

BYLAWS FOR THE
MONTANA CONGRESS
OF
PARENTS AND TEACHERS

MONTANA PTA

ADOPTED MAY 2002
EFFECTIVE JULY 1, 2002
AMENDED OCTOBER 5, 2013

<u>ARTICLE</u>		<u>PAGE</u>
ARTICLE I	NAME	3
ARTICLE II	PURPOSES	3
ARTICLE III	BASIC POLICIES	3
ARTICLE IV	CONSTITUENT ORGANIZATIONS	4
ARTICLE V	MEMBERSHIP AND DUES	4
ARTICLE VI	OFFICERS	5
ARTICLE VII	DUTIES OF OFFICERS	6
ARTICLE VIII	BOARD OF DIRECTORS	7
ARTICLE IX	EXECUTIVE COMMITTEE	9
ARTICLE X	NATIONAL COUNCIL OF STATE REPRESENTATION	9
ARTICLE XI	COMMISSIONS	9
ARTICLE XII	COUNCILS	9
ARTICLE XIII	COMMITTEES	9
ARTICLE XIV	STATE CONVENTION	12
ARTICLE XV	NATIONAL CONVENTION	12
ARTICLE XVI	PARLIAMENTARY AUTHORITY	13
ARTICLE XVII	AMENDMENTS	13
ARTICLE XVIII	FISCAL YEAR	13

Article I—Name

The name of this association is the Montana Congress of Parents and Teachers, Inc. It is also commonly known, and will be referred to in these bylaws, as “Montana PTA.”

Article II—Purposes

Section 1. The purposes of 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 Montana 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 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 within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code (hereinafter referred to as “Internal Revenue Code”).

Article III—Basic Policies

Section 1. The following are basic policies of 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 persons 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 one or more nonprofit funds, foundations, or associations that 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 Montana 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 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.

Article IV—Constituent Associations

Section 1. The constituent associations of Montana PTA include:

- a) Local PTAs (Parent Teacher Associations) or PTSAs (Parent Teacher Student Associations) organized under the authority of the Montana PTA.
 - i. The Montana PTA may determine the membership year for the local units in its area.
 - ii. The *Montana PTA Uniform Bylaws for Local Units* shall govern all Montana PTA local units.
- b) Council PTAs/PTSAs organized under the direct authority of the Montana PTA.
 - i. The Montana PTA may create or establish councils in counties, cities or other geographical areas defined by the board of directors for the purpose of conference, leadership training and coordination of the efforts of local PTA units.
 - ii. The Montana PTA shall determine the local units eligible for membership and participation in the work of any council.
 - iii. The *Montana PTA Uniform Bylaws for Councils* shall govern all Montana PTA councils.

Section 2. The Montana PTA shall determine criteria for establishing constituent associations and setting standards for continuing affiliation with the Montana PTA and the National PTA.

Section 3. There shall be no proxy voting by any constituent association of the Montana PTA.

Section 4. The purposes and basic policies of the Montana PTA shall in every case also be the purposes and basic policies of each constituent association.

Article V—Members and Dues

Section 1. Every individual who is a member of a local PTA organized by the Montana PTA also is a member of National PTA and of the Montana PTA and, as such, is entitled to all the benefits of such membership.

Section 2. Every individual who is a member of a local PTA organized under the direct authority of National PTA is a member of National PTA and, as such, is entitled to all the benefits of such membership.

Section 3. Membership in PTA shall be open, without discrimination, to anyone who believes in and supports the Mission and Purposes of Montana PTA.

Section 4. Each member of a local PTA shall pay annual dues as may be determined by the association. The amount of the dues shall include the portion payable to the Montana PTA as determined by the Montana PTA. The Montana portion of each member's dues shall be three dollars and seventy-five cents (\$3.75) per annum effective January 1, 2012. The amount of the dues shall also include the portion payable to National PTA as recommended by the National PTA board of directors and approved by a two-thirds (2/3) majority of the voting body at the National PTA Annual Convention. The National PTA portion of each member's dues shall be two dollars and twenty-five cents (\$2.25) per annum effective 2011 National PTA Convention.

Section 5. The Montana PTA Board of Directors will review the dues structure every two years in odd years to determine whether a dues increase is necessary.

Section 6. The Montana PTA shall make monthly reports and remittances to the National PTA of the dues due to the National PTA.

Section 7. The Montana PTA membership year shall begin July 1 and end June 30.

Section 8. Honorary Life Memberships in the Montana PTA may be conferred for distinguished service. These memberships do not include the right to vote and hold office in the association.

