

PARENT TEACHER ASSOCIATION BYLAWS

***ARTICLE I: Name**

The name of this organization is the Canyon Creek Elementary Parent Teacher Association (PTA), Area *District 13, Austin, Texas*. It is a Local PTA organized under the authority of the Texas Congress of Parents and Teachers (Texas PTA), a branch of the National Congress of Parents and Teachers (National PTA).

***ARTICLE II: Articles of Organization**

The articles of organization of this Local PTA 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**

Section 1. The Objects of the Canyon Creek Elementary PTA, in common with those of the National PTA and the Texas 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 the National PTA, the Texas PTA and this Local 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 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 referred to as “Internal Revenue Code”).

***ARTICLE IV: Basic Policies**

The following are basic policies of this Local PTA in common with those of the National PTA and the Texas PTA:

- a. The organization shall be noncommercial, nonsectarian and nonpartisan.
- b. 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.
- c. The organization shall work to promote the health and welfare of children and youth and shall seek to promote collaboration among parent, schools and the community at large.
- d. 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.
- e. 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.
- f. 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 (1) or more nonprofit 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 National PTA.
- g. 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.

***Article V—Constituent Organizations**

Section 1. The constituent organizations of National PTA include:

- a. Branches of National PTA that have been established in the 50 states of the United States, the District of Columbia, the U.S. Virgin Islands and among schools for American dependents in Europe and the Pacific hereinafter called state PTAs.
- b. Local PTAs (Parent-Teacher Associations) organized under the authority of the state PTAs in organized areas; and
- c. Local PTAs organized under the direct authority of National PTA when there is no state PTA.

Section 2. The national board of directors shall determine criteria for establishing constituent organizations and setting standards for continuing affiliation with National PTA.

Section 3. There shall be no proxy voting by any constituent organization of National PTA.

Section 4. The Purposes and basic policies of National PTA shall in every case also be the Purposes and basic policies of each constituent organization.

Section 5. Each constituent organization shall adopt bylaws for the government of the organization. Such bylaws shall not be in conflict with National PTA or Texas PTA bylaws. Such bylaws shall include an article on amendments and shall include a provision establishing a quorum.

***ARTICLE VI: Relationship with Texas PTA**

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

A Local PTA in good standing is one that:

- a. adheres to the Purposes and basic policies of the PTA;
- b. remits the national portion of the dues through the Texas PTA to reach the National PTA Office by dates designated by the National PTA;
- c. has bylaws approved according to the procedures of the Texas PTA; and
- d. meets other criteria as may be prescribed by the Texas PTA.

Section 2. This Local PTA shall keep such permanent books of account 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 Texas PTA. Such books of account and records shall at all

reasonable times be open to inspection by an authorized representative of the Texas PTA or the National PTA.

Section 3. The charter of this Local PTA shall be subject to withdrawal and the status as a Local PTA shall be subject to termination, in the manner and under the circumstances provided in the bylaws of the Texas PTA.

Section 4. This Local PTA is obligated, upon withdrawal of its charter by the Texas PTA:

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

Section 5. A Local PTA considering dissolving its relationship with Texas PTA (and thereby National PTA) shall follow the procedures for dissolution as adopted by the Texas PTA Board of Directors. These procedures include but are not limited to:

- a. a special called meeting of the membership with thirty (30) days notice;
- b. a two-thirds (2/3) vote of the membership, a quorum having been established; and
- c. notification of the state president at least forty-five (45) days in advance of such meeting.

Any Local PTA failing to follow the procedures may be required to forfeit all Local PTA books, records and assets to Texas PTA.

Section 6. Each Local PTA shall include in its bylaws provisions corresponding to the provisions of such of these bylaws as are identified by a star (*).

ARTICLE VII: Members and Dues

*Section 1. Every individual who is a member of this Local PTA is a member of the National PTA and the Texas 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 National PTA.

*Section 3. This Local PTA shall conduct an annual enrollment of members, but may admit persons to membership at any time.

*Section 4. Only members of a Local PTA who have paid dues for the current membership year may participate in the business of that association.

*Section 5. Each member of this Local PTA shall pay annual dues as determined by the organization. The amount of the dues shall include the portion of one dollar and twenty-five cents (1.25) per member payable to Texas PTA, the portion of one dollar and seventy-five cents (1.75) per member payable to the National PTA, and the Local PTA portion of \$3.00 per member.

