

MONTANA PTA

UNIFORM BYLAWS for COUNCILS

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UNIFORM BYLAWS FOR COUNCILS

ARTICLE I: NAME

The name of this council shall be _____, a council organized under the authority of the Montana Congress of Parents and Teachers, Inc. (the Montana PTA), a branch of the National Congress of Parents and Teachers (the National PTA).

ARTICLE II: PURPOSES

Section 1. The Purposes of this PTA council, in common with those of the National PTA and the Montana 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, that parents and teachers may cooperate intelligently in the education of children and youth, and
- 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 Montana PTA, and this PTA council 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 III.

Section 3. The organization is organized exclusively for the charitable, scientific, literary, or educational purposes with 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").

ARTICLE III: BASIC POLICIES

The following are basic policies of this local PTA council in common with those of the National PTA and the Montana PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the Objects 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 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 such international or national organizations as may be approved by the National PTA Board of Directors. The Montana PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but PTA/PTSA representatives shall make no commitments that bind the group they represent.
 - 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 individuals 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 II 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 nonprofit funds, foundations, or organizations which have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

ARTICLE IV: RELATIONSHIP WITH THE NATIONAL PTA AND THE MONTANA PTA

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

Section 2. For continued affiliation with the Montana PTA, this PTA council will abide with these standards:

- a. Adhere to the Purposes and basic policies of the PTA,
- b. Ratify these bylaws on a yearly basis,
- c. Have a Federal Tax Identification-EIN (Employee Identification Number),
- d. File appropriate 990-N, 990-EZ or 990 Federal Tax Return on an annual basis at fiscal year-end,
- e. Submit an Officer's List to the Montana PTA by June 1 and update the Montana PTA office when new officers are elected throughout the year,
- f. Submit a copy of the Council's current Standing Rules to the Montana PTA on an annual

basis

- g. Remit the annual liability insurance premium to the Montana PTA by the date designated by the Montana PTA,
- h. Conduct an annual financial review of the Council's financial records,
- i. Become incorporated with the Montana Secretary of State and file an Annual Corporate Renewal Form and submit the yearly fee to the Secretary of State prior to April 15.

Section 3. This PTA council is obligated, upon withdrawal of its charter by the Montana PTA:

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

Section 4. The charter of a PTA council may be withdrawn for violations of its own bylaws, National PTA Bylaws, or for engaging in practices or activities that may tend to defeat the Purposes and basic policies of the National PTA. Alleged violations of the bylaws, policies, or Purposes by a council shall be reviewed by the state Board of Directors at the earliest opportunity. The PTA council will be given the opportunity to respond and to be heard regarding the allegations. If, after consideration and hearing, the Board of Directors find violation of the bylaws, policies, or Purposes it may by a two-thirds (2/3) vote of the Directors, require the local council to take appropriate action within a period of time stipulated by the Board of Directors. When such a requirement has been made by the Board of Directors and if the recommended action is not taken by the PTA council within the allotted time, the Board of Directors, by a two-thirds (2/3) vote of the Directors, may grant the council an extension of time of not less than six (6) months no more than eighteen (18) months in which to achieve satisfactory compliance with the action required by the Board of Directors. Failing such compliance, the Board of Directors shall withdraw the charter of the council and terminate its status as a branch of the Montana Congress of Parents and Teacher, Inc. and of the National Congress of Parents and Teachers. Upon the voluntary dissolution of a PTA council, the PTA council is obligated to carry out (a), (b) and (c) of Section 3, just as in the case of involuntary dissolution of the PTA council.

Section 5. A PTA council may dissolve its affairs in the following manner:

- a. The Executive Committee (or other body that, under its bylaws, manages the affairs of the council) shall adopt a resolution recommending that the council be dissolved and directing that the question of such dissolution be submitted to a vote at a special meeting of the members having voting rights. Written or printed notice stating that the purpose of such meeting is to consider the advisability of dissolving the council shall be given to each member entitled to vote at such meeting at least thirty (30) days prior to the date of such meeting;
- b. Written notice of the adoption of such resolution, accompanied by a copy of the notice of the special meeting of members, shall be given to the president of the Montana Congress at least twenty (20) days before the date fixed for such special meeting of the

- members;
- c. Only those persons who were members in good standing of the council on the date of the adoption of the resolution and who continue to be members in good standing on the date of the special meeting shall be entitled to vote on the question of dissolution; and
 - d. Approval of dissolution of the PTA council shall require the affirmative vote of at least two-thirds (2/3) of the members present and entitled to vote at the special meeting, a quorum being present.

ARTICLE V: PURPOSES OF THIS PTA COUNCIL

Section 1. The purposes of this PTA Council are:

- a. To strengthen local PTA units,
- b. To help develop PTA leadership,
- c. To promote local PTA membership, and
- d. To give service to the local community.

Section 2. This PTA council shall not legislate for local PTA/PTSA units.

