

COUNCIL BYLAWS

California State PTA Identification Number

Name of Council

District PTA

Location (city/cities, county, school district or area)

Current Number of Associations

Organization Date of Council

REVISED JUNE 2017



BYLAWS

for PARENT-TEACHER COUNCILS and PARENT-TEACHER-STUDENT COUNCILS

These bylaws outline the essential structure and specific regulations to govern parent-teacher councils and parent-teacher-student councils in the state of California. Since councils vary in size, alternative procedures are included in several sections. These bylaws may be modified further to meet local conditions.

Refer to page i for procedures to follow for a bylaws review and to pages ii-iii for instructions for completing the standard bylaws.

MISSION STATEMENT OF THE CALIFORNIA STATE PTA

*The mission of the California State PTA is
to positively impact the lives of all children and families.*

California State PTA Board of Managers, August 2013

CALIFORNIA STATE PTA

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PROCEDURES FOR BYLAWS REVIEW

Standard bylaws are updated and reprinted at least once a year. The cover sheet color changes at least once during every two-year term. Current bylaws are available for purchase from the **List of PTA Materials** found on the **California State PTA website www.capta.org**. Many district PTAs also maintain a supply of bylaws for purchase. *See Article XVII – Amendments on pp. 28-29 for bylaws amendment requirements.*

REVIEW PROCESS

1. The president appoints a bylaws review committee (3-5 people) chaired by the parliamentarian.
2. Using the “Instructions for Completing the Standard Bylaws” (page ii) the committee reviews the bylaws to see if any changes are necessary and then completes a set of the most current edition of **Council Bylaws**.
3. The parliamentarian consults with the district PTA parliamentarian regarding how to complete a section or make a desired change.
4. The committee prepares a detailed list of proposed amendments.
5. The executive board votes and the outcome is recorded in the minutes.
6. The committee presents to the executive board the recommendation that no changes be made or the list of proposed amendments to be forwarded to the California State PTA parliamentarian for approval. An update to the most current version of the bylaws with no changes still requires that the bylaws be forwarded to the California State PTA parliamentarian for review and signature.
7. The parliamentarian keeps one copy of the bylaws for reference.
8. The parliamentarian submits the detailed list of proposed amendments (if any) along with one (1) *original set* and one (1) copies of the bylaws and standing rules with two extra signature pages through district PTA to the California State PTA parliamentarian. [NOTE: Please verify with the district PTA how many copies to send.]

WHEN BYLAWS ARE RETURNED

1. The California State PTA parliamentarian returns signed bylaws and standing rules to the council through district PTA.
2. Upon receipt of the state-approved bylaws and standing rules, a council meeting is scheduled to adopt the amendments to the bylaws. Members must be notified of the meeting at least thirty (30) days in advance and a list of the proposed amendments must be included with the notice.
3. A two-thirds (2/3) vote of the council voting body (see Articles V and VIII) is required to adopt the amendments.
4. *After* the council adopts the amendments, the secretary and president sign and date the master set of the bylaws, which is kept by the secretary. Other copies, signed by the secretary and president, are kept by the president and parliamentarian. One signed signature page is returned to the district PTA.
5. Additional copies of the bylaws and standing rules are made for the procedure books of each member of the executive board. A copy of the bylaws shall be made available to any member of the council upon request.

UNSIGNED BYLAWS

If the bylaws and standing rules are returned by the California State PTA parliamentarian unsigned, the council must make the required changes and resubmit the bylaws and standing rules through channels.

INSTRUCTIONS FOR COMPLETING THE STANDARD BYLAWS

The current standard bylaws MUST be used when submitting bylaws for approval. The California State PTA prints the date on the front cover and at the bottom of each page. USING OUTDATED STANDARD BYLAWS MAY BE CAUSE FOR THE BYLAWS TO BE RETURNED UNSIGNED.