*Section 6. The Texas and National PTA portions of the dues paid by each member of this Local PTA shall be set aside by this Local PTA and remitted to the Texas PTA through such channels and at such times as the Texas PTA bylaws may provide. Each state PTA shall pay to the National PTA the amount of the national portion of dues paid by all members of Local PTAs in its area.

*Section 7. A Local PTA shall have a minimum of twenty (20) members to retain membership in the Texas PTA. Annual national and state portions of dues and names of members shall be sent to the Texas PTA Office postmarked on or before October 15 of the current year. Names of members and national and state portions of dues received after October 15 shall be sent to the Texas PTA Office whenever members are enrolled in the organization.

*Section 8. Organizations whose national and state portions of dues and names of all members enrolled are not in the Texas PTA Office postmarked on or before October 15 are ineligible to voting representation at state convention. Organizations whose national and state portions of dues are not paid by March 15 shall be dropped from the state roster.

*Section 9. Honorary Life Members

- a. An Honorary Life Membership in the Texas PTA may be awarded to any deserving person by a Local, Council, Area or the Texas PTA upon submission of name of honoree and payment of a fee. Such fees shall be made a part of the Texas PTA extension fund.
- b. Life membership shall be honorary and shall carry neither the right to vote nor to hold office. A life member may also become an all-inclusive member upon enrollment as a member in a Local PTA.
- c. A Texas Honorary Life Member may receive exemption from state portion of dues through one (1) Local PTA only. The member shall be designated as a Texas Life Member when the Local PTA annual membership list is sent to the Texas PTA Office.
- d. The annual national portion of dues for a Texas Life Member shall be paid by said Texas Life Member.

***ARTICLE VIII: Officers and Their Election**

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

Section 2. Officers and their election:

- a. The officers of this Local PTA shall be a president, two vice president(s), a secretary, a treasurer, a historian, and a parliamentarian.

- b. Officers, with the exception of the historian and parliamentarian, shall be elected by ballot in the month of April. However, if there is but one (1) nominee for an office, election for that office shall be by voice vote. The historian and parliamentarian shall be appointed by the president subject to the approval of the newly elected officers.
- c. An individual shall be a member of the Local PTA prior to taking office.
- d. Officers shall assume their official duties following the close of the school year and shall serve a term of one (1) year.
- e. No officer shall serve in the same office for more than two (2) consecutive terms. One who has served more than one-half of a term shall be credited with having served that term.

Section 3. Nominating Committee:

- a. There shall be a nominating committee elected by the general body at a regular meeting at least one (1) month prior to the election of officers. Elections shall be by plurality. The committee shall be composed of three, five or seven members. One, two or three shall be elected to serve in the event a member is unable to serve. The committee shall elect its own chairman immediately following the meeting.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular meeting in April at which time additional nominations may be made from the floor. The report shall be publicized to the Local PTA membership through regular publicity channels at least seven (7) days before the election meeting.
- c. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.
- d. No member shall automatically serve on this committee because of his office in the Local PTA or position in the school system.
- e. The president does not serve as a member of this committee, nor does he appoint any member of the committee.

Section 4. Vacancies

- a. A vacancy occurring in any elected office shall be filled for the unexpired term by a person elected by a majority vote of the executive board, at least three (3) days notice of such election having been given.
- b. In the event a vacancy occurs in the office of president, the first vice president shall serve notice to the executive board of the election.

Section 5. Reason to remove:

By two-thirds (2/3) vote of the executive board an officer or chairman shall be removed from office for failure to perform duties, criminal misconduct or unethical behavior in PTA business. An officer or chairman who misses three (3) consecutive meetings may be removed from office.

