

UNIT BYLAWS

New York State
PTA
everychild.onevoice.

- (1) Sweet Home High School Parent Teacher Student Association
- (2) 1901 Sweet Home Rd.
Amherst, _____ New York 14228 - _____
- (3) NYS PTA Region Western NYS PTA Code # 19 - 237
- (4) National PTA Code # _____
- (5) Grade Level 9-12
- (6) Federal ID Number _____ - _____
- (7) New York State Sales Tax Exempt Number EX - _____
- (8) Membership Adoption Date June 3rd 2010
- (9) President's Signature Juan M. Cuervo
- (10) Secretary's Signature Debra M. Cullen

Do not write in this space.

Region Reviewed

State Approved

Bylaws valid as of state approval date. Date of Expiration _____

Bylaws, whether revised or not, must be adopted by the association and submitted to Region Bylaws Chairman at least 90 days prior to date of expiration.

(8) imc June 6-3-10 1
(Adoption Date)

#ARTICLE I – NAME

- (1) The name of the organization is the Sweet Home High School PTSA Parent Teacher student Association. It is a local PTA unit organized under the authority of the New York State Congress of Parents and Teachers, Inc. (the New York State PTA) a branch of the National Congress of Parents and Teachers (the National PTA).

#ARTICLE II – ARTICLES OF ORGANIZATION

The *articles of organization* of a constituent organization include (a) the bylaws of such organization and (b) the certificate of incorporation or articles of incorporation of such organization (in cases in which the organization is a corporation) or the articles of association by whatever name (in cases in which the organization exists as an unincorporated association).

#ARTICLE III – PURPOSES

- (1) **Section 1.** The Purposes of the Sweet Home High School Parent Teacher student Association, in common with those of the National PTA and the New York State PTA, are:

- a. To promote the welfare of children and youth in home, school, community, and place of worship.
- b. To raise the standards of home life.
- c. To secure adequate laws for the care and protection of children and youth.
- d. To bring into closer relation the home and the school, so that parents and teachers may cooperate intelligently in the education of children and youth.
- e. To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social, and spiritual education.

Section 2: The Purposes of the National PTA, the New York State PTA, and this organization are promoted through an educational program directed toward parents, teachers, and the general public; are developed through conferences, committees, projects, and programs; and are governed and qualified by the basic policies set forth in Article IV.

Section 3. The organization is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding Section of any future Federal tax code (hereinafter "Internal Revenue Code").

(8) June 6-3-10
(Adoption Date)

2

#ARTICLE IV – BASIC POLICIES

The following are basic policies of this PTA in common with those of the National PTA and the New York State PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The name of the organization or the names of any members in their official capacities shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the Purposes of the organization.
- c. The organization or members in their official capacities shall not, directly or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- d. The organization shall work with the schools and community to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities.
- e. The organization shall not enter into membership with other organizations except as such international or national organizations as may be approved by the National Board of Directors. The New York State PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but a PTA/PTSA representative shall make no commitments that bind the group he/she represents.
- f. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof.
- g. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- h. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more non-profit funds, foundations, or organizations which have established their tax exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of the National PTA.

#ARTICLE V – RELATIONSHIP WITH THE NATIONAL PTA AND THE NEW YORK STATE PTA

Section 1. This PTA shall be organized and chartered under the authority of the New York State PTA in the area in which this organization functions, in conformity with such rules and regulations, not in conflict with the National PTA bylaws, as the New York State PTA may in its bylaws prescribe. The New York State PTA shall issue to this PTA an appropriate charter evidencing the due organization and good standing of this PTA.

A local PTA in good standing is one which:

- a. Adheres to the Purposes and basic policies of the PTA.

- b. Remits the national portion of the dues through the New York State PTA to reach the National Office by dates designated by the National PTA.
- c. Has bylaws approved according to the procedures of the New York State PTA.
- d. Meets other criteria as may be prescribed by the New York State PTA.

Section 2. This PTA shall adopt such bylaws for the government of the organization as may be approved by the New York State PTA. Such bylaws shall not be in conflict with the bylaws of the National PTA or the bylaws of the New York State PTA.

Section 3. Bylaws of each constituent organization shall include an article on amendments.

Section 4. Each officer or board member of a constituent organization shall be a member of a local PTA within its area.

Section 5. Each officer or board member of a local PTA shall be a member of such local PTA.

Section 6. This PTA shall keep such permanent books of accounts and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the organization, including, specifically, the number of its members, the dues collected from its members, and the amount of dues remitted to the New York State PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the New York State PTA or, where directed by the committee on state and national relationships, by a duly authorized representative of the National PTA.

Section 7. The charter of this PTA shall be subject to withdrawal and the status of such organization as a PTA unit shall be subject to termination, in the manner and under the circumstances provided in the bylaws of the New York State PTA.