Article VI—Officers

Section 1. The officers of Montana PTA shall be a president, a president-elect, a secretary, and a treasurer. Such officers shall, for the purpose of election and tenure, be divided into two groups:

- a) The officers in Group A shall consist of the president and the treasurer. The officers in Group A shall be elected, with the exception of the president, in the even-numbered years.
- b) The officers in Group B shall consist of the president-elect and the secretary. The officers in Group B shall be elected in the odd-numbered years.
- c) The president-elect shall automatically assume the office of president at the end of a one-year term (see Section 4b of this article).

Section 2. Except for the office of president, officers shall be elected by the voting body at the annual Montana PTA convention according to the groups defined in Article VI Section 1.

Section 3. The vote shall be conducted by ballot and a majority vote shall elect. When there is only one candidate for any office, that election may be held by voice vote.

Section 4. The following provisions shall govern the eligibility of individuals to be officers of the Montana PTA:

- a) Each officer shall be a member of a local PTA chartered by the Montana PTA.
- b) Officers may succeed themselves in the same office for one (1) two-year term, with the exception of the president-elect, who serves for one (1) year prior to beginning one (1) two-year term as president, and the president, who serves one (1) two-year term only.

- c) A person who has served in an office for at least one half (1/2) of a full term shall be deemed to have served a full term in such office.
- d) A member shall not serve as a voting member in Montana PTA's governance structure while serving as a paid employee of, or under contract to, Montana PTA.
- e) Nominees for president-elect must have served at least one (1) year on the Montana PTA board of directors.

Section 5. No member shall hold more than one elected position and one appointed position on the Montana PTA board of directors at one time.

Section 6. Each officer elected at an annual convention shall take office following the close of the annual Montana PTA Convention. Each officer shall serve for a term of two (2) years, except for the president-elect who will serve for one (1) year as president-elect before assuming the presidency, or until their successor is elected.

Section 7. A vacancy in any office other than president shall be filled by a vote of the Montana PTA Board of Directors for the unexpired term. This vote may be conducted by mail if necessary and ratified at the next meeting of the board.

Section 8. In the absence of the president, or in the event of his/her inability to perform the duties of the president, the duties of the president shall be performed by the member representatives in order of seniority of board service; until such time as a successor is elected by the Board of Directors. This election shall take place no more than two weeks from the date the office of president is vacated. This election may be done by mail ballot as outlined in the Montana PTA Standing Rules.

Article VII—Duties of Officers

Section 1. The president shall:

- a) Preside at all meetings;
- b) Serve as an ex officio member of all committees except the nominating committee;
- c) Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority or the standing rules, or directed by the board of directors, or executive committee;
- d) Appoint the Montana PTA representative to the National PTA Council of States;
- e) Supervise and monitor the performance of paid office staff. Periodically review the performance and pay of the staff.
- f) The president shall appoint a committee or cause to hire an outside auditor to conduct the Annual Audit of the financial records.
- g) Serve as the Vice President of the Treasure STATE PTA during term of office.

Section 2. The president-elect shall:

- a) Serve as the primary aide to the president;
- b) Serve as the contact for new unit inquiries;
- c) Serve on the budget committee;
- d) Perform other duties as assigned by the president or the board of directors.

Section 3. The secretary shall:

- a) Keep an accurate account of all meetings;
- b) Be prepared to read the records of any previous meetings;
- c) File all records;

- d) Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority or the standing rules, or directed by the board of directors, or executive committee.
- e) Serve as the Secretary of the Treasure STATE PTA during term of office.

Section 4. The treasurer shall:

- a) Maintain a full account of the funds of the Montana PTA;
- b) Cause to be kept, a full and accurate account of the receipts and disbursements in financial records belonging to the Montana PTA;
- c) Render a written financial statement to the board of directors, monthly and at each board meeting;
- d) Present an annual report of the financial condition of the association at the annual Montana PTA convention;
- e) Prepare or cause to be prepared an annual report for audit;
- f) Disburse funds only upon written request signed by the president;
- g) Be required to give a commercial bond for the faithful performance of the duties of the office in such amount as shall be determined by the Board of Directors, such bond to be paid by the Montana PTA;
- h) Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority or standing rules, or directed by the board of directors, or executive committee;
- i) Serve as the Treasurer of the Treasure STATE PTA during term of office;
- j) File appropriate 990-N, 990-E-Z or 990 Federal Tax Return on an annual basis at Fiscal year end; and
- k) File Annual Corporate Renewal Form and yearly fee to the Secretary of State.