ARTICLE IX: Duties of Officers

Section 1. The president shall:

- *a. coordinate the work of the officers and committees of the association in order that the Purposes may be promoted;
- *b. confirm that a quorum is present before conducting any business at any meeting of the association;
- *c. preside at all meetings of the association;
- *d. appoint the historian and parliamentarian, subject to approval of the newly elected officers;
- *e. appoint chairmen of special committees subject to approval of executive board;
- *f. be authorized to sign on bank accounts;
- *g. call a meeting of the newly elected officers within thirty (30) days after the election meeting for the purpose of approving appointments of standing committee chairmen and such other business as becomes necessary;
- *h. represent the Local PTA as a delegate to Council PTA (when the Local PTA is in membership with Council PTA);
- *i. file with the Council secretary the names of delegates and alternates from this Local PTA by the first general Council meeting and no later than October 1. A Local PTA joining or making changes after October 1 shall submit any changes in writing prior to any regular meeting in order to be eligible to vote.
- *j. confirm that all officers are graduates of the current Texas PTA Leader Orientation or have completed the course by October 15 after the election;
- *k. send the names and addresses of the officers and chairmen to the Texas PTA office by May 1 each year;
- *l. appoint the audit committee subject to the approval of the executive board; and
- *m. serve as an ex-officio member of all committees except the nominating and audit committees.

Section 2. Vice President(s)

a. First Vice President shall:

- *1. be the aide-to-the-president (and be in charge of programs); and
- *2. preside in the absence of the president (in their designated order).

b. Second Vice President shall:

- *1. be in charge of membership; and
- *2. preside in the absence of the president (in their designated order).

Section 3. The secretary shall:

- *a. record the minutes of all meetings of the association;
- *b. keep an accurate record of attendance at executive board meetings;
- *c. be responsible for correspondence;
- *d. have a current copy of the bylaws;
- *e. maintain a list of the names of Local officers who have completed the Texas PTA Leader Orientation, with the dates each course was completed; and
- *f. maintain a membership list.

Section 4. The treasurer shall:

- *a. have custody of all the funds of the association;
- *b. keep books of account and records including bank statements, receipts, budgets, invoices, paid receipts and canceled checks for five (5) years;
- *c. make disbursements in accordance with the budget adopted by the association;
- *d. sign on bank accounts;
- *e. present a financial report, both written and verbal, at every meeting of the Local PTA and as requested by the executive board or the voting body;
- *f. make a full report at the annual meeting;
- *g. be responsible for the maintenance of such books of account and records as conform to the requirements of Article VI, Section 2 of these bylaws; and

*h. present books to the audit committee as requested.

Section 5. The parliamentarian shall:

*a. advise the presiding officer on questions of parliamentary procedure; and

*b. vote only when the vote is by ballot.

Section 6. The historian shall:

*a. collect and preserve documents relating the history of the association; and

*b. compile and keep a record of events and activities to be presented as the official history to the general body for adoption at the annual meeting.

*Section 6. All officers shall:

a. be a graduate of the Texas PTA Leader Orientation or complete the course by October 15 after their election;

b. submit a Plan of Work to the executive board for approval;

c. attend all meetings of the association;

d. have a current copy of the Local PTA bylaws;

e. perform the duties outlined in these bylaws and those assigned from time to time; and

f. deliver to their successors or the president all official materials within fifteen (15) days following the date at which their successors assume their duties.

ARTICLE X: Meetings

*Section 1. This association shall hold a minimum of three (3) meetings a year.

a. Regular meetings of the association shall be held in the months of September, November, February and April, time and date to be established by executive board at its first meeting of the year. Five (5) days notice shall be given if change of date is needed.

b. The regular meeting held in April shall be the election meeting.

c. The annual meeting in April shall be for the purpose of receiving reports of officers and chairmen and for any other necessary business.

Section 2. Special meetings of the Local PTA may be called by the president or by a majority of the executive board, at least three (3) days notice having been given.

*Section 3. 20 members shall constitute a quorum for the transaction of business in any meeting of this association.

ARTICLE XI: Executive Board

Section 1. The executive board shall consist of:

- a. the officers of the association;
- b. the chairmen of standing committees; and
- c. the principal of the school or a representative appointed by him.

*Section 2. A Local PTA member shall not serve as a voting member of this executive board while employed by, or under contract to this Local PTA.

Section 3. The duties of the executive board shall be to:

- a. transact necessary business in the intervals between association meetings and such other business as may be referred to it by the association;
- b. present a report at the regular meetings of the association;
- *c. approve the Plans of Work of all officers and committee chairmen;
- *d. create standing and special committees;
- *e. fill vacancies of officers and chairmen;
- *f. prepare and submit a budget for the year to the association for adoption; and
- g. approve routine bills within the limits of the budget.