Section 8. This local PTA is obligated, upon withdrawal of its charter by the New York State PTA:

- a. To yield up and surrender all its books and records and all of its assets and property to the New York State PTA or to such agency as may be designated by the New York State PTA, or to another local PTA organized under the authority of the New York State PTA;
- b. To cease and desist from the further use of any name that implies or connotes association with the National PTA or the New York State PTA or status as a constituent organization of the National PTA; and
- c. To carry out promptly, under supervision and direction of the New York State PTA, all proceedings necessary or desirable for the purpose of dissolving this PTA.

Section 9. This PTA shall collect dues from its members and shall remit a portion of such dues to the New York State PTA as provided in Article VI hereof.

Section 10. Only members of a local PTA who have paid dues for the current membership year may participate in the business of the association.

Section 11. Bylaws of each constituent organization shall include a provision establishing a quorum.

Section 12. The members of the nominating committee for officers of a constituent organization shall be elected by membership and executive board.

Section 13. The bylaws of all constituent organizations shall prohibit voting by proxy.

Section 14. Each local PTA shall include in its bylaws provisions corresponding to the provisions of such bylaws as are identified by the state symbol (#).

Section 15. The adoption of an amendment to any provision of the bylaws of the National PTA and the New York State PTA shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the amending process, the local PTAs shall promptly incorporate such amendments in their respective bylaws.

Section 16. This local PTA may dissolve and terminate its organization in either of the following manners:

- a. If dissolution of the association is considered because the school is being closed, the unit shall hold a meeting for the purpose of dissolution. Written notice indicating the purpose of this meeting shall be sent to the region director at least thirty (30) days prior to this meeting, and the region director shall be invited to this meeting. After the meeting the unit shall send written notice to the New York State PTA Office stating that the PTA has been dissolved, giving the date of dissolution. Units dissolved under this paragraph are obligated to further comply with all the provisions contained in Article VI, Section 6 of the New York State PTA Bylaws.
- b. Upon receipt of a petition recommending dissolution of the association signed (including their addresses) by ten members or ten percent (10%) of the membership of the association, whichever is larger (exclusive of the members of the executive board) the executive board shall submit the question of dissolution to a vote at a special meeting of the members. All monies shall be frozen, except for those already budgeted or approved until the question of dissolution has been decided. If dissolution is approved, disposition of funds shall be in accordance with Article VI, Section 6 of the New York State PTA Bylaws.
 - (1) Written notice stating the question of such dissolution shall be given to each member entitled to vote at such meeting, to the president of the New York State PTA, and to the region director at least thirty (30) days prior to the date of such meeting. The list of the names and addresses of the petitioners shall be given to the region director. The region director shall be invited to the meeting.
 - (2) Only those persons who were members of the association on the date of submission of the question of dissolution and who continue to be members on the date of the special meeting shall be entitled to vote on the question.
 - (3) Approval of dissolution of this local PTA shall require the affirmative vote of at least two-thirds (2/3) of the members present and voting at the special meeting, a quorum being present.

ARTICLE VI – MEMBERS AND DUES

Section 1. Every individual who is a member of this PTA is, by virtue of that fact, a member of the National PTA and of the New York State PTA by which this local PTA is chartered, and is entitled to all benefits of such membership.

Section 2. Membership in PTA shall be open, without discrimination, to anyone who believes in and supports the mission and Purposes of National PTA.

Section 3. This PTA shall conduct an annual enrollment of members. Membership is to be available throughout the year.

Section 4. Each member of this PTA shall pay such annual dues to said organization as may be prescribed by the organization. The amount of such dues shall include the portion payable to the New York State PTA (the "state portion") and the portion payable to the National PTA (the "national portion"). The National portion of each member's dues shall be one dollar and seventy-five cents (\$1.75) per annum. The New York State PTA portion of each member's dues shall be one dollar and seventy-five cents (\$1.75) per annum.

(11) # **Section 5.** Each member of this PTA shall pay annual dues of \$ 6.00 to the organization. The amount of such annual dues shall include the portion payable to the state PTA and the portion payable to the National PTA.

(12) # **Section 6.** The state and national portions of the dues paid by each member of this PTA shall be set aside by this PTA and remitted to the New York State PTA through such channels and at such times as the state bylaws may provide.

Section 7. The membership year shall be from October 1 to September 30 inclusive. Dues shall be remitted to the New York State PTA Office immediately following the membership enrollment and before November 1. All dues shall be forwarded to the State PTA Office by March 31, and any additional dues shall be sent to the State PTA Office by the end of the school year.

Section 8. Only members of this PTA who have paid dues for the current membership year shall be eligible to participate in the meetings of the PTA or to serve in any of its elective or appointive positions.