Bylaws and standing rules may be modified to meet the needs of the council. Standard bylaws are available in printed form or fillable pdf. ANY VERSION OTHER THAN THE STANDARD VERSION WILL NOT BE ACCEPTED. The bylaws are a legal document and additions and/or bylaws changes must be written legibly in blue or black ink or typed. Do not use pencil, black marker or any other ink color. All blanks must be completed or lined out. Additional copies of the standard bylaws may be photocopied using the legal, double-sided format.

1. DO NOT ALTER, CHANGE, OR ADD TO ANY ARTICLES OR SECTIONS WITH STARS except for completing blank lines. Authority for the articles and sections marked with stars are from the California State PTA bylaws (***) or are required by the Corporation Code of the State of California (***) and shall be included in all bylaws.
2. Several sections refer to information in the **California State PTA Toolkit** and MAY NOT BE ALTERED. They are policies or procedures of the California State PTA. See Article XIII, Section 5.
3. Words in *italics* indicate optional provisions and SHOULD BE LINED OUT when not applicable.
4. To line out, neatly draw a single straight horizontal line through each word and/or sentence which does not apply. Do not use a slash or an X to strike. Do not use white-out or a wide-tipped marker.
5. Words in brackets [] are for information or directions only. They have been pre-lined out, e.g., _____ [month], but you must follow the directions given in them.
6. Use the council's full legal PTA or PTSA name on the cover: *Sunshine Council of PTAs*, not *Sunshine Council*.
7. Spell out all words; do not use abbreviations, e.g., Sept – September; 2nd – second; VP – vice president. Use the long form for dates – February 7, 2016.
8. Write numbers as words and place figures in parenthesis, e.g., one (1); twenty (20); five dollars (\$5.00); twenty-five cents (\$0.25). Do not duplicate words already included in the printed text.
9. The following articles and sections require special attention:
 - a. Article IV, Sections 7 and 8 (p. 3-4) – Set council deadlines early enough to reach district by district deadlines.
 - b. Article V, Section 1 (p. 4) – The council voting body must be a larger, more representative body than that of the executive board (Article IX, Section 1, p. 14). The two groups may not be identical.
 - c. Article V, Section 2 (p. 4) must be completed to provide for voting at the election of officers.
 - d. Article VI, Section 4 (p. 6) and Section 6 (p. 6) must state a specific month; Section 8 (p. 6) must state an exact date that coincides with the fiscal year if at all possible.
 - e. Article VI, Section 4 (p. 6) and Section 6 (p. 6) must agree with Article VIII, Sections 1 and 2 (p. 12-13). Set the election month early enough to allow the president-elect to attend the California State PTA Convention held in late April/early May (Article VI, Section 9) and meet the district deadline for directory data (Article VII, Section 1e).
 - f. Article VII, Section 2 (p. 8) – Use this section for an executive vice president or a vice president if there is no executive vice president and only one vice president.
 - g. Article VII, Section 4 (p. 8) and Section 5 (p. 8) – If there is only one secretary, line out corresponding secretary and combine these sections and renumber subsequent sections.