Section 4. Meetings

- a. Regular meetings of the executive board shall be held prior to each regular association meeting, the time to be determined by the board at its first meeting of the year.
- *b. A majority of the executive board members shall constitute a quorum.
- c. Special meetings of the executive board may be called by the president or by a majority of the members of the board, at least three (3) days notice being given.

ARTICLE XII: Standing and Special Committees

*Section 1. Only members of the association shall be eligible to serve in any elective or appointive position.

*Section 2. The executive board may create such standing and special committees as it may deem necessary to promote the Purposes and carry on the work of the association. The term of each chairman shall be one (1) year or until the selection of a successor.

*Section 3. The newly elected president shall call a meeting of the incoming officers within thirty (30) days after the election for the purpose of approving standing committee chairmen and such other business as becomes necessary.

*Section 4. No chairman shall serve in the same office for more than two (2) consecutive terms. One who has served more than one-half of a term shall be credited with having served that term.

*Section 5. All standing committee chairmen shall:

- a. deliver to their successors or the president all official materials within fifteen (15) days following the date at which their successors assume their duties;
- b. present a Plan of Work to the executive board for approval. No committee work shall be undertaken without this approval; and
- c. have a current copy of the Local PTA bylaws.

*Section 6. The president shall be a member ex-officio of all committees except the nominating and audit committees.

*Section 7. The quorum of any committee shall be a majority of its members.

ARTICLE XIII: Council Membership

Section 1. (Applies only to Local PTAs holding membership in a Council of PTAs, and shall correspond to Council PTA bylaws.)

- a. The association shall be represented in meetings of the RRISD Council of Parent Teacher Associations by the president or alternate, the principal or alternate and by 2 delegates or their alternates. All representatives to the Council PTA shall be members of the Local PTA they represent.
- b. Delegates and their alternates shall be appointed by September.
- c. Delegates to RRISD Council of PTAs shall serve for a term of one (1) year.

Section 2. This association shall pay annual dues of \$ 50 to the RRISD Council of PTAs as provided in the Council PTA bylaws.

***ARTICLE XIV: State Convention**

This Local PTA shall be represented at the annual meeting of the Texas PTA by the president or appointed alternate and additional accredited delegates.

- a. All delegates from this Local PTA to the Texas PTA Annual Convention shall be members of this Local PTA.
- b. Voting delegates and their alternates shall be appointed subject to the approval of the board.

***ARTICLE XV: Fiscal Year**

Section 1. The fiscal year of this association shall begin June 1 and end on the following May 31.

Section 2. An audit committee consisting of not less than three (3) members, who are not authorized signers, shall be appointed by the president subject to the approval of the executive board at least thirty (30) days before the last meeting of the year.

Section 3. The audit committee report shall be adopted by the association.

***ARTICLE XVI: 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 Texas PTA, and the bylaws of the National PTA or the articles of incorporation.

ARTICLE XVII: Amendments

*Section 1.

- a. These bylaws may be amended at any meeting of the association, provided a quorum is present, by two-thirds (2/3) vote of the members present and voting. Notice of the proposed amendment shall have been given at the previous regular meeting or thirty (30) days prior to the meeting at which the amendment is voted on. The amendment shall be subject to approval of the Texas PTA.
- b. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws only by a majority vote at a meeting of the association, or by a two-thirds (2/3) vote of the executive board. The procedure for action on amendments in *Section 1.a. should then be followed.
- c. After adoption by a two-thirds (2/3) vote at a meeting of the association, two (2) copies of bylaws and standing rules as amended or revised shall be sent for approval to the Texas PTA, 408 W. 11th Street, Austin, Texas 78701-2113 or to the Texas PTA website at www.txpta.org.

- d. A revision of the bylaws or any amendments shall go into effect when an approved copy is returned by the Texas PTA.

*Section 2. This Local PTA shall submit a set of bylaws to the Texas PTA for review every five (5) years.

Section 3. The adoption of an amendment to any provision of the bylaws of the Texas PTA identified by a star () shall serve automatically and without the requirement of further action by the Local PTA to amend its corresponding bylaws.

As adopted by the Texas PTA Board of Directors July 2005

* Articles or sections marked with a star (*) are requirements of the National PTA or Texas PTA. They do not require a vote of the association and should be incorporated promptly and verbatim into the Local PTA bylaws.