Section 9. Honorary Life Membership.

a. An Honorary Life Membership in the New York State PTA in recognition of distinguished service to children and youth may be conferred by the New York State PTA or any of its constituent organizations in good standing upon payment of a fee established by the Board of Managers of the New York State PTA. An Honorary Life Member must pay dues to a local PTA to be entitled to all the rights and privileges of active status.

b. All contributions made in recognition of the selection of persons to Honorary Life Membership in the New York State PTA shall be paid to the funds for the New York State PTA Jenkins Memorial Scholarship for Teacher Education and/or for the New York State PTA Fellowship for Graduate Study in Memory of Richard Gazzola as designated by the contributor.

ARTICLE VII – OFFICERS AND THEIR ELECTION

Section 1. Each officer shall be a member of this PTA.

Section 2. Officers and their election:

(13) a. The officers of the association shall consist of: president, 2 vice president(s), recording secretary, a corresponding secretary, and a treasurer.

(14) b. Officers shall be elected by ballot annually at a regular meeting of the association in the month of May. However, if there is only one nominee for any office, election for that office may be by voice vote.

(8)

Amc

June 6-3-10
(Adoption Date)

6

- (15) c. Officers shall assume their official duties at the end of the June meeting and shall serve for a term of one year or until a successor is elected.
 "Notwithstanding the provisions of this section, no member shall remain in office for more than two (2) consecutive years. In the event a successor is not elected after two years, the position shall be declared vacant and the vacancy shall be filled as provided in these bylaws."
- (16) d. A person shall not be eligible to serve more than 2 consecutive term(s) in the same office. An officer who has served more than one-half of a term shall be credited with having served that term.
- # e. No person shall hold more than one office at the same time.
- (17) # f. No person under the age of 18 shall be eligible to serve in the office of president, recording secretary (or secretary), or treasurer.

Section 3. Nominating Committee

- (18) a. There shall be a nominating committee consisting of 3 members, 1 of whom shall be elected by the executive board from its body, and 2 who shall not be members of the executive board, elected by the association at a regular meeting of the association at least sixty (60) days prior to the election meeting. From this elected group, the chairman of the nominating committee shall be elected by the executive board.
- # b. The nominating committee shall nominate one person for each office to be filled.
- # c. Members of the nominating committee may be nominees for office without resigning from the committee.
- # d. Only those persons who have consented to serve if elected shall be nominated for or elected to such office.
- (19) # e. The nominating committee shall present its report at the regular meeting of the association in (month election held) May at which time additional nominations may be made from the floor.

(20) Section 4. Vacancies

A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the executive board, notice of such election having been given to the executive board. In case a vacancy occurs in the office of the president, the first vice president shall serve notice of the election to the executive board. If co-presidents are elected and one resigns, there is no vacancy. The remaining co-president serves as president.

ARTICLE VIII – DUTIES OF OFFICERS

Section 1. The president shall:

- # a. Have general charge and supervision of the business and affairs of the association and perform the duties usually incident to the office of president of a not-for-profit association chartered by the New York State PTA and organized under the laws of New York State.
- # b. Sign and execute all contracts, agreements, or other obligations in the name of the association.
- c. When present, preside at all meetings of the association, the executive board, and the executive committee.

(8) June 6-3-10 (Adoption Date)

7

- # d. Be a member *ex officio* of all committees except of the nominating committee or the audit committee. The president may not be an *ex officio*, elected, or appointed member of these two committees.
- e. In cooperation with the executive committee, appoint the committee chairmen including all special committee chairmen, except those for which other provision is made, and fill vacancies in chairmen of all committees, except those for which other provision is made.
- f. Coordinate the work of the officers and committees of the association in order that the Purposes may be promoted.
- # g. Keep a current copy of the association's state approved bylaws.

(21)

Section 2. The vice president(s) shall:

- (22) a. Act as aide(s) to the president.
- # b. Perform the duties of the president in the absence or inability of that officer to act. In order to perform the duties of the president, a person must be at least 18 years of age.

(23) **Section 3.** The recording secretary shall:

- # a. Record and maintain a permanent file of the minutes of all meetings of the association, executive board, and the executive committee.
- # b. Send the names and addresses of the elected officers to the region director immediately following their election.
- c. Maintain a permanent file of the committee reports, membership lists, and records pertaining to the work of the association.
- # d. Keep a current copy of the association's state-approved bylaws.

Section 4. The corresponding secretary shall:

- a. Conduct the correspondence of the association under the direction of the president.
- b. Maintain a file of all correspondence pertaining to the work of the unit.
- c. Send notices of meetings as required.

(24)

Section 5. The treasurer shall:

- # a. Have custody of all of the funds of the association.
- # b. Keep a full and accurate account of receipts and expenditures.
- # c. Make disbursements as authorized by the president, executive board, or association in accordance with the budget adopted by the association.

