

# **LINCOLN PTA BYLAWS**

November 2017



## **Lincoln Parent and Teacher Association of Lakewood, Ohio Bylaws**

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## **Article I—Name**

*The name of this organization is the Lincoln Parent and Teacher Association of Lakewood, Ohio. It is a local PTA organized under the authority of Ohio Congress of Parents and Teachers, a branch of National Congress of Parents and Teachers (National PTA).*

## **Article II—Purposes**

Section 1. The purposes of the 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 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 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”).

Section 4. Ohio PTA further defines children and youth as birth through 23 years of age.

## **Article III—Basic Policies**

The following are basic policies of National 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 between parents, 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 II 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 Ohio PTA. (see OPTA Article IV, Sec. 2 & 5)
- 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 IV—Relationship with National PTA and Ohio PTA**

Section 1. This local *PTA* shall be organized and chartered under the authority of the Ohio PTA in the area in which this local *PTA* functions, in conformity with such rules and regulations, as the Ohio PTA may in its bylaws prescribe. The Ohio PTA shall issue to this local *PTA* an appropriate charter.

A local *PTA* in good standing is one that:

- a. Adheres to the purposes and basic policies of the PTA;
- b. Remits the National and Ohio PTA portion of dues to the Ohio PTA office by dates designated in Article V, Section 4 of these bylaws;
- c. Reviews their bylaws every three (3) years and submits them to the Ohio PTA Director of Bylaws for further approval. Units shall submit amendments to their bylaws to the Ohio PTA Director of Bylaws immediately upon their adoption. Submission may be made by email or U.S. Mail to Ohio PTA Director of Bylaws.

Section 2. This local *PTA* shall adopt such bylaws for the government of the organization as may be approved by the Ohio PTA. Such bylaws shall not be in conflict with National PTA or the Ohio PTA Bylaws.

Section 3. Bylaws of this local *PTA* shall include an article on amendments.

Section 4. Bylaws of this local *PTA* shall include a provision establishing a quorum.

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

Section 6. The bylaws of this local *PTA* shall prohibit voting by proxy.

Section 7. This local *PTA* shall keep such permanent books of account and records as shall be sufficient to establish the items of gross income, minutes, 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 Ohio PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the Ohio PTA.

Section 8. The charter of this *PTA* shall be subject to withdrawal and the status of such organization as a PTA unit, shall be subject to termination, in the manner and under the circumstances provided in the Bylaws of the Ohio PTA.

Section 9. Any local *PTA* disbanding or withdrawing from the Ohio PTA shall notify its Ohio PTA District Advisor or the Ohio PTA office thirty (30) days before a disbanding vote is taken; and be governed by the procedure established by the Board of Directors of the Ohio PTA.

Section 10. Each local PTA, in accordance with the January 1973 ruling by the Internal Revenue Service (IRS) shall:

- a. File an annual financial report with the Ohio PTA office;
- b. File a Form 990 or 990 EZ with a Schedule A if gross receipts exceed \$25,000 annually; and
- c. Know that the Ohio PTA office staff will apply for an Employer Identification Number (EIN) for each constituent local PTA unit.

### **Article V—Membership and Dues**

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

Section 2. Each member shall pay annual dues to this local PTA in the amount of \$5.00. Such annual dues shall include the required Ohio PTA dues and National PTA dues. The Ohio PTA dues and National PTA dues shall be forwarded to Ohio PTA.

Section 3. Only members of PTA in good standing shall be eligible to participate in business meetings or to serve in any elective or appointive positions. A membership card is not interchangeable between PTAs or schools and does not confer membership on more than one individual.

Section 4. Dues from the local PTA shall be submitted to the Ohio PTA office monthly, accompanied by a list with members. Local PTA who has withheld the initial payment of dues later than November 30 shall be a local PTA listed as not in good standing.

Section 5. Members who are under 18 years of age are prohibited under Ohio law from signing contracts that bind the members of the Ohio PTA, or its councils and units.

Section 6. Local PTAs not in good standing as defined in the Ohio PTA Bylaws Article V, Section 6 by.

- a. November 30:
  1. Shall not be eligible for awards;
  2. Shall have their unit removed from the mailing list of the Ohio PTA until dues are submitted;
  3. Shall not be eligible to participate in the Reflections Program
- b. March 15:
  1. Shall be considered inactive
  2. The IRS shall be notified that this unit is no longer a tax-exempt organization of the Ohio PTA.

Section 7. To be reinstated a local unit shall pay current dues and a \$20 reinstatement fee, which shall entitle the unit to send voting delegates to the Ohio PTA Annual Convention.

### **Article VI—Officers**

The officers of this local PTA shall be one or two presidents, one or more 1<sup>st</sup> vice presidents, one or more 2<sup>nd</sup> vice presidents, one or more secretaries, and one treasurer and council delegate (s) and alternate council delegate(s).