ARTICLE VI: COUNCIL MEMBERSHIP AND DUES

Section 1. Membership in this PTA council shall consist only of local units chartered by the Montana PTA as authorized by the National PTA in the area specified in the council standing rules upon payment of dues hereinafter provided.

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

Section 3. This council PTA shall conduct an annual enrollment of members but may admit local PTAs to membership at any time.

Section 4. Each member of this council PTA shall pay such annual dues to the council as prescribed by the PTA council's Standing Rules. The annual membership dues may not be changed more than once per membership year. The annual dues are payable by November 1.

Section 5. Delegates from local PTAs/PTSAs whose dues to the council are in arrears shall not participate in the business meetings of the council.

Section 6. Only members of local PTAs shall be eligible to participate in the conduct of business meetings, to vote or to serve in any of this council's elective or appointive positions.

Section 7. The Montana PTA membership year shall begin September 1 and end the following August 31.

Section 8. This PTA council's Standing Rules shall specify:

- a. The voting body of this council ,
- b. The method of establishing voting credentials, and
- c. That each member PTA/PTSA shall be represented by delegates at the PTA Council meetings.

Section 9. A quorum for the transaction of business in any meeting of this council is defined in the standing rules.

ARTICLE VII: OFFICERS

Section 1. Each officer shall be a member of a local PTA within the area of this PTA council .

Section 2. Officers:

- a. There shall be at least four (4) elected officers: president, vice president, a secretary, and treasurer and any other officers as designated in the standing rules.
- b. The officers shall be elected by ballot at a general membership meeting. The month of this meeting shall be designated in the standing rules. However, if there is but one nominee for any office, election for that office may be by voice vote.
- c. Officers shall assume their official duties on the date designated in the standing rules and shall serve for the term as designated in the standing rules, or until their successors are elected.
- d. A person shall not be eligible to serve more than two consecutive terms in the same office. (Anyone who has served more than half of a term shall be credited with having served that term.)
- e. Only members of a local PTA/PTSA whose state and council dues are paid and members whose individual dues to the local PTA are paid shall be eligible to hold office, to serve on the executive board, to serve on a council committee, or to serve as delegates to the council.

Section 3. Vacancies

- a. A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the executive board, notice of such election having been given.
- b. In case a vacancy occurs in the office of president, a vice-president shall serve notice of election.

ARTICLE VIII: DUTIES OF OFFICERS

Section 1. The president shall:

- a. Preside at all meetings of the council and its executive board,
- b. Help to extend PTA work into all parts of the council territory, keeping it in harmony with the state plan,
- c. Perform such other duties as may be prescribed in these bylaws or assigned by the council,
- d. Be a member ex-officio of all committees except the nominating committee,
- e. Coordinate the work of the officers and committees, in order that the Purposes be promoted;
- f. The president or the president's designee shall submit an Officer's List to the Montana PTA by June 1 and update the Montana PTA office when new officers are elected throughout the year;
- g. The president or the president's designee shall submit a copy of the current Council Standing Rules to the Montana PTA on an annual basis;
- h. The president shall appoint a committee or cause to hire an outside auditor to conduct the Annual Financial Review of the council's financial records;

Section 2. The vice-president(s) shall (in their designated order):

- a. Preside in the absence of the president;
- b. Serve as aide(s) to the president; and
- c. Perform such other duties as may be prescribed in these bylaws or assigned by the PTA council.

Section 3. The secretary shall:

- a. Keep an accurate account of all meetings of the PTA council,
- b. Maintain a current copy of the uniform bylaws and standing rules,
- c. Maintain the membership roster, and
- d. Perform such other duties as may be prescribed in these bylaws or assigned by the PTA council

Section 4: The treasurer shall:

- a. Maintain a full account of the funds of the PTA council,
- b. Cause to be kept a full and accurate account of the receipts and disbursements in the financial records belonging to this PTA council,
- c. Make disbursements in accordance with the budget adopted by the PTA council,
- d. Have checks or vouchers signed by two persons, the treasurer and one other officer (as designated in the Standing Rules,
- e. Present a financial statement at every meeting of the PTA council and at other times when requested by the executive board,
- f. File appropriate 990-N, 990-EZ or 990 Federal Tax Return on an annual basis at fiscal year end,
- g. File Annual Corporate Renewal Form and remit yearly fee to the Secretary of State,
- h. Be responsible for maintaining a record of membership dues,
- i. Prepare or cause to be prepared an annual report for financial review, and
- j. Perform such other duties as may be prescribed in these bylaws or assigned by the PTA council.

Section 5. All officers shall upon the expiration of the term of office or in case of resignation, each officer shall turn over to the president, within thirty (30) days or before new officers assume duties, all records, books, and other materials pertaining to the office, and shall return to the treasurer, within the same time period, all funds pertaining to the office.

ARTICLE IX: BOARD of DIRECTORS

Section 1. The board of directors shall consist of the officers of the council and the chairperson of the standing committees. Other members may be designated as part of the board of directors in the standing rules.