(8)



(Adoption Date)

Done 6-3-10 8

- # d. Issue written receipts for donations of seventy-five dollars (\$75) or more indicating the portion of the donation exceeding the value of the goods or services received that is deductible.
- # e. Serve as chair of the budget committee to prepare a budget for submission to the executive board for review and to the association for adoption.
- # f. Present a financial statement at every meeting of the association and at other times when requested by the executive board.
- # g. Present a complete annual report at the annual meeting of the association.
- # h. Be responsible for the maintenance of such books of accounts and records as conform to the requirements of Article V, Section 6.
- # i. Keep the records of the National PTA and the New York State PTA portions of the dues separate from the portion of the association, in accordance with Article V, Section 6.
- # j. Pay the National PTA and the New York State PTA portions of the dues to the New York State PTA in accordance with Article VI, Section 6.
- # k. Pay to New York State PTA the fee for the liability insurance and fidelity bond provided the association through the New York State PTA.
- # l. Submit all financial records in accordance with Article XII, Section 8 to the audit committee or a professional auditor at least two weeks prior to date audit report is due.
- # m. Have the accounts examined annually, or upon change of treasurer, by an audit committee or a professional auditor who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.
- # n. File all forms required by the Internal Revenue Service and New York State agencies.
- (25) o. Pay the annual PTA council dues to the Sweet Home School District Council of Parent Teacher Associations.

(26)

(27) Section 6. All officers shall:

- # a. Meet the fiduciary duties of careful and prudent judgment and adherence to the organizations purposes and rules.
- # b. Attend local, regional and/or state PTA training workshops.
- c. Perform the duties outlined in these bylaws and those assigned from time to time.
- d. Turn over to the president or successor all pertinent records, books and materials and return to the treasurer all funds without delay upon the expiration of the term of office, or in case of resignation.
- e.

ARTICLE IX – EXECUTIVE COMMITTEE

(28) Section 1. The executive committee shall consist of the officers of the association.

(8) Dec 6-3-10 9
(Adoption Date)

Section 2. The executive committee shall:

- a. In cooperation with the president, appoint the committee chairmen including all special committee chairmen, except those for which other provision is made, and fill vacancies in chairmen of all committees, except those for which other provision is made.
- b. Appoint delegates to the New York State PTA convention in accordance with the provisions of the bylaws of the New York State PTA, to other state and regional meetings, and to meetings of other organizations as defined in Article IV, e.
- c. Transact necessary business between meetings of the executive board and all business referred to it by the executive board or association.
- d. Make recommendations to the executive board.

(29)

Section 3. The executive committee shall meet at the call of the president or a majority of the executive committee members. At least 14 days notice shall be given.

(30) **Section 4.** Special meetings of the executive committee may be called by the president or upon the request of the majority of the members. At least 14 days notice shall be given.

Section 5. A majority of the executive committee shall constitute a quorum.

ARTICLE X – EXECUTIVE BOARD

Section 1. Each board member shall be a member of this PTA.

(31) **Section 2.** The executive board shall consist of the executive committee, ^{and} chairmen of the standing committees, _____.

Section 3. A PTA member shall not serve as a voting member of a constituent organization's board at the local, council, region, state, or national level while serving as a paid employee of, or under contract to, that constituent organization.

Section The executive board shall:

- a. Transact necessary business in the intervals between regular association meetings and such other business as may be referred to it by the association.
- b. Create committees, in accordance with the provisions of Article XII.
- c. Approve the plans of work of the standing committees.

(8)

lmc

dme 6-3-10
(Adoption Date)

10

- d. Present a report at the regular meetings of the association.
- e. Review and submit the budget prepared by the budget committee to the association for adoption.
- # f. Appoint an audit committee of no fewer than three (3) members or a professional auditor at least two (2) weeks prior to the date the audit report is due.
- g. Fill vacancies in office.

(32)

(33) **Section 5.** The executive board shall meet monthly, during the year, the dates and times to be determined by the board. At least 14 days notice shall be given.

(34) **Section 6.** Special meetings of the executive board may be called by the president or upon the request of a majority of the members. At least 10 days notice shall be given.

Section 7. A majority of the executive board shall constitute a quorum.

(35)

ARTICLE XI – MEETINGS OF THE ASSOCIATION

(36) **Section 1.** Regular meetings of the association shall be held at least three (3) times during the year, the dates and times to be determined by the executive board. At least 30 days notice of a meeting shall be given.

(37) # **Section 2.** The annual meeting shall be held in the month of May at which time annual reports of officers and committee chairmen shall be presented.

(38) **Section 3.** Special meetings of the association may be called by the president, a majority of the executive board, or upon the written request of 20% of the membership. At least 10 days notice of any special meeting shall be given.

(39) **Section 4.** 10 members shall constitute a quorum for the transaction of business in any meeting of the association.

(8)

(Signature)

Due 6-3-10
(Adoption Date)

11

ARTICLE XII – COMMITTEES

Section 1. The executive board may create such standing committees as it deems necessary to promote the Purposes and to carry on the work of the association.

