President-Elect. Any candidate for elected office must be a current member one year or until their successors have been duly elected and have qualified. No elected officer shall serve more than two terms consecutively in the same capacity, unless no duly qualified person stands for election.

(B) Appointed Officers

The appointed officers of the PTO shall be such other officers as may be deemed desirable by the Board of Directors to carry on the work of the PTO. Such officer shall be appointed by the President, subject to the approval of the Board of Directors, and may serve more than one term consecutively in the same capacity.

(C) Faculty Liaison

The Faculty Liaison Officer shall be an officer appointed by the Teacher members of the PTO. Such officer shall represent the interests of the Teachers and Faculty of Bay Area Charter Elementary School as a Director on the Board of Directors of the PTO.

Section 7.02 Election

The Board of Directors shall appoint from the membership a committee of at least two members to be known as the "Election Committee." The Secretary shall act as Chairperson of the Election Committee. The Election Committee shall solicit nominations for the elected offices by furnishing a nomination form to all members not less than 30 days prior to the election deadline. The Secretary shall obtain the approval of the nominee prior to the inclusion of the nominee's name for consideration. Nominations will be accepted up to the time the vote is taken. Voting will be by a show of hands, unless a ballot is requested. The Election Committee shall tally the votes and determine the election results.

Section 7.03 President

The President Shall:

- a Preside at all meetings of the PTO and the Board of Directors,
- b Appoint such other officers or committee chairpersons not provided by election, all of which appointments are subject to the approval of the Board of Directors;
- c Serve as an ex-officio member of any committee (except the Election Committee) which the President shall so desire,
- d See that all orders and resolutions of the PTO are carried into effect;
- e Execute all contracts and other documents on behalf of the PTO (except where the execution thereof shall be expressly delegated by the Board of Directors to another officer or agent of the PTO);
- f Serve as primary representative of the PTO to meetings of the School Board of Directors for the Bay Area Charter School;
- g Have general supervision over the affairs of the PTO, subject to the direction and approval of the Board of Directors.

Section 7.04 President-Elect

The President-Elect shall

- a Use the term of office to become thoroughly familiar with all matters pertaining to the PTO,
- b Formulate plans for his or her term of office as President,
- c Serve as the secondary representative of the PTO to meetings of the School Board of Directors for the Bay Area Charter School,
- d. Serve as Chairperson of the Member/Volunteer Committee;
- e Serve as a member of the Budget Committee along with the Treasurer and such other officers as designated by the President to review, approve and implement an annual budget for the PTO,
- f Be responsible for the preparation and distribution of the PTO's Annual Report, and
- g Perform such other duties as may from time to time be assigned to this office by the President or the Board Directors

Section 7.05 Vice-President

The Vice-President shall

- a. In the absence, disability or refusal to act of the President, perform the duties and exercise the powers of the President and shall, if necessary, succeed to that office,
- b. Serve as Chairperson of the Fundraising Committee, and
- c. Perform such other duties as may from time to time be assigned to this office by the President or the Board of Directors

Section 7.06 Secretary

The recording Secretary shall

- a Keep or cause to be kept a record of the proceeding of all meetings of the PTO and the Board of Directors in a minute book to be maintained for that purpose,
- b Preserve in a permanent file all minutes, exhibits and other attachments as well as all files received from the previous Secretary, which shall be delivered to the successor Secretary together with the minute book;
- c. Preserve in a permanent file all financial accounting books, exhibits and other attachments as well as all files received from the previous Treasurer, which shall be delivered to the successor Secretary;
- d Be custodian of the corporate records,
- e Shall update and distribute Bylaws as amendments are made,
- f Shall produce an agenda for each meeting of the Board or general membership,
- g Shall have available at each meeting a copy of the Bylaws and the minutes of past meetings available for members to view and receive copies upon request,
- h Give all notices in accordance with the provisions of these Bylaws,
- i Shall serve as Chairperson on the Election Committee, and
- j Perform such other duties as may from time to time be assigned to this office by the President or the Board of Directors

Section 7.07 Treasurer

The Treasurer shall:

- a Have custody of the funds of the PTO,
- b Collect all dues and assessments, and disburse the funds of the PTO as may be ordered by the Board of Directors and in accordance with these bylaws,
- c Keep full and accurate accounts of all receipts and disbursements,
- d Deposit the funds in the name and to the credit of the PTO in such depositories as the Board of Directors may direct,
- e Make a report of the financial activity that has occurred since the last general membership meeting and present such a report at every meeting,
- f Make a full report of all financial activity during the fiscal year at the annual meeting,
- g Render an accounting of all transactions and of the financial condition of the PTO to the Audit Committee at the end of the fiscal year. Such accounting will also be made to the President and the Board of Directors, immediately upon request,

- h Secure all proper signatures of elected officers on depository papers when new signatures are needed because of an election or when transferring funds to a new depository as directed by the Board of Directors, and
- i Perform such other duties as may from time to time be assigned to this office by the President or the Board of Directors

ARTICLE VIII. COMMITTEES

Section 8.01 Standing Committees

Committees of the PTO shall be determined by the Board of Directors

The chairpersons of all standing committees shall be members appointed by the President subject to approval by the Board of Directors. The chairpersons shall select such members of their respective committees from among the membership as deemed by the chairpersons necessary to fulfill the responsibilities

Additional standing committees may be authorized by the Board of Directors

Section 8.02 Special Committees

There shall be vested in the Board of Directors authority to create such special committees as may be deemed necessary for specific purposes. The chairpersons of special committees shall be members appointed by the President, subject to the approval of the Board of Directors. Such chairpersons shall select the members of their committees from among membership. The chairperson shall furnish reports and attend Board meetings as may be requested by the Board of Directors, but shall have no voting rights unless they hold an elected position

