

MONTANA PTA

UNIFORM BYLAWS

for

LOCAL PTA UNITS

Updated June 2001
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UNIFORM BYLAWS FOR ALL MONTANA LOCAL PTA/PTSA UNITS

ARTICLE I: NAME

The name of this local unit shall be the _____Parents and Teachers Association (PTA) a unit organized under the authority of the Montana Congress of Parents and Teachers Inc. (the Montana PTA), branch of the National Congress of Parents and Teachers (the National PTA). Local units with student membership may be named Parent, Teacher, Student Associations (PTSA).

ARTICLE II: PURPOSES

Section 1. The Purposes of this PTA, 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
- 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 this PTA are promoted through an advocacy and educational program directed toward parents, teachers, and the general public; developed through conferences, committees, projects, and programs; and are governed and qualified by the basic policies set forth in Article III.

Section 3. The association 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 PTA, in common with those of the National PTA and the Montana PTA:

- a. The association shall be noncommercial, nonsectarian, and nonpartisan.
- b. The association 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.
- c. The association shall work to promote the health and welfare of children and youth and shall seek to promote collaboration between parents, schools, and the community at large.

- d. No part of the net earnings of the association shall inure to the benefit, of, or be distributable to, its members, directors, trustees, officers, or other private person except that the association 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.
- e. Notwithstanding any other provision of these articles, the association shall not carry on any other activities not permitted to be carried on (i) by an association exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or (ii) by an association, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- f. Upon the dissolution of this association, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed to the Montana PTA; another local PTA organized under the authority of the Montana PTA; or one or more nonprofit foundations or organizations that have established their tax exempt status of the Internal Revenue Code and whose purposes are in accordance with those of this PTA.
- g. The association or members in their official capacities shall not, directly or indirectly, participate or intervene (in any way, including the publishing or distribution 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.

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

Section 1. This local PTA shall be organized and chartered under the authority of the Montana PTA in conformity with such rules and regulations, not in conflict with National PTA Bylaws, as the Montana PTA may in its bylaws prescribe.

For continued affiliation with the Montana PTA, this PTA will abide with these standards:

- a. Adhere to the purposes and basic policies of the PTA,
- b. Remit the national and state portion of its membership dues to the Montana PTA by the dates designated by the Montana PTA,
- c. Ratify these bylaws on a yearly basis,
- d. Have a Federal Tax Identification Number – EIN (Employee Identification Number),
- e. File appropriate 990-N, 990-EZ or 990 Federal Tax Return on an annual basis at fiscal year end,
- f. 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. Submit a copy of the Local Unit Standing Rules to the Montana PTA on an annual basis, and
- h. Remit the annual liability insurance premium to the Montana PTA by the date designated by the Montana PTA.
- i. Conduct an annual financial review of the local units' financial records.
- j. 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 2. This local PTA is obligated, upon withdrawal of its charter by the Montana PTA:

- a. To yield up and surrender all of its books and records to the Montana PTA.
- b. To yield up and surrender all of its assets and property to the Montana PTA or to such agency as may be designated by the Montana PTA or another local PTA organized under the authority of the Montana PTA.

- c. 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 association of the National PTA, and
- d. To carry out promptly, under the supervision and direction of the Montana PTA, all proceedings necessary or desirable for the purpose of dissolving this PTA.

ARTICLE V: 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 the Montana PTA and is entitled to all the 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 Montana PTA.

Section 3. This PTA shall maintain a membership roster that will be made available to the Montana PTA.

Section 4. Each member of this PTA shall pay annual dues as specified in this association's standing rules. The annual membership dues may not be changed more than once per membership year. The amount of such annual dues shall include the portion payable to the Montana PTA and the portion payable to the National PTA.

Section 5. Only members of this PTA shall be eligible to participate in the business meetings, to vote, or to serve in any of the elective or appointive positions of this PTA. Persons joining at the organizational meeting of a new PTA unit shall be entitled to all privileges of membership.

Section 6. The Montana PTA membership year shall begin July 1 and end the following June 31.

ARTICLE VI: OFFICERS and THEIR ELECTION

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

Section 2. Officers:

- a. There shall be at least four (4) elected officers: president, vice-president, 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 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 at least half of a term shall be credited with having served that term.)

Section 3: Nominating Committee:

- a. There shall be a nominating committee composed of three members who shall be elected by this PTA at a general membership meeting at least one month prior to the election of officers. The committee shall elect its own chairman.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the general membership meeting designated for elections in the standing rules. Additional nominations may be made from the floor at that time.
- c. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.

Section 4: Vacancies:

- a. A vacancy in any office other than president shall be filled by a vote of the Board of Directors for the unexpired term.
- b. In case a vacancy occurs in the office of president, a vice president shall coordinate the vote of the Board of Directors to fill the unexpired term of the president.