- h. Article VII, Section 8b-d (p. 10) – The mid-year audit is required approximately halfway through the fiscal year. The year-end audit must be completed immediately following the end of the fiscal year. (For example, if the fiscal year ends June 30, the year-end audit must be completed in July. The mid-year audit would be completed in December or January.) A third audit is required at the end of the officer term of office when the term of office is different from the fiscal year.
- i. Article VII, Section 8b-d (p. 10) must agree with council meeting months in Article VIII, Section 1 (p. 12).
- j. Article VIII, Section 1 (p. 12) – Set the first meeting of the school year early enough to assure that the PTA program and budget is approved by the council *prior* to beginning PTA programs or expending PTA funds (Article VIII, Section 3).
- k. Article VIII, Section 2 (p. 13) must agree with Article VI, Section 4 (p. 6) and Section 6 (p. 6) and Article VIII, Section 1 (p. 12). Set the election month early enough to allow the president-elect to attend the California State PTA Convention held in late April/early May (Article VI, Section 9, p. 7) and meet the district deadline for directory data (Article VII, Section 1e, p. 7).
- l. Article VIII, Section 5b (p. 13) – The minimum quorum for a council meeting is based on the total voting body as defined in Article V, Section 1 (p. 4) and the total number of associations in the council. The quorum must assure general member participation beyond that of the executive board.
- m. Article IX, Section 1 (p. 14) – The executive board is a smaller group than the voting body (Article V, Section 1, p. 4). The two groups may not be identical. Standing committees are those committees that function all year, e.g. hospitality, membership, program, ways and means, fundraising, etc. Standing committees are listed in Standing Rule #10. When there is a combination of ten (10) or more appointed standing committee chairmen and/or appointed voting directors or specialists, that number is divided by two (2) and added into the calculations for the quorum.
- n. Article IX, Section 2c (p. 14) – Guidelines for the expenditure of unbudgeted funds is as follows (Unbudgeted Expenditures, **California State PTA Toolkit**):
 - i. Eight or more council meetings per year – up to \$500.00
 - ii. Five to seven council meetings per year – up to \$750.00
 - iii. Four or fewer council meetings per year – up to \$1000.00
- o. Article IX, Section 7b (p. 15) – The quorum for an executive board meeting may not be less than one fifth (1/5) of the total number of members of the executive board or two (2) members, whichever is larger.
- p. Article IX, Section 9 (p. 15) – Members of the executive board who are unable to attend the face-to-face meeting may attend via teleconference if this section of the bylaws is not lined out. Wherever possible, most of the attendees should be present in person at the meeting. It is highly inadvisable for a board to hold face-to-face meetings where more than ten people are attending via teleconference. Boards with quorums of 21 or more are strongly discouraged from holding teleconference-only meetings.
- q. Article XIV (p. 21) – Attach copy of articles of incorporation, if an incorporated council.
- r. Article XV (p. 22) – Councils are required by law to have a federal Employer Identification Number (EIN), and a state Franchise Tax Board (FTB) number and Registry of Charitable Trust (CT) number, and are required to file annual reports with the appropriate agency. Enter the assigned numbers if the council is incorporated and/or has a California State Board of Equalization Seller’s Permit. Contact the district PTA for assistance.
- s. Standing Rules (p. 24 and following) must be attached and may not conflict with or supersede bylaws. Do not restate bylaws or **Toolkit** sections in the standing rules.
- t. Standing Rule 10. Standing committees are those committees that meet all year long, e.g. membership, health and safety, and hospitality. The chairman of a standing committee is a member of the executive board. In order to ensure that there is participation by standing committee chairmen in executive board meetings, the following calculation will determine the number to add to the quorum. If there are ten (10) or more standing committees, that number will be divided by two (2) and added into the calculations for the executive board quorum.

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COUNCIL BYLAWS

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BYLAWS

ARTICLE I – NAME

The name of this organization is the _____ Council of Parent-Teacher-*Student* Associations, _____ District of the California Congress of Parents, Teachers, and Students, Inc. (California State PTA), a branch of the National Congress of Parents and Teachers (National PTA).

ARTICLE II – PURPOSES

***SECTION 1.

The purposes of this council, in common with the purposes of the National PTA and the California State 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 this council are promoted in cooperation with the National PTA and the California State PTA through an advocacy and educational program directed toward parents and 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.

This council 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 "Internal Revenue Code").

SECTION 4.

The purposes of this council shall be:

- a. To promote within the council territory the interests of the National PTA, the California State PTA and _____ District PTA.
- b. To unify and strengthen its associations by counseling and encouragement.
- c. To develop and coordinate association and council projects and activities in the interest of children and youth.
- d. To act as a clearing house for an exchange of ideas and experiences.
- e. To serve as a channel of communication between the district and the local associations.

- f. To provide opportunities for leadership training.
- g. To promote public opinion favorable to the interests of children and youth.
- h. To assist in the formation of new local associations according to the plan of the California State PTA.
- i. To compile a roster of council officers and association presidents. (See Article VII, Section 1e.)
- j. To provide information on proper procedures at the direction of the PTA district president in the event of dissolution of any association or an association disbands.