Section 2. The Board of Directors shall:

- a. Transact business as may be referred to it by the council;
- b. Act in emergencies between meetings of the council;
- c. Fill vacancies in council offices;
- d. Approve plans of work of council standing committees;
- e. Approve tentative budget to be presented to the membership;
- f. Report at the regular meetings of the council; and

- g. Select an auditing committee of three members to audit the books at the end of the fiscal year and at such times as required by the resignation of the fiscal officer.

Section 3. Regular meetings of the board of directors shall be held as designated by the board at its first meeting. Special meetings of the board may be called by the president, or upon the request of a majority of members of the board. The number of days notice required for a special meeting shall be designated in the standing rules.

Section 4. At all meetings of the board, a majority of the members of the board shall constitute a quorum for the transaction of business.

ARTICLE X: EXECUTIVE COMMITTEE

Section 1. The executive committee of the local PTA council shall consist of the elected officers as defined in the Article VI of these bylaws and the standing rules of the PTA council.

Section 2. The executive committee shall perform the duties of the board of directors between meetings of the board, shall act in emergencies, and shall transact all business referred to it by the board, provided, however, that the action of the committee shall not be in conflict with that of the board of directors. It may make recommendations to the board of directors on matters of policy and administration.

Section 3. The executive committee shall meet at the call of the president or upon the request of two members of the committee. The quorum of the committee shall be a majority of its members.

ARTICLE XI: COMMITTEES

Section 1. The board of directors may create such standing committees as may be deemed necessary to promote the Purposes and carry on the work of this PTA council.

Section 2. The chairperson of the standing committees shall be selected by the board of directors. The term of each chairperson shall be one (1) year or until the selection of a successor.

Section 3. The chairperson of each standing committee shall present a plan of work to the board of directors for approval. No committee work shall be undertaken without the consent of the board of directors.

Section 4. The Chairperson of all standing committees shall be members in good standing of a local PTA/PTSA unit holding council membership.

Section 5. The power to form special committees and appoint their members rests with the board of directors.

Section 6. The quorum of any committee shall be a majority of its members.

Section 7. The president shall be a member ex-officio of all committees except the nominating committee.

ARTICLE XII: NOMINATING COMMITTEE

Section 1. There shall be a nominating committee composed of three members of the voting body of the council, no two of who shall be from the same member unit. This committee shall be elected by this council at a regular meeting not less than two months prior to the month at which the election of officers will be held. Nominations for the committee members shall be made from

the floor.

Section 2. The nominating committee shall send the list of nominees to the members of the executive board and to the president of each member association at least 30 days before the annual election meeting.

Section 3. The consent of each candidate must be obtained before his name is placed in nomination. Additional nominations may be made from the floor, provided the consent of each candidate has been obtained before his name is placed in nomination.

ARTICLE XIII: GENERAL MEMBERSHIP MEETINGS

Section 1. The months, dates and number of regular general meetings of this council will be specified in the standing rules. The standing rules will be read and approved at the first board of directors meeting of each school year and may be read by request at any meeting or shall be available for reading.

Section 2. Special meetings of this council PTA may be called by the president or at the request of a majority of the board of directors or a majority of the membership. At least seven (7) days notice of such a special meeting shall be given.

Section 3. The annual meeting shall be held in the month specified in the standing rules. It shall be for the purpose of electing officers, receiving reports of officers and committees, and conducting any other business that may arise.

Section 4. The privilege of introducing motions and voting in this association shall be limited to members of this PTA council.

Section 5. Meetings of PTA councils shall be open to all members of PTAs/PTSA's holding membership in the council, but the privilege of introducing motions and voting shall be limited to the voting body as outlined in the standing rules.

ARTICLE XIV: FISCAL YEAR

The fiscal year of this Council PTA shall be stated in the standing rules.

ARTICLE XV: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this council PTA and in all cases in which they are applicable and in which they are not in conflict with these bylaws, the National PTA Bylaws, the Montana PTA Bylaws, or the PTA council's articles of incorporation.

ARTICLE XVI: AMENDMENTS

Section 1. These bylaws may be amended or a completely revised set may be adopted by a two-thirds (2/3) vote of the voting body present in person at any annual Montana PTA Convention provided that the following requirements shall first have been complied with in the following order:

- a. The amendment(s) or proposed revisions shall have been proposed by the Executive

Board of the Montana PTA, the Montana PTA Board of Directors, the Montana PTA Bylaws Committee, or by a local PTA/PTSA or Council PTA (subject to approval by the Montana PTA Board of Directors);

- b. A copy of the amendment(s) or proposed revisions shall have been mailed to each member of the Montana PTA Board of Directors, each local PTA unit, and council PTA president at least thirty (30) days before the meeting at convention. The proposed amendment(s) revision(s) may be printed in the *Montana PTA Bulletin* as a means of notification;
- c. All proposed amendments or revisions must not be in conflict with the bylaws or regulations of the Montana PTA or the National PTA.