

FREEDOM ELEMENTARY PTA BYLAWS

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Article I - Name

The name of this association is the Freedom Elementary Parents and Teachers Association (PTA), West Fargo, North Dakota. It is a PTA organized under the authority of North Dakota Congress of Parents and Teachers (NDPTA), 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, places of worship and throughout the community;
- b. To raise the standards of home life;
- c. To advocate for laws that further the education, physical and mental health, welfare, and safety of children and youth;
- d. To promote the collaboration and engagement of families and educators in the education of children and youth;
- e. To engage the public in united efforts to secure the physical, mental, emotional, spiritual and social well-being of all children and youth; and
- f. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

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 111.

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

The following are basic policies of National PTA:

- a. The association shall be noncommercial, nonsectarian, and nonpartisan.
- b. The association shall work to engage and empower children, families, and educators within schools and communities to provide quality education for all children and youth, and shall seek to participate in the decision-making process by influencing school policy and advocating for children's issues, 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 families, schools, and the community at large.
- d. Commitment to inclusiveness and equity, knowledge of PTA, and professional expertise shall be guiding principles for service in this PTA

Article IV - Relationship with National PTA and North Dakota PTA

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

A PTA in good standing is one that

1. Adheres to the purposes and basic policies of the National PTA;
2. Remits the national and state portion of the dues to the state PTA office by dates designated by North Dakota PTA;
3. Has bylaws approved and on file according to the procedures of the North Dakota PTA;
4. Annually files form 990/990EZ or 990N with the IRS;
5. Annually elects unit officers and submits officer's form;
6. Annually submits insurance payment to AIM;
7. Maintains minutes of ALL membership meetings; and
8. Conducts an annual financial review at the end of the PTA year.

Section 2. Bylaws of this PTA shall include an article on amendments.

Section 3. Bylaws of this PTA shall include a provision establishing a quorum.

Section 4. Each officer or board member of this PTA shall be a member of this PTA.

Section 5. The bylaws of this PTA shall prohibit voting by proxy.

Section 6. This Local PTA is obligated, upon the withdrawal of its charter by North Dakota PTA, and after paying or adequately providing for the debts and obligations of the association:

1. To turn over the remaining assets and all of its books and records to North Dakota PTA;
2. To cease and desist from the further use of any name that implies or connotes association with the National PTA or the North Dakota PTA or status as a constituent association of the National PTA;
3. To carry out promptly, under the supervision and direction of the North Dakota PTA, all proceedings necessary or desirable for the purpose of dissolving such local PTA.

Article V - Membership 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 of the North Dakota PTA by which this PTA is chartered, and is entitled to all the benefits of such membership.

Section 2. Each member of this PTA shall pay annual dues to said association. The amount of such annual dues shall include the portion payable to the North Dakota PTA and the portion payable to National PTA.

Section 3. Membership in PTA shall be open, without discrimination, to anyone who believes in and supports the mission and purpose of National PTA.

Section 4. Only members of Freedom Elementary PTA who have paid dues for the current membership year may vote on any business of the Freedom Elementary PTA.

Section 5. Only members of this Local PTA may serve in any elective or appointive position.

Article VI - Officers

Section 1. The officers of this PTA shall be a president, vice president, a secretary, and a treasurer.

Section 2. Officers shall be elected at the last general meeting of the year (typically April or May).

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 Freedom Elementary PTA:

- a. Each officer shall be a member of this PTA.
- b. No officer may be eligible to serve more than two consecutive terms in the same office. If a position is unable to be filled then they can serve until a successor is elected or appointed.
- c. 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 5. Officers shall assume their official duties following the close of the fiscal year in which they are elected and shall serve for a term of one year or until their successors are elected.

Section 6. A vacancy occurring in the office of president shall be filled for the remainder of the unexpired term by the vice president. A vacancy in any office other than president shall be filled by the board of directors.

Section 7. The current PTA board members shall reach out to all parents notifying them that there are board positions currently open or they have the option to run against a current officer holding a filled position that is going on a second term at least two months prior to the election of officers, as outlined in Article VI, Section 2.