Section 2. Chairmen of committees shall be appointed by the president in cooperation with the executive committee, except those for which other provision is made

a. The term of each chair shall be one year or until a successor is appointed.

(40) # b. A person shall not be eligible to serve more than 2 consecutive term(s) as chair of the same standing committee.

Section 3. The chair of each standing committee shall prepare a plan of work and, after its approval by the executive board, shall carry out its provisions. No committee work shall be undertaken without the approval of the executive board.

Section 4. The chair of each standing committee shall attend region workshops.

Section 5. Special committees may be created by the association or by the executive board.

Section 6. A nominating committee shall be formed and shall perform its duties in accordance with the provisions of Article VII, Section 3.

Section 7. A budget committee shall be appointed by the executive board. The treasurer shall be chairman of the committee.

(41) # **Section 8.** An audit committee of no fewer than three (3) members or a professional auditor shall be appointed by the executive board at least two (2) weeks prior to the date the audit report is due. This committee shall examine the treasurer's accounts and, satisfied that they are correct, sign a statement of that fact to be presented for adoption by the membership at the

1st meeting of the succeeding school year

Section 9. A majority of any committee shall constitute a quorum.

Section 10. The president shall be a member *ex officio* of all committees, except that the president shall not be elected or appointed a member, nor serve as *ex officio* of the nominating and audit committees.

ARTICLE XIII – COUNCIL MEMBERSHIP

(42)

(43) **Section 1.** The association shall be represented at meetings of the Sweet Home School District Council of Parent Teacher Associations by the president and by 1 council delegates as determined by the council bylaws.

Council delegates:

a. Must be members for the current membership year of the local unit they represent.

(8)

5/10

(Adoption Date)

June 6-3-10

12

(44) b. Shall be nominated and elected by the same method and at the same time as the officers of the association, in accordance with the provision of Article VII.

c. Shall attend council meetings regularly and report on them to the association or to the executive board.

(45) Section 2. The association shall pay annual dues to the Sweet Home School District Council of Parent Teacher Associations in the amount determined by the council bylaws.

#ARTICLE XIV – FISCAL YEAR

(46) The fiscal year of this association shall begin on July 1 and end on the following June 30.

#ARTICLE XV – PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the National PTA and its constituent organizations in all cases in which they are applicable and in which they are not in conflict with these bylaws, the bylaws of the New York State PTA, and the bylaws of the National PTA or the articles of incorporation.

#ARTICLE XVI – AMENDMENTS

Section 1. These bylaws are valid for three years from the date of approval by the New York State PTA. In order to be sent at least 90 days prior to date of expiration, the bylaws shall be:

- a. Reviewed by a committee, revised if necessary, and approved by the association whether revised or not.
- b. Sent, whether revised or not, to the region bylaws chair for review or, in the chair's absence, to the region director, who shall forward all bylaws to the New York State PTA Bylaws Chair for approval.

Section 2. All new or revised bylaws and amendments adopted by this PTA must not conflict with the required articles prescribed in the bylaws of the National PTA and the New York State PTA, are subject to approval by the New York State PTA Bylaws Chair, and shall become effective upon such approval.

- a. These bylaws may be revised or amended at any regular meeting of the association by a two-thirds (2/3) vote of members present and voting, provided that 30 days notice has been given.

(8)  June 6-3-10
(Adoption Date)

- b. A committee may be appointed to submit a revised set of bylaws as substitute for the existing bylaws by a majority vote at a meeting of the association or by a two-thirds (2/3) vote of the executive board.
- c. Amendments or new or revised bylaws must be submitted for approval by the New York State PTA in accordance with the bylaws or regulations of the New York State PTA.

Section 3. The adoption of an amendment to any provision of the bylaws of the National PTA shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the amending process, this PTA shall promptly incorporate such amendments in its respective bylaws.

Section 4. The adoption of an amendment to any provision of the bylaws of the New York State PTA identified by the state symbol (#) shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA.





INSTRUCTIONS for UNIT (ASSOCIATION) BYLAWS

PHOTOCOPY the entire pattern; this becomes your proposed bylaws.
NO OTHER FORM WILL BE ACCEPTED. DO NOT SCAN.