Article VIII—Board of Directors

Section 1. The Board of Directors shall manage the affairs of the Montana PTA.

Section 2. Each board member shall be a member of a local PTA chartered by the Montana PTA.

Section 3. The members of the board shall be:

- a) Elected officers;
- b) Two (2) member representatives;
- c) Two (2) at-large members
- d) Appointed board positions as defined by the board of directors;
- e) Montana PTA members who serve on the National PTA Board of Directors, may, with the approval of the majority of the Montana PTA Board of Directors, serve on the Montana PTA Board of Directors.

Section 4. Each year, two (2) member representatives on the board of directors shall be nominated by the nominating committee and elected by the voting body at the Montana PTA Annual Convention. Member representatives shall take office each year at the close of the convention and shall serve a term of one (1) year, or until their successors have assumed office. In event of a vacancy for a member representative, the balance of the term of the member representative shall be filled by election by the board of directors.

Section 5. Each year, up to two (2) at-large members may be appointed by the president and approved by the board of directors. They shall be appointed in order to bring a particular knowledge base, skill set, or diversity to the board. They shall serve a term of one (1) year. They shall assume office after their approval by the board of directors.

Section 6. Duties of the board shall be:

- a) To adopt rules for the transaction of business that are not in conflict with these bylaws and National PTA Bylaws;
- b) To administer the affairs of the Montana PTA between conventions;
- c) To sponsor, organize and host the annual Montana PTA convention;
- d) To modify any action taken by the convention body if such action is in conflict with PTA policies or positions, Montana state laws, or federal laws;
- e) To approve the annual operating budget of the Montana PTA by a two-thirds (2/3) majority vote;
- f) To amend the annual operating budget, when necessary, by a two-thirds (2/3) majority vote;
- g) To incur no debt or liability not provided for in the annual Montana PTA budget;
- h) To approve all board position appointments as recommended by the president;
- i) To receive and approve the work plans of any commissions and committees before the work begins;
- j) To appoint a budget committee composed of three (3) members from the board of directors, one of who shall be the treasurer;
- k) To elect three (3) Montana PTA board of director's members to the nominating committee.

Section 7. If any member of the board of directors, elected or appointed, shall at any time cease to meet the qualifications or fulfill the duties of the position set forth by these bylaws, the standing rules, or as directed by the board of directors or executive committee, that person may be removed from the board by resolution adopted by the board of directors.

Section 8. Regular meetings of the board shall be held at least four (4) times during the fiscal year. The board meeting calendar shall be set one (1) year in advance.

Section 9. Notice of time and place of each regular meeting shall be given at least thirty (30) days prior to the meeting.

Section 10. Special meetings of the board may be called by the president or when requested by five (5) members of the board of directors upon ten (10) days' written notice to each member of the board.

Section 11. Regular and special meetings may be conducted by conference call, teleconference, or other electronic media as permitted by applicable law.

Section 12. At all meetings of the board, a majority of the members of the board shall constitute a quorum for the transaction of business.

Section 13. Upon the expiration of the term of office or when individuals cease to hold the position that entitles them to be a member of the board, they shall automatically cease to be a member of the board and shall be relieved of all duties and responsibilities incident to such membership. All records, books and other materials pertaining to the position shall be turned over to the president and all funds pertaining to board service shall be returned to the treasurer within fourteen (14) days.

Section 14. Any elected member of the board of directors missing three (3) meetings in a two-year term and any appointed member of the board of directors missing two (2) meetings in a one-year term shall be removed from the board of directors upon recommendation by the executive committee to the board of directors.

Article IX - Executive Committee

Section 1. There shall be an executive committee of the Montana PTA, the members of which shall be the elected officers – the president, president-elect, the secretary and the treasurer.

Section 2. Special meetings of the executive committee may be called by the president or upon written request of three (3) members of executive committee with three (3) days notice to each member of the executive committee.

Section 3. Regular and special meetings may be conducted by conference call, teleconference, or other electronic media as permitted by applicable law.

Section 4. A majority of the executive committee shall constitute a quorum for the transaction of business.

Section 5, The executive committee shall:

- a) Transact business referred to it by the board;
- b) Act in emergencies between meetings of the board;
- c) Make a report, if it met, at the following board meeting;
- d) Take no action in conflict with any action taken by the board of directors; and
- e) Make recommendation to the board of directors on matters of policy and administration.

Article X—National Council of States Representation (See Art. VII, Sec. 1d)

Section 1. The National Council of States member shall be appointed by the president of the Montana PTA.