- a. The current board officers shall nominate an eligible person for each office to be filled and report its nominees ahead of the election meeting, at which time additional nominations may be made from the floor.
- b. Only those individuals who are current members of this PTA and who have signified their consent to serve if elected shall be nominated for, or elected to, such office.

Article VII-Duties of Officers

Section 1. The president shall

- a. Preside at all meetings of this PTA;
- b. Confirm that a quorum is present before conducting any business at any meeting of the association; it is the president's duty to make sure a quorum is present and if there is not a quorum no business can be completed.
- c. Serve as an ex-officio member of all committees except the nominating committee;
- d. Coordinate the work of the officers and committees of this PTA in order that the purposes may be promoted;
- e. Be authorized to sign contracts that have been approved by the executive board;
- f. Send the names and contact information of the officers to the North Dakota PTA by May 15th of the year;
- g. Be listed as the principal officer and be authorized to sign tax documents;
- h. Direct the treasurer to complete and fill out all necessary tax documents;
- i. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the board of directors or executive committee.

Section 2. The vice president shall

- a. Act as aide to the president;
- b. Perform the duties of the president in the president's absence or inability to serve;
- c. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.
- d. Serve as an ex-officio member of all committees delegated by the president.
- e. Review treasurer reports quarterly.

Section 3. The secretary shall

- a. Record the minutes of all meetings of the Freedom Elementary PTA;
- b. Be prepared to read the records of any previous meetings;
- c. File all records;
- d. Have a current copy of the bylaws;
- e. Maintain a membership list which shall not be released to outside interests;
- f. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.

Section 4. The treasurer shall

- a. Have custody of the funds of this PTA
- b. Keep full and accurate accounts and records of the funds of this PTA as shall be sufficient to establish the items of gross income receipts and disbursements including bank statements, receipts, budgets, invoices paid, paid receipts and canceled checks in accordance with the record retention policy. This also includes specifically the number of its members, the dues collected from its members and the amount of dues remitted to North Dakota PTA.
- c. Make disbursements as authorized by the president, executive board, or this PTA in accordance with the budget adopted by this PTA;
- d. Issue Checks. Checks only need to be signed by one authorized person to issue or cash out.
- e. Provide a written financial statement to the board of directors at each meeting;
- f. Present an annual report of the financial condition of the organization;
- g. Submit the books annually for a financial review by an auditing committee or auditor selected by the board of directors after the end of the fiscal year and ahead of the next academic school year budget approval.
- h. Report the findings of the annual financial review to the board of directors;
- i. Complete and file all necessary tax documents as directed by the president;
- j. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.

Article VIII - Board of Directors

Section 1. The affairs of the Freedom Elementary PTA shall be managed by the board of directors in the intervals between PTA general membership meetings.

Section 2. Each board member shall be a member of this PTA.

Section 3. The members of the board shall be

- a. elected officers;
- b. Principal and/or teacher representative(s)
- c. Committee chairs as applicable to the PTA (i.e. standing and/or special committee chairs, teacher representatives)
- d. The president may appoint a parliamentarian, subject to approval of the executive committee of this PTA.

Section 4. Duties of the board shall be to

- a. Carry out such business as may be referred to it by the membership of the association;
- b. Collaboratively establish a mission statement and goals to guide all budgetary decisions according to the National PTA;
- c. Create special committees;
- d. Create a report at the regular general membership meetings of this PTA;
- e. Select an auditor or an auditing committee to audit the treasurer's accounts;
- f. Prepare and submit an annual budget to this PTA's general membership for adoption;
- g. Approve payment of routine bills within the limits of the approved budget;

Section 5. If any member of the board of directors 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 the board of directors.

Section 6. 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 as deemed necessary.

Section 7. Special meetings of the board may be called by the president or when requested by three members upon two days' written notice to each member of the board. Special meetings or votes may be held via phone or electronically if all members have access to such technology. Any vote occurring at meetings held electronically must be placed on the agenda at the following regular meeting. In case of a controversial vote, a pass code will be used to assure accuracy and confidentiality.