### **Article VII—Nominations & Elections**

Section 1. There shall be a nominating committee composed of five members (including the principal of the school as an ex officio member) who shall be elected by this local PTA at a regular general membership meeting (March meeting) 2 months prior to the election of officers.

- a. The chair shall be elected by the committee.

- b. The nominating committee shall nominate one (1) eligible person for each office to be filled and report its nominees to the regular general membership in April. Additional nominations may be made from the floor at the election meeting.
- c. Only those individuals who are current members of this local PTA and who have signified their consent to serve if elected shall be nominated for, or elected to, such office.

Section 2. The following provisions shall govern the eligibility of individuals to be officers of the Lincoln PTA:

- a. No officer may be eligible to serve more than 2 consecutive terms in the same office.
- b. A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in such office.

Section 3. Officers shall be elected in the month of May.

Section 4. 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 5. Officers shall assume their official duties at close of the May meeting and shall serve for a term of one year or until their successors are elected.

Section 6. In case a vacancy occurs in the office of president, the first vice president shall serve notice of the election. A vacancy occurring in any other elective position 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.

### **Article VIII—Duties of Officers**

Section 1. The president shall:

- a. Preside at all meetings of this local PTA;
- b. Serve as an ex-officio member of all committees except the nominating and audit committee;
- c. Coordinate the work of the officers and committees of this local PTA in order that the purposes may be promoted;
- d. Appoint committee chairman with the exception to the nominating committee;
- e. Perform duties prescribed by these bylaws, standing rules, and by the parliamentary authority adopted by the Ohio PTA.

Section 2. The vice president(s) shall:

- a. Act as aide(s) to the president;
- b. In their designated order, perform the duties of the president in the president's absence or inability to serve;
- c. Act as chairman of the Ways and Means (fundraising) Committee.
- d.
- d. Perform duties prescribed by these bylaws, standing rules, and by the parliamentary authority adopted by the Ohio PTA.

Section 3. The secretary shall:

- a. Keep a record of all meeting of the association, and shall be custodian of the permanent file;
- b. Have a current copy of the bylaws and standing rules;
- d. Send out notices of meetings (corresponding secretary, if position is filled)
- e. Conduct all other correspondence of the association as delegated (corresponding secretary, if position is filled).
- f. Perform duties prescribed by these bylaws, standing rules, and by the parliamentary authority adopted by the Ohio PTA.

Section 4. The treasurer shall:

- a. Have custody of the funds and maintain a full and accurate account of the receipts and disbursements belonging to this local PTA;
- b. Make disbursements as authorized by the president, executive board, or this local PTA in accordance with the budget adopted yearly by this local PTA;
- c. Have check requests signed by two people: the treasurer and president; Checks are signed by treasurer and president.
- d. Provide a financial statement and updated budget at each meeting;
- e. Present an annual report of the financial condition of the organization;
- f. Submit the books annually or upon change of officer for an audit by an auditor or an auditing committee of no fewer than three members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report;
- g. Report the findings of the annual audit to the executive board;
- h. Be bonded for a sum sufficient to protect the unit from loss.
- i. Perform duties prescribed by these bylaws, standing rules, and by the parliamentary authority adopted by the Ohio PTA.

Section 5. Local PTA delegates (or their alternates) to council shall attend the meetings of Lakewood Council of PTAs and shall report to the association.

### **Article IX—Executive Committee (Elected Officers)**

Section 1. There shall be an Executive Committee of the Lincoln Elementary PTA, the members of which shall be all elected officers (one or two president, one or more 1<sup>st</sup> vice presidents, one or more 2<sup>nd</sup> vice presidents, one or more secretaries, and one treasurer and council delegate (s) and alternate council delegate(s)).

Section 2. Special meetings of the Executive Committee may be called by the president or upon written request of 5 members with 1 days' notice to each member of the Executive Committee. No other business than that which is stated in the call shall be transacted at this meeting.

Section 3. A majority of the executive committee shall constitute a quorum for the transaction of business.

Section 4. Duties of the executive committee shall be to:

- a. Transact business referred to it by the board;
- b. Approve the work of the committees;
- c. Make a report at each board meeting;
- d. Take no action in conflict with any action taken by the executive board.

### **Article X—Executive Board**

Section 1. The members of the executive board shall be:

- a. elected officers;
- b. Standing committee chairs (Membership, Reflections, 5<sup>th</sup> Grade Events, Volunteer Hours, Hospitality, Easy Fundraisers, Staff Appreciation, and other standing committee chairs as formed by executive board per Section 2 of this Article).