- A. **Read** the entire bylaws pattern and corresponding instructions before beginning.
- B. Articles and sections indicated by the state symbol (#) are mandatory. They must be included **verbatim with no additions or deletions**.
- C. To facilitate the review and approval process, use a **different typeface** in making insertions. Handwritten entries are acceptable as long as they are legible. Use blue or black ink only.
- D. Submit one copy to region bylaws chairman for review **prior** to presenting the bylaws for a vote. This can avoid any problems that may cause delay in the approval process. Please include a contact person's name and phone number.
- E. After the bylaws have been revised, notice of the proposed changes must be given in accordance with ARTICLE XVI, Section 2. a. that states, "provided 30 days' notice has been given."
- F. The president and secretary of the unit must sign and fill in the date of adoption.
- G. **Seven (7)** copies of new or revised adopted bylaws must be sent 90 days prior to the date of expiration to the region bylaws chairman for review or, in the chairman's absence, to the region director, who shall forward them to the state bylaws chairman for approval and filing. Please send the original and 6 copies and keep one copy for your records.
- H. Since changes may be required or suggested in bylaws that have been submitted to the region and state bylaws chairman, **do not** make additional copies for distribution until the approved copies have been received.
- I. When submitting the bylaws adopted by the unit, include the name, address, and telephone number of the person to be contacted if there are any questions.
- J. Bylaws become effective on the date of approval by the state bylaws chairman.
- K. Two copies of the approved bylaws bearing the region review and the state approval stamps will be returned to the unit by the region bylaws chairman or region director. These are your **official** copies and are to be placed in the president's and secretary's books.

Send seven (7) copies to your region bylaws chairman at this address:

Phone No. _____

Email address _____

The following instructions correspond to the numbers that appear in the left margin of the bylaws pattern. Additional comments are included **For Your Information**.

- (1) Fill in the name of your local unit. Add "student" if it applies. Check prior bylaws and/or unit charter to verify the correct name of the unit. The name that appears on your the bylaws is the legal name of the unit.
- (2) Fill in the school address and zip code.
- (3) Fill in the name of your NYS PTA region and NYS PTA code number. (5 numbers)
- (4) Fill in your National PTA Code number. (8 numbers)
- (5) Fill in the grade levels that your school covers; for example, K-5, middle, Pre-K –3rd, etc.
- (6) Fill in your Federal ID number. (9 numbers)
- (7) Fill in your New York State Sales Tax Exempt number. (6 numbers)
- (8) Fill in the date your unit adopts (votes on) the bylaws.
- (9) The signature of the president is required.
- (10) The signature is required of the member who is responsible for recording the minutes of the meeting at which the bylaws were adopted.
- (11) Fill in the annual dues of your association. The total amount is determined by a vote of the association. Each member's dues must equal at least a minimum of the total of the National and State portions of the dues. For an association who wishes to include a provision for a reduced rate for additional family members, students, or senior citizens one or both of the following would be added:

"Each additional family member shall pay annual dues of _____ to the association."

"Students shall pay annual dues of _____ to the association."

FYI

For an association who wishes to offer increased rates for members, please note that all monies collected above the voted upon annual dues to the association shall constitute a donation. It is recommended that this be added to your unit Procedures.

(12) FYI

The provisions in Article VI through XIII have been found through long experience to be most effective for the majority of units throughout New York State.

- (13) The **minimum number of officers** for a PTA unit is a president, a secretary and a treasurer. **No person can hold any two of these positions.**

Co-office holders in any office other than president are not permitted.

Co-presidents are not a good form of leadership and are not recommended. President and president-elect is an alternative to co-presidents. This would provide the same working relationship in a parliamentary correct manner.

To insert co-presidents:

Add to Section 2.a. *"Co-presidents (2) may be used in lieu of a president."*

Add to Article VIII, Section 1.h. *"The Co-presidents shall determine the specific duties of each with the approval of the executive board."*

Add to Article X, Section 4.h. *"If Co-presidents are elected, approve the specific duties of each as determined by the co-presidents."*

President-elect Note: If you choose to include a president-elect please be aware that the unit will never vote on any candidate for the office of president, but will elect a president-elect and the other officers of the association. When the president-elect completes their term, they will automatically become president for a full term. Once a person has been elected president-elect, the membership cannot alter its decision regarding succession unless the individual resigns.

You may **NOT** have co-presidents elect or co-presidents if you are opting for this format.

To insert a "president-elect":

Add to Section 2.a. *"and a president-elect."*

Add to Section 2.b. the words "other than the president" to read "officers, *other than the president*, shall be elected by ballot..."

Add to Section 2.d. *"The president and the president-elect shall not be eligible to serve more than one consecutive term in office."*

Add to Section 4. *"If a vacancy occurs in the office of president-elect, it shall be filled by a majority vote of the association."*

The number of vice presidents must be specific. If multiple vice presidents are elected choose and insert one of the following options to Article VII, Section 2a.:

"Vice presidents shall be elected by designated order (1st, 2nd, 3rd, etc.)." or

"Vice presidents shall be elected by job title (VP of Legislation, VP of Programs, etc.)." or

"Vice presidents shall be elected at large with their order and duties determined in accordance with the unit procedures."

Note: Definition of **"at large"**: VP is not elected to a specific position but instead the president will decide the job duties and order of succession. A member may serve a maximum of two years as a VP at large.

All other sections of the bylaws refer to the office and not the method of filling the office.

Council delegates can be elected as delegates and not as officers.