Section 2. The president shall represent the Montana PTA at all meetings designated by the National PTA for the purpose established in the National PTA governance structure.

(National PTA bylaws Article X, Section 5 and 6)

Article XI—Commissions

Section 1. The board of directors may from time to time create such commissions as it may deem necessary or desirable for the purpose of promoting the PTA objectives and carrying on the work of the Montana PTA.

Article XII—Councils (See Article IV, Section 1 b)

Section 1. The Montana PTA may create or establish councils in counties, cities or other areas designated by the board of directors for the purpose of conference, leadership training and coordination of the efforts of local PTAs.

Article XIII – Committees

Section 1. The following committees shall be the standing committees of the Montana PTA

- a) Budget
 - i. This committee shall consist of three members of the board of directors;

- ii. The committee chair shall be the Montana PTA Treasurer;
 - iii. This committee will present a tentative budget to the board of directors at the last meeting prior to the end of the fiscal year for consideration.
- b) Bylaws and Standing Rules
- i. This committee shall consist of three (3) Montana PTA board members selected at the post- convention meeting.
 - ii. The committee chair shall be the Montana PTA Secretary.
 - iii. The committee shall annually review the Montana PTA Bylaws and the Montana PTA Standing Rules prior to the spring board meeting. In alternating years the committee shall review the Uniform Bylaws for Local PTA Units and the Uniform Bylaws for Councils prior to the spring board meeting.
 - iv. Adopted proposed changes to the Montana PTA Bylaws, Uniform Bylaws for Local PTA Units, Uniform Bylaws for PTA Councils will be presented to PTA members via the Montana PTA Voice and or Montana PTA Convention packet at least thirty (30)days prior to the fall convention; and, voted on and approved by the delegates at the Montana PTA convention.
 - v. Proposed changes to the Montana PTA Standing Rules will be voted on by the Montana PTA Board of Directors at the spring meeting or at any time necessary.
- c) Nominating
- i. This committee shall consist of three (3) Montana PTA board members elected by the board at the pre-convention board meeting; and two (2) off-board members elected by the voting body at the annual convention representing various geographical regions.
 - ii. The committee chair shall be a member of the board of directors elected by the committee.
 - iii. It shall be the duty of the nominating committee to nominate one eligible candidate for each position to be filled.
 - iv. Only those who have consented to serve shall be eligible for nomination either by the nominating committee or from the convention floor.
 - v. The committee report, signed by a majority of the committee, shall be delivered to the president and the Montana PTA state office at least forty-five (45) days prior to the state convention.
 - vi. The state office shall send a copy of the report to each member of the board of directors and to each unit and council president at least thirty (30) days prior to convention. The *Montana PTA Voice* may be used as the medium for announcing this report.
 - vii. The nominating committee shall report to the voting body of the convention at the first general business session at which time additional nominations may be made from the floor. Members must make their intention to run from the floor known to the Nominating Committee Chair as soon as possible, but no later than 7 days before the first general session and provide a letter of recommendation from a local unit. Nominees from the floor must supply a list of their qualifications to the Nominating Committee chairperson in sufficient number to provide a copy to each member of the convention voting body

twenty-four (24) hours before the first general session of the convention.

d) Resolution

- i. This committee will be selected at the post-convention meeting.
- ii. The committee chair shall be the Montana PTA Advocacy Chair.
- iii. Resolutions must be submitted to the committee prior to April 1st.
- iv. Proposed resolutions will be printed in the Montana PTA Convention Packet and/ or Voice thirty (30) days prior to the Montana PTA Convention and voted on and approved by the delegates at the Montana PTA Convention.

e) State and Local Relationships

- i. This committee shall be composed of the executive committee members.
- ii. This committee shall review any alleged violations by local PTAs of the National PTA bylaws, the Montana PTA bylaws, the *Montana PTA Uniform Bylaws for Local Units* or the *Montana PTA Uniform Bylaws for Councils*, or other practices or activities of local PTA units or councils that may tend to defeat the purposes and basic policies of the Montana PTA and shall promptly report to the state board of directors the results of such review and its recommendations for action.
- iii. The Montana PTA board of directors shall give due consideration to the report of the committee and shall accord the local PTA unit or council an opportunity to be heard and to respond to the report. If, upon such consideration and hearing, the Montana PTA board of directors finds a violation by a local PTA or council, it may, by a two-thirds (2/3) vote of all its members then in office, require the local PTA or council to take appropriate action within a period of time stipulated by the Montana PTA board of directors. When such a requirement has been made by the Montana PTA board of directors and if the recommended action is not taken by the local PTA within the allotted time, the Montana PTA board of directors may, by a two-thirds (2/3) vote of all its members then in office, withdraw the charter of the local PTA unit or council and terminate its status as a PTA unit or council.

f) New Unit Development Committee

- i. The chairperson of this committee shall be the New Unit Development Chair.
- ii. The members of this committee shall, if possible, be chosen from different geographical areas.
- iii. This committee shall be charged with implementing the State Extension Plan adopted by the Montana PTA Board of Directors.