Section 5. This PTA shall submit to the Montana PTA Office and any affiliated PTA council a list of newly elected officers immediately after their election and update the National PTA membership database. Changes in officers and their addresses must be reported to the Montana PTA Office, council, and National PTA membership database immediately.

ARTICLE VII: DUTIES of OFFICERS

Section 1. The president shall:

- a. Preside at all meetings of the PTA,
- b. Perform such other duties as may be prescribed in these bylaws or assigned by the PTA,
- c. Be a member ex-officio of all committees except the nominating committee,
- d. Coordinate the work of the officers and committees of the PTA in order that the purposes may be promoted.
- e. The president or the president's designee will enter officer information into the National PTA membership database,
- 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 local Unit Standing Rules to the Montana PTA on an annual basis.
- h. The president shall appoint a committee or independent outside party to perform an annual financial review of the local unit's financial records.

Section 2. The vice president(s) shall:

- a. Act as aide(s) to the president,
- b. Perform the duties of the president in the absence or inability of that officer to serve,
- c. Perform such other duties as may be prescribed in these bylaws or assigned by the PTA.

Section 3. The secretary shall:

- a. Keep an accurate account of all meetings of the PTA,
- b. Maintain a current copy of the uniform bylaws and standing rules,

- c. Maintain the membership roster,
- d. Perform such other duties as may be prescribed in these bylaws or assigned by the PTA.

Section 4. The treasurer shall:

- a. Maintain a full account of the funds of the PTA,
- b. Cause to be kept, a full and accurate account of the receipts and disbursements in the financial records belonging to the PTA,
- c. Make disbursements in accordance with the budget adopted by the PTA,
- 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 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 the maintaining a record of membership dues,
- i. Prepare or cause to be prepared an annual report for audit,
- j. Perform such other duties as may be prescribed in these bylaws or assigned by the PTA.

Section 5: All officers shall:

- a. Upon the expiration of the term of office or 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 VIII: BOARD of DIRECTORS

Section 1. Board of Directors

- a. The board of directors shall consist of the officers of the PTA, and the chairperson of standing committees. The officers of the PTA shall select the chairperson of the standing committees. Other members may be designated as part of the Board of Directors in the standing rules.
- b. The president may appoint a parliamentarian, subject to the approval of the officers of the PTA.

Section 2. 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 the members of the board. The number of days notice required for a special meeting shall be designated in the standing rules.

Section 3. A majority of the elected officers of the PTA shall constitute a quorum for a meeting of the Board of Directors.

ARTICLE IX: EXECUTIVE COMMITTEE

Section 1. The executive committee of this PTA shall consist of the elected officers as defined in the uniform bylaws and the standing rules of the local unit.

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 X: COMMITTEES

Section 1. Only members of the PTA shall be eligible to serve in any elected or appointed positions.

Section 2. The board of directors may create such standing committees as it may deem necessary to promote the purposes and carry on the work of the PTA. The term of each chairperson shall be one 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 power to form special committees and appoint their members rests with the board of directors.

Section 5. The president shall be a member ex-officio of all committees except the nominating committee.

ARTICLE XI: GENERAL MEMBERSHIP MEETINGS

Section 1. The months, dates, and number of regular general membership meetings of this PTA will be specified in the standing rules. The standing rules will be read and approved at the first general membership 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 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 of this PTA 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 PTA shall be limited to current members of this PTA.

Section 5. A quorum for the transaction of business shall be specified in the standing rules and shall include at least two (2) officers.

Section 6. There shall be no proxy voting allowed at any general membership meetings.

ARTICLE XII: COUNCIL MEMBERSHIP

Section 1. Local PTAs who become members of a PTA Council, shall be represented in meetings of the Council of PTAs by delegates as specified in the council standing rules. All representatives to a council must be members in good standing of a local PTA unit.

Section 2. Delegates and their alternates shall be elected or appointed as specified in the local unit standing rules.

Section 3. Local PTAs who become members of a council shall pay annual dues to that council in the amount specified in the council standing rules.

ARTICLE XIII: FISCAL YEAR

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

ARTICLE XIV: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern this local 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 articles of incorporation.

ARTICLE XV: 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 Montana PTA annual convention provided that the following requirements shall first have been complied with in the following order:

- a. The amendment or amendments 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 or PTA Council (subject to approval by the Montana PTA Board of Directors).
- b. A copy of the amendment or amendments or proposed revisions shall have been mailed to each member of the Montana PTA Board of Directors, and each local and council president at least thirty (30) days before the meeting at convention. The proposed amendment(s) revision(s) may be printed in the *Montana PTA Voice* 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.