If they are elected *as officers*:

Add to Section 2.a. the phrase *"and _____ council delegates."*

If they are elected *as delegates*, include them as voting members of either the executive committee or executive board.

(14) Elections should be scheduled early enough (either March or April) to allow incoming officers to take advantage of leadership training, region conferences, and workshops. Whatever month is chosen should be placed in ARTICLE VII Section 2.b. and Section 3.e.

(15) Choose **one** of the following options and fill in the blank:

- a. *at the close of the annual meeting*
- b. *at the last association meeting of the school year*
- c. *at the end of the school year*
- d. *on _____ (date)*

- (16) Officers may serve for a **maximum** of two consecutive **one year** terms in the same office, or no more than **one, two year** term.

If the term of office is for two years, then you may only insert "one" in this section. If officers are elected for a term of two years, you would elect them "biennially" and stipulate whether they are elected in "odd numbered years" or "even numbered years" for example "officers are elected biennially in even numbered years."

If your officers are elected for a term of two years but some are elected each year, you would stipulate which are elected in the even numbered years and which are elected in the odd numbered years. For example:

"the president, treasurer and corresponding secretary shall be elected in odd numbered years, the recording secretary and vice presidents shall be elected in even numbered years."

If your officers are elected for a term of two years, they may serve only one consecutive term—see ARTICLE VII – Section 2.c. and change wording to read:

*"...and shall serve for a term of **two** years."*

As well as Section 2.d.

"A person shall not be eligible to serve more than **one** consecutive term in the same office. An officer who has served more than one-half of a term shall be credited with having served that term."

- (17) While PTA encourages student participation and leadership, state law requires that the office of the president, recording secretary (or secretary), and treasurer be filled by a person at least 18 years of age. Any vice president under the age of 18 may aide the president, but **may not** perform any of the duties of the president.
- (18) **All members of the nominating committee must be elected.** The nominating committee may have as many members as the association desires, but this should always be an odd number. The nominating committee should be elected at least sixty (60) days prior the election meeting to allow time for them to make their selections carefully. The bylaws **must** insure that the committee includes members who are not members of the executive board, but should include at least one member from the executive board.

Indicate one of the following options for the election of the chairman:

a. *nominating committee*

b. *executive board* ** If you choose this option, add the following to Article X, Section 4:

Add an item h, or as appropriately lettered to read: Elect a nominating committee chairman as per Article VII, Section 3.a.

c. *association*

- (19) The following options may be added. If more than one are included **letter accordingly**.

The nominating committee **must** report at the election meeting but **may** also report at a prior meeting.

If the association wants a report given at a prior meeting, add the following:

"The nominating committee shall also report at the _____ meeting."

You can add qualifications a member must have for nomination to office. For example:

f. Additional nominations may be made from the floor provided the written consent of the nominee has been secured and the chairman of the nominating committee has received notice at least two business days prior to the election meeting of the candidate's intention to run.

Intermediate, middle, junior high, senior high, and feeder and receiving schools may want to include the following:

"Any person who has paid membership dues to a feeder school PTA, the PTA of a closing school, a PTA in _____ school district for the current membership year shall be eligible for nomination to office."

- (20) Alternate methods of filling a vacancy in the office of president are:

In case a vacancy occurs in the office of president, the first vice president shall *assume the office of president for the remainder of the term.*

If co-presidents are elected and one resigns there is not a vacancy. The remaining co-president serves as president.

If **president-elect** has been provided for, include the following:

"In case a vacancy occurs in the office of president, the president-elect shall assume the office of the president for the remainder of the term and shall serve notice of election of president-elect."

"If a vacancy occurs in the office of president-elect it shall be filled by a majority vote of the association."

- (21) If co-presidents are elected you must include the following language:

h. *"The Co-presidents shall determine the specific duties of each with the approval of the executive board."*

You may want to include (please letter appropriately):

i. *Appoint a parliamentarian, subject to the approval of the executive committee. **Note:** The parliamentarian is a non-voting member of the executive board.*

- (22) If your association has one vice president, strike the (s).

If your association has more than one vice president elected by designated order or title, the president, in cooperation with the executive board shall determine the specific duties of each to be included in the unit procedure book. Add:

c. *Perform duties as outlined for each vice president for designated job order or title as included in the Unit Procedures*

- (23) If your association has only one secretary, the duties are combined. Cross or white out "**Section 4.**

The corresponding secretary shall:" and combine the duties listed in Section 4 by changing the letters from a., b., c. to e., f., and g.

- (24) If Article X, Section 8 is added, include the following

c. *Mail notices about absences as per Article X, Section 8.*

- (25) Include only if your unit is a member of a PTA council.

- (26) List duties of other officers which your association may have such as president-elect, council delegate, or historian and renumber the sections. For example:

Section ____.*The president-elect shall:*

a. *Serve as an aide to the president for one term*

b. *Assume the office of president at the end of the term as president-elect*

Section ____. The council delegate shall:

a. Attend council meetings regularly and report on them to the association or the executive board.