Section 2. In addition to these committees the board of directors may establish additional standing committees. These standing committees shall have such authority as may be delegated to them by the board of directors.

Members of these additional standing committees shall be recommended by the president and approved by the board of directors.

Section 3. The board of directors may establish special committees as needed. The members of special committees shall be recommended by the president and approved by the board of directors.

Article XIV—State Conventions

Section 1. A regular convention of the Montana PTA shall be held every year, time and place to be determined by a vote of the board of directors. Notice of the convention shall be sent to each local unit and council president at least thirty (30) days before the convention. The *Montana PTA Voice* may be used as a medium to extend the call to convention.

Section 2. The board of directors, by a two-thirds (2/3) vote of its members, may cancel or postpone any annual convention when it deems such action to be required by the existence of a national emergency, epidemic, other disaster, or financial situation making cancellation prudent. The president may take such action alone after polling the members of the board of directors to the extent reasonably possible.

Any annual convention scheduled to be held during the existence of a civil defense emergency declared by the President of the United States or the concurrent resolution of the Congress of the United States shall automatically be canceled. During the existence of any such civil defense emergency, the board of directors may adopt such measures for the conduct of the affairs of the Montana PTA as it may deem to be required, without regard to the restrictions of the Montana PTA Bylaws.

Section 3. The Montana PTA convention shall be open to all members of the Montana PTA. Members of the Montana PTA who are not part of the voting body (see Section 4 of this Article) shall be entitled to attend the convention.

Section 4. The following members of the Montana PTA (herein referred to as the “voting body”) shall be entitled to be voting delegates to the annual convention:

- a) Members of the Montana PTA board of directors;
- b) Past presidents of the Montana PTA who have a current PTA membership in a local association and have remitted the convention registration fees;
- c) The president of each local PTA unit and council;
- d) One (1) delegate per twenty-five members, or major fraction thereof, of each local unit in good standing, as shown on the books of the Montana PTA as of March 31 preceding the convention and as accredited by the local unit;
- e) One (1) delegate from each council in good standing as accredited by the council.

Section 5. The selection of the local unit and council delegates (other than their presidents) shall be governed by the standing rules of the local unit or council.

Section 6. Only members who make up the voting body at the convention shall have the right to introduce motions, participate in debate, or vote at the annual convention. There shall be no proxy voting.

Section 7. Non-PTA members may attend convention events at the discretion of the board of directors. General business sessions of the convention may be closed to non-PTA members at the discretion of the board of directors.

Section 8. A simple majority of registered voting delegates present at any Montana PTA convention shall constitute a quorum.

Article XV—National Convention

Section 1. The Montana PTA shall be entitled to accredit to the annual convention as its delegates one additional delegate from among the members of the Montana PTA for each

1,000 members, or major fraction thereof, of the Montana PTA, as shown on the books of the treasurer of National PTA as of March 31 preceding the annual convention.

Section 2. The Montana PTA board of directors shall authorize the selection of the delegates, other than the Montana PTA president or substitute who serves as the National PTA National Council of States (NCS) member.

Article XVI – Parliamentary Authority

The rules contained in the current edition of *Robert’s Rules of Order, Newly Revised* shall govern the Montana PTA in all cases in which they are applicable and in which they are not in conflict with the National PTA Bylaws, special rules of order, or Articles of Incorporation.

Article XVII—Amendments

Section 1. These bylaws may be amended at an annual convention by a two-thirds (2/3) vote of those present and voting, provided the amendments have been approved by the board of directors and notice of proposed amendments has been provided to constituent associations thirty (30) days prior to the opening of convention.

Section 2. The executive committee or the board of directors by a majority vote may authorize the Bylaws and Standing Rules Committee to submit a revised set of bylaws as a substitute for the existing bylaws.

Article XVIII– Fiscal Year

The fiscal year of the Montana PTA shall begin on July 1 and end on the following June 30.