Section 8. At all meetings of the board, a majority of the members of the board shall constitute a quorum for the transaction of business.

Section 9. 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 the position shall be returned to the treasurer within 14 days.

Article IX - Executive Committee

Section 1. There shall be an executive committee of the Freedom Elementary PTA, the members of which shall be

- a. All elected officers; and
- b. Principal or representative

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

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. Appoint standing committee chairs and members;
- c. Approve the work of the committees;
- d. Act in emergencies between meetings of the board;
- e. Make a report at each board meeting;

The executive committee shall take no action in conflict with any action taken by the board of directors.

Article X-Committees

Section 1. Only members of this PTA shall be eligible to serve in any elective or appointive positions.

Section 2. The standing committees of this PTA shall be (if fillable):

- membership
- hospitality
- social media
- spiritwear
- volunteer coordinator
- yearbook
- events
- reflections
- community outreach

Section 3. The board of directors may create such special committees, as it may deem necessary to promote the purposes of PTA and carry on the work of this PTA.

Section 4. The term of office of a committee chair shall be one year or until the selection of a successor.

Section 5. The chair of each committee shall present a plan of work to the executive committee for approval. No committee work shall be undertaken without the consent of the executive committee.

Article XI - General Membership Meetings

Section 1. Regular membership meetings of this PTA shall be held at the dates and times to be determined by the executive board at their first meeting of the year.

Section 2. Special meetings of this PTA may be called by the president or by a majority of the board of directors, two days' notice having been given.

Section 3. Communication to membership for the purpose of receiving reports from officers and chairs and for any other necessary business shall be sent by the end of the fiscal year.

Section 4. Majority of five members shall constitute a quorum for the transaction of business in any general meeting of this PTA.

Article XII - North Dakota PTA Annual Meeting/Convention

Section 1. This PTA shall be represented at the annual meeting of the North Dakota PTA by the president, or appointed alternate, and by delegate(s) or alternates. All representatives to the North Dakota PTA Annual Meeting/convention must be members of this PTA.

- a. Delegates and their alternates shall be chosen on a volunteer basis no later than the month prior to the Annual Meeting/Convention.
- b. The number of delegates is based on the number of members recorded with the state office as of March. One delegate is allowed per 25 members or majority thereof.

Article XIII - Fiscal Year

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

Article XIV - Parliamentary Authority

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

Article XV - Amendments

Section 1.

- a. These bylaws may be amended at any regular general membership meeting of the Freedom Elementary PTA, provided a quorum is present, by two-thirds (2/3) vote of the members present and voting. Notice of each proposed amendment shall be provided to the membership thirty (30) days prior to the meeting at which the amendment is voted upon or at the previous regular meeting. The amendment shall be subject to approval of the North Dakota 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 general membership meeting, 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, the bylaws and standing rules shall be submitted for approval to North Dakota PTA according to the policies and procedures of North Dakota PTA.
- d. A revision of the bylaws or any amendments shall go into effect when an approved copy is returned by the North Dakota PTA.

Section 2. The Freedom Elementary PTA shall submit a set of bylaws to the North Dakota PTA for review every three (3) years.

Section 3. The adoption of an amendment to any provision of the bylaws by the North Dakota PTA shall serve automatically and without the requirement of further action by the Freedom Elementary PTA to amend its corresponding bylaws.

Article XVI - Electronic Meetings and Communications

Section 1. The Freedom Elementary PTA Executive Board and all committees and subcommittees shall be authorized to meet by telephone conference or through other electronic communications media so long as all members can simultaneously hear each other and participate during the meeting.

Section 2. Unless members indicate otherwise to Freedom Elementary PTA, all communication required by these bylaws, including meeting notices, may be sent electronically unless otherwise specified in the bylaws.

Article XVII – Operational Requirements and Dissolution

Section 1. 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.

Section 2. 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 organization 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.

Section 3. 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.

Section 4. Upon the dissolution of this association, after paying or adequately providing for the debts and obligations of the association; the remaining assets and all of its books and records shall be surrendered to the North Dakota PTA.