Section 8.03 Limits of Committees' Authority

Without prior specific authorization of a majority vote of the Board, a committee shall not

- a. Preempt the stated authority and function of any Officer or Director of the PTO,
- b. Incur any financial obligation nor enter into any contract on behalf of the PTO without the prior approval of the Board of Directors;
- c. Incur cost of over \$100.00 for any PTO function unless a detailed analysis of the cost is presented to the Board and the Board has voted to incur the cost

ARTICLE IX. GENERAL PROVISIONS

Section 9.01 Fiscal Year

The fiscal year of the PTO shall begin on the first day of July and end on the last day of the following June

Section 9.02 Assets

The PTO shall be authorized to raise funds by fees, dues, solicitations, benefits, and other legitimate methods. The PTO shall be authorized to receive gifts, legacies, and bequests (for general or specific purposes), subject to approval of the Board of Directors. The Board of Directors may create reserves for such purposes as it shall deem beneficial to the PTO and may, if it deems it beneficial to the PTO, abolish the reserves

Section 9.03 Budget

At the beginning of each fiscal year, the Board of Directors shall develop a budget for the year that shall be submitted for approval at the first General Meeting. The Treasurer shall be authorized to make any expenditure provided for in the budget adopted.

Section 9.04 Request from School for Purchases

Any requests from Bay Area Charter School, Inc. must be submitted in writing and in advance of purchase to the Board. The request must be detailed as to the item description, quantity, and cost. All costs associated with the proposed purchase must be disclosed. These costs include, but are not limited to, the price of item(s), delivery charges, shipping and handling charges, processing fees, insurance fees, taxes, etc. The Board may approve the request in whole or in part only if the funds are available as allocated in the Budget authorized by the general membership. If the final cost exceeds the amount of the approved request, the PTO will provide only funds approved in advance. If the funds required for the proposed purchase are beyond the allocations of the Budget, then a majority vote of the membership at the next general meeting is required to approve the purchase. The Board may deny any portion of the request. The Board may deny the request at its own discretion if the board deems the proposed purchase is not in the interest of this organization and its purpose. The Board may deny the request if the purchase has been made prior to the Board's knowledge or notification.

ARTICLE X. CONTRACTS, CHECKS, DEPOSITS, AND FUNDS

Section 10.01 Contracts

The Board of Directors may authorize any officer, agent of the PTO, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the PTO. Such authority may be general or confined to specific instances.

Section 10.02 Checks and Drafts

All checks, drafts or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the PTO shall be signed by such officers or agents of the PTO and in such a manner as shall be determined by resolution of the Board of Directors. Such instrument requires a signature from any of the following elected officers as designated for each fund.

- a General Checking Account President, Vice-President or Treasurer
- b Savings Account President, Vice-President or Treasurer

Section 10.03 Deposits

All funds of the PTO shall be deposited to the credit of the PTO in such bank, trust companies or other depositories as the Board of Directors may select.

Section 10.04 Gifts

The Board of Directors may accept on behalf of the Organization any contribution, gift bequest or device for the general purposes or for any special purpose of the PTO.

ARTICLE XI. BOOKS AND RECORDS

Section 11.01

The PTO shall keep correct and complete books and records of accounts, and shall keep minutes of all meetings of the Board of Directors to include the following information

- a Time and place of holding
- b Whether regular or special (and if special, how authorized)
- c The notice thereof given
- d The names of those present at Directors', committees or membership meeting and the proceedings thereof

All books and records of the PTO may, upon written request, be inspected by any representative or his agent or attorney for any proper purpose at any reasonable time. All original books and records will be kept by and maintained by the Secretary. Financial records shall be kept for duration of 7 years. All other records shall be kept for 2 years

ARTICLE XII. DISSOLUTION

Section 12.01

Upon dissolution of the PTO, the Board of Directors shall adhere to the provisions as stated in the Articles of Incorporation, Article Nine, Dissolution. All residual funds, if any, shall be dispersed to the Bay Area Charter Elementary School. Upon determination to dissolve, written notice will be given to the Board of Directors of the Bay Area Charter School.

ARTICLE XIII. AMENDMENTS

Section 13.01 Adoption, Repeal or Amend

A two-thirds vote of a quorum of the membership present at any general business meeting or special meeting called for the purpose shall be needed to alter, amend or repeal these Bylaws and for new Bylaws to be adopted and added. Written notice setting forth such proposed amendment(s) shall be furnished to all members not less than 30 days, but not more than 60 days prior to the deadline for voting on such amendments.

ARTICLE XIV. ADOPTION

Section 14.01

Article I and XIV of these Bylaws, inclusive, contained on thirteen (13) typewritten pages were adopted and approved by two-thirds of a quorum of members present at a special membership meeting duly called and held on October 1, 2009

BOARD OF DIRECTORS CERTIFYING ADOPTION:

President: Mitzie Hill
Vice President: Daniette Hunter
Treasurer: Kelly Demel
Secretary: Alicia Bennett
Secretary: Kristi Fazioli

The previous version of these bylaws was certified as follows

Article I and XIV of these Bylaws, inclusive, contained on nineteen (19) typewritten pages were adopted and approved as written by two-thirds of a quorum of general membership present at the general membership meeting duly called and held on November 1, 2001

~~Having operated in accordance with these Bylaws since November 1, 2001, these Bylaws shall be effective as of that date~~

BOARD OF DIRECTORS AND OFFICERS CERTIFYING ADOPTION:

President: Cammie Beierle
Treasurer: Carrie Gilder
Secretary: Behtany Daliege
Vice President: Dina Greer
School Supply Treasurer: Ulrike Brown