The council shall not impose disciplinary fines on any local association.

*** Council shall not legislate for local associations.

***ARTICLE III – BASIC POLICIES

The following are basic policies of the National PTA, the California State PTA and this council:

- 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 one or more nonprofit funds, foundations, or organizations 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 the 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;
- h. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the purposes of the organization;
- i. The organization shall not enter into membership with other organizations except such international, national or state organizations as may be approved by the California State PTA. The California State PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but a PTA/PTSA representative shall make no commitments that bind the group he represents.

ARTICLE IV – MEMBERSHIP AND DUES

SECTION 1.

Membership in this council shall consist only of local associations chartered by the California State PTA as authorized by the National PTA in _____, ~~{city, county, area or local school district}~~ California, upon payment of dues hereinafter provided.

***SECTION 2.

Every individual who is a member of a local association is, by virtue of that fact, a member of the National PTA and the California State PTA by which such local association is chartered, and the district, and is entitled to all benefits of such membership.

***SECTION 3.

Membership in each local association shall be made available by such local association without regard to race, color, creed or national origin, under such rules and regulations not in conflict with the provisions of the bylaws of the National PTA or the bylaws of the California State PTA as may be prescribed in the bylaws of the local PTA, to any individual who subscribes to the purposes and basic policies of the National PTA.

***SECTION 4.

Each local association shall conduct an annual enrollment of members but may admit persons to membership at any time.

***SECTION 5.

Each member of a local association shall pay such annual dues to said organization as may be prescribed by the organization. The amount of such dues shall include the portion payable to the California State PTA (the “State portion”) and the portion payable to the National PTA (the “National portion”).

SECTION 6.

Each local association in this council shall forward to the council a total of _____
dollar(s) and _____ cents (\$ _____) annually from each
member’s dues which shall be allocated as follows:

- ***a. Such annual dues shall include the portion of two dollars and twenty-five cents (\$2.25) per member payable to the National PTA.
- ***b. Such annual dues shall include the portion of two dollars (\$2.00)* per member payable to the California State PTA.
- c. Such annual dues shall include the portion of _____ *dollars and*
_____ *cents (\$ _____)* per member payable to the
_____ District PTA.
- d. Such annual dues shall include the portion of _____ *dollars and*
_____ *cents (\$ _____)* and shall constitute the council’s
portion and shall be retained by this council.

SECTION 7.

Dues shall be remitted on a timely basis and at least monthly in accordance with district bylaws, rules and procedures.

SECTION 8.

To qualify associations for state membership awards, a qualifying remittance of council, district, state and national portions of the dues paid by each member of a local association in this council shall be remitted to council financial officers by _____ ~~{insert council deadline}~~.

SECTION 9.

For associations to remain in good standing, a remittance of the council, district, state, and national portions of the dues paid by each member of a local association in this council shall be remitted to council financial officers by _____ ~~{insert council deadline}~~.

*****SECTION 10.**

The first remittance of the national and state portions of the dues received by the council shall be forwarded to the financial officers of the district as provided for in the California State PTA bylaws.

SECTION 11.

The first required remittance of the district, state and national portions of the dues received by the council shall be forwarded to the district financial officers by November 15 and monthly thereafter, in accordance with district and state bylaws.

*****SECTION 12.**

Remittances shall be accompanied by a statement showing the name and location of each association, the number of new members of each and the amount remitted.

SECTION 13.

Local associations failing to forward their first remittance of per capita dues to the council by November 15 shall forfeit representation at council meetings until the amount has been paid.

SECTION 14.

Additional associations may be accepted at any time.

ARTICLE V – COUNCIL VOTING BODY

SECTION 1.

The voting body shall consist of council officers, chairmen of standing committees, association presidents or their alternates, *the superintendents of schools or their representatives*, principals of schools having associations in council membership or their representatives, and _____ (_____) ~~{number}~~ delegates or their alternates from each association selected by the association prior to the first meeting of the council, except at the election of officers when an alternate delegate system outlined in Article V, Section 2, shall be used.

SECTION 2.