Section ____. The historian shall:

a. Keep a permanent record of the association's activities.

b. Present a history of the current year at the annual meeting.

(27) If other sections have been added, this section number should be the last numbered section in this Article. NYS Non-profit Corporation Law states that all officers have a fiduciary responsibility to the organization. NYS PTA requires training in all areas of PTA to meet this responsibility.

(28) The "immediate past president," if available, of the unit may be included on the executive committee or executive board.

If the "council delegate" is elected at the same time as the officers, but is not an officer, they should be included on the executive committee or executive board. If the "council delegate" is appointed by the executive committee they should be included as part of the executive board.

(29) If you have listed the appointment of a parliamentarian under the president, add:

e. Approve the appointment of the parliamentarian made by the president.

(30) **FYI**

Notice for a special meeting should be relatively short. A special meeting is convened only to consider one or more items of business specified in the call of the meeting. The reason for the meeting is to deal with an important matter that urgently requires action before the next regular meeting.

(31) Consider adding to the executive board the principal/director (or other administrator), teacher liaisons, and council delegates if not on the executive committee.

(32) If **co-presidents** are elected you must include the following language:

h. "If co-presidents are elected, approve the specific duties of each as determined by the co-presidents."

(33) The executive board consists of the executive committee, chairmen of the standing committees, and can also include, for example: the principal/director (or other administrator), teacher liaisons, council delegates, if not on the executive committee, the parliamentarian as a non-voting member. The executive board must have a minimum of two meetings per year.

The executive board can meet:

a. at least _____ times a year

b. every second month

c. monthly.

Include the number of days' notice needed.

(34) Include the number of days' notice needed. It should be relatively short.

(35) The following may be included:

Section 8. Failure of an appointed executive board member to attend three (3) consecutive executive board meetings without prior notification to the president and without valid reason shall be grounds for the executive committee to reassess that member's position. After the second such absence, the secretary shall notify the member of this provision of the bylaws.

- (36) Regular association meetings (general membership) are necessary for budget approval, nominations, elections, and annual reports. **A meeting of the executive board is not a meeting of the association.** You must include the amount of notice. If you are voting on a calendar for the year at the first meeting, notice of the first meeting is still necessary.
- (37) An annual meeting is required by regulations governing not-for-profit corporations in New York State. You **must** list a specific month in the bylaws. May or June are recommended choices.
- (38) 30% and five (5) are recommended.
- (39) A quorum is the number of members who must be present at a meeting before any business can be transacted. The quorum for an association meeting must be a specific number—not a percentage. For a unit of 100 members or more, 20 or 25 is a reasonable number. For a unit of less than 100, 15 is sufficient. The quorum **must** always be at least two greater than the number of officers. The quorum must be **at least 10**.
- (40) Committee chairmen may serve for a **maximum** of two consecutive **one year** terms on the same committee. If the term of office is for two years, then you may only insert “one” in this section. Co-chairmen may not be appointed. Appoint assistant chairmen instead.
- (41) Choose one:
- a. *the annual meeting*
 - b. *the first meeting of the succeeding school year*

ARTICLE XIII – COUNCIL MEMBERSHIP

- (42) If your unit does not belong to a council, substitute the following:
“This association is not a member of a council.”
- (43) If the unit is a member of a PTA council, the council bylaws specify who shall represent the unit. Section 1 must conform to the council bylaws. If the principals and/or immediate past president are designated delegates to council, add them to this section. If alternate delegates are specified, you may choose to add them.
- (44) Choose the method for filling the position of council delegate. If the council bylaws provide for alternate delegates, your unit can provide for alternates in this section. Alternates **must be** chosen by the same method as the delegates.

Council delegates and alternates may be chosen in any of the following ways:

- a. *nominated and elected by the same method and at the same time as the officers of the association, in accordance with the provisions of Article VII.*

If you choose this method, the council delegates are not elected as officers of the association, you should include them as a part of the executive committee or the executive board.

- b. *nominated and elected as officers of the association.*

If you choose this method, the council delegates are elected as officers of the association.

- c. *appointed by the president in cooperation with the executive committee.*

If you choose this method make the following changes:

ARTICLE VIII, Section 1.h. to read:

- h. *In cooperation with the executive committee, appoint the council delegate(s) and alternate(s).*

ARTICLE IX. Section 2.e. to read:

e. In cooperation with the president, appoint the council delegate(s) and alternate(s).

d. elected by the executive board

If you choose this method, make the following change:

ARTICLE X. Section 4:

h. or i. Elect _____ council delegates.

(45) List here the name of the council to which your unit pays dues.

(46) The fiscal year *must begin on July 1 and end on the following June 30. The IRS is requiring all subsidiary units to have the same fiscal year end as the parent organization.*