In an incorporated organization the individual has additional protection for his personal assets against any lawsuits. The corporation entity provides this protection. In an unincorporated organization there is a greater potential for each and every member to be sued because there is no corporation entity. Protection against loss of funds can alternatively be gained if the PTA has sufficient officers and liability insurance. A lawyer or the office of the Secretary of State should be contacted for detailed information on the steps necessary to become an incorporated PTA.

To be a member of Texas PTA, a student must be in the 9th grade or above. It is not required to be a PTSA to have student members.

The total amount of Local PTA annual dues is obtained by adding the per member National PTA portion, the Texas PTA portion and the per member portion desired for Local use.

Individuals may expect their dues to be received in the Texas PTA office five (5) days after being received by the Local PTA. A list of members' names and dues shall be sent to the Texas PTA office before an individual is a PTA member.

The remittance to the Texas PTA shall be accompanied by a report in such form, as may be required by the Texas PTA, showing the name and address of the president of the PTA, the amount of dues collected during the period covered by the report and the number and names of the members of the PTA.

The question is frequently raised as to whether there is any age requirement for election as an officer of a PTA organization. The counsel of the Texas PTA has advised us that in his opinion:

“(a) In Texas the not-for-profit corporation laws do not specify an age qualification for persons who can serve as directors (members of the board of managers, etc.) of corporations.

“(b) Where there is no specification in the state corporation laws, a person should not be deemed to be eligible to serve as an officer unless the person is at an age at which he is competent to make contracts. Texas law does not specify at what age a person is competent to make contracts.”

PTAs that do not follow a traditional year schedule shall designate a calendar year in standing rules.

All positions not filled by election or appointment become vacant at the close of the school year.

The National PTA, the Texas PTA and their parliamentary authority recognize that only one (1) person shall be elected to serve in any one (1) office.

Two (2) signatures shall be required on all checks. Each Local PTA shall have at least three (3) authorized signers. Signers of the bank account shall not be related by blood nor marriage and shall not reside in the same household.

Vice presidents shall be named in order of precedence: first, second, third, etc. The first vice president shall be designated as the aide-to-the-president. Each additional vice president shall have specific administrative responsibilities, which shall be stated in the bylaws.

If both a recording and corresponding secretary are elected, the duties of the secretary shall be divided.

PTA membership lists shall not be released to outside interests by National PTA, Texas PTA, Area PTAs, Council PTAs or Local PTAs.

Two (2) signatures shall be required on all checks. Each Local PTA shall have at least three (3) authorized signers. Signers of the bank account shall not be related by blood nor marriage and shall not reside in the same household.

It is suggested that the membership be notified through regular publicity channels of the date and time of all association meetings following the first meeting of the executive board at which time this schedule is determined.

It is suggested that the quorum be set to reflect the number of members who could reasonably be expected at any business meeting. This should be a specific number (not percentage) of the total membership. Ten (10) members will be the least number accepted.

In calculating a quorum, filled board positions rather than positions available will be counted.

Texas PTA does not recognize more than one (1) person serving in the same capacity; therefore, there are no co-chairmen.

Three (3) written copies of the Plan of Work shall be submitted at the first executive board meeting.

If the Local PTA is in Council PTA membership, this Article XIII is necessary in the Local PTA bylaws. If the Local PTA is not in Council PTA membership, indicate "not applicable" and do not fill in the blanks.

The number of delegates shall correspond with the number stated in the Council PTA bylaws, Article VIII, Section 1.e.

The amount of dues shall correspond with the amount as stated in the Council PTA bylaws Article VII, Section 3.

Members of the audit committee shall not be related by blood nor marriage and shall not reside in the same household as the authorized signers.

An audit of the treasurer's accounts is for the protection of the treasurer. It is the only means of assuring everyone that the accounts are accurate, and it relieves the treasurer of responsibility except in the case of fraud.

The audit report is adopted by a majority vote at the first regular meeting following the close of the school year.

Each amendment to the bylaws shall be provided to the membership through the regular publicity channels thirty (30) days prior to the meeting at which the amendment is voted upon or at the previous regular meeting.

If not approved, they must be corrected and resubmitted.