Section 2. Duties of the executive board shall be to:

- a. Transact necessary business and such other business as may be referred to it by the association;
- b. Create special committees;
- c. Approve the plans of work of the standing committees
- d. Report at the regular meetings of the association;

- e. Appoint an auditor or an auditing committee at least one month prior to the end of the fiscal year to audit the treasurer's accounts;
- f. Ensure a budget is prepared and submitted to the general association for approval for the fiscal year; and
- g. Fill vacancies in elective and appointive positions.

Section 3. If any member of the executive board shall at any time cease to meet the qualifications or fulfill the duties of the position, that person may be removed from the board by resolution adopted by 2/3 vote in the executive board.

Section 4. Regular meetings of the board shall be held with the date and time to be fixed by the board at its first meeting of the year.

Section 5. Special meetings of the board may be called by the president or when requested by 5 members upon 1 days' written notice to each member of the Executive Board. No other business than that which is stated in the call shall be transacted at this meeting.

Section 6. At all meetings of the board, 5 of the members of the Executive Board shall constitute a quorum for the transaction of business.

Section 7. Upon the expiration of the term of office or when individuals cease to hold an executive board position they shall be relieved of all duties and responsibilities. All records, books, and other materials pertaining to the position shall be turned over to the president and all funds pertaining to the position shall be returned to the treasurer within 14 days.

### **Article XI—Standing & Special Committees**

Section 1. The standing committees of this local PTA shall be: Membership, Reflections, 5<sup>th</sup> Grade Events, Hospitality, Easy Fundraisers, Staff Appreciation, and other standing committees as formed by executive board per Section 2 of this Article or the school principal. Standing Committees are subject to change on a yearly basis as PTA needs change.

Section 2. The executive board may create such special committees as it may deem necessary to promote the purposes of PTA and carry on the work of this local PTA.

Section 3. The term of office of a committee chair shall be 1 year(s) or until the selection of a successor.

Section 4. The chair of each committee shall present a plan of work to the executive board for approval. No committee work shall be undertaken without the consent of the executive board.

### **Article XII—General Membership Meetings**

Section 1. Regular meetings of this local PTA shall be held once each month. Five days' notice shall be given to the membership of the date.

Section 2. Special meetings of this local PTA may be called by the President or by a majority of the Executive Board of one days' notice having been given. No other business than that which is stated in the call shall be transacted at this meeting.

Section 3. Five (5) members, two (2) of whom shall be officers, shall constitute a quorum for the transaction of business in any meeting of this local PTA.

### **Article XIII—Council Membership**



Section 1. A council may be organized for the purpose of conference and cooperation in matters of common interest, and shall admit only local PTAs in membership with the National PTA and the Ohio PTA.

Section 2. This local PTA shall be represented in meetings of the Lakewood Council PTA by the president, or appointed alternate, and/or by one delegate or alternate.

- a. All representatives to the council PTA must be members of this local PTA.
- b. Delegates and their alternates shall be elected.

Section 3. This local PTA shall pay annual dues to the Lakewood Council PTA as provided in the Lakewood Council PTA Bylaws.

#### **Article XIV—Ohio PTA Convention**

Section 1. This local PTA may be represented at the annual meeting of the Ohio PTA by elected officers or chosen delegates.

#### **Article XV—Fiscal Year**

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

#### **Article XVI: Dissolution**

Section 1. 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 the Ohio PTA, a non-profit organization, which is tax-exempt and meets the requirements of regulations under Section 501C(3) of the Internal Revenue Code.

Section 2. Procedure for dissolution:

- a. When a motion to disband is presented and seconded, it must be deferred for vote until the next meeting. All members must be notified by first class mail, along with the Ohio PTA office thirty (30) days prior to the meeting at which the vote will be taken on the motion to disband.
- b. At the next meeting the motion to disband is opened for discussion. A two-thirds (2/3) vote of members present and voting is required for the motion to be adopted. The books, records, and the unit's Charter shall be returned to the Ohio PTA office by registered mail or given to the Ohio PTA Board of Directors representative.
- c. When the dissolution vote is taken IRS shall be notified that this unit is no longer a tax-exempt organization of the Ohio PTA.

#### **Article XVII—Parliamentary Authority**

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

#### **Article XVIII—Amendments**

Section 1. These bylaws may be amended at any regular general membership meeting of Lakewood PTA by a two-thirds vote of those present and voting. Notice of proposed amendments must have been provided to the membership 14 days prior to the meeting.

Section 2. This local PTA may appoint a committee to submit a revised set of bylaws as a substitute for the existing bylaws. The requirement for adoption of a revised set of bylaws shall be the same as in the case of an amendment.

Section 3. All revisions and amendments to the local PTA's Bylaws shall be submitted for approval to the Ohio PTA Director of Bylaws. The adoption of an amendment to any provision of these bylaws identified shall serve automatically and without the requirement of any further action by the local PTA to amend correspondingly the bylaws of each local PTA. The local PTA shall promptly incorporate such amendments to their respective bylaws.

**END**