For the election of council officers each association in good standing shall be entitled to be represented by the president or his alternate *and* _____ (_____) ~~{number}~~ delegate(s) or alternate(s) for every _____ (_____) ~~{number}~~ members or fraction thereof.

~~[It is suggested that in a council of over 5,000 memberships there be one delegate for every 25 members and in a council of less than 5,000 memberships there be one delegate for every 10 members.]~~

*****SECTION 3.**

Voting by proxy is PROHIBITED.

ARTICLE VI – OFFICERS AND THEIR ELECTION

***SECTION 1.

Each officer or board member of this council shall be a member of a local association within the boundaries of the council, whose dues have been paid and who has been a member for at least thirty 30 days previous.

SECTION 2.

Officers of this council shall be a president, *executive vice president*, _____ (_____) vice presidents, *recording secretary*, *corresponding secretary*, treasurer, *financial secretary*, auditor, historian and parliamentarian. These officers shall be elected annually [*biennially in odd/even numbered years*] with the exception of the *corresponding secretary* and the parliamentarian, who shall be appointed by the president subject to the ratification of the executive board.

SECTION 3.

***a. Nominations for office shall be made by a nominating committee which shall be elected.

- b. Officers shall be nominated by a nominating committee of _____ (_____) ~~[number]~~ members of the council executive board and one representative from each local association, all of whom shall be members of the voting body of the council, with _____ (_____) ~~[number]~~ alternate(s). The committee shall be elected at a council meeting at least two months prior to the annual/*biennial* ~~[choose one]~~ election meeting. The committee shall serve until the annual/*biennial* ~~[choose one]~~ election meeting. The president shall not serve ex officio or be elected to the nominating committee. No member shall serve on the nominating committee for two (2) consecutive terms. The committee shall elect its own chairman. (See Electing the Nominating Committee, Running Your PTA section, **California State PTA Toolkit**.)

~~—OR—~~

~~[For councils with a large number of local associations where this method would result in a nominating committee too large to work effectively, the following alternative is recommended. Strike the Section b not applicable.]~~

- b. Officers shall be nominated by a nominating committee of _____ (_____) ~~[number]~~ members of the voting body of the council, of whom at least _____ (_____) ~~[number]~~ shall be members of the council executive board and no two shall be from the same local association, with _____ (_____) ~~[number]~~ alternate(s). The committee shall be elected at a council meeting at least two months prior to the annual/*biennial* ~~[choose one]~~ election meeting. The president shall not serve ex officio or be elected to the nominating committee. No member shall serve on the nominating committee for two (2) consecutive terms. The committee shall elect its own chairman. (See Electing the Nominating Committee, Running Your PTA section, **California State PTA Toolkit**.)
- c. Immediately upon its election the parliamentarian shall meet with the nominating committee to set the date of its first meeting. (See Article VII, Section 10)
- d. Alternates shall not attend meetings, unless an elected member cannot be present at the first meeting. In that event, the alternate becomes the permanent member, replacing the elected member until such time as the committee is discharged of its duties (at the time of election).

SECTION 4.

The report of the nominating committee shall be submitted to the member associations of the council at least twenty-eight (28) days prior to the annual/*biennial* ~~[choose one]~~ election meeting. At the annual/*biennial* ~~[choose one]~~ election meeting in _____ ~~[month]~~ additional nominations must be called for from the floor.

~~[Incorporated councils must also include a Section on Nomination by Petition.
See California State PTA Bylaws, Article XII.]~~

SECTION 5.

- a. Only those persons who are eligible and who have signified their consent to serve if elected shall be nominated for or elected to office.
- b. Nominees for the offices of president, treasurer, *financial secretary*, auditor, or any elected officer authorized to sign checks shall not be related by blood or marriage or reside in the same household.
- c. No member shall serve concurrently in more than one elected or appointed council office.
- d. *During his/her term of office, a unit president shall not serve as an elected or appointed council officer.*

SECTION 6.

Election shall be held by ballot at the annual/*biennial* ~~[choose one]~~ election meeting in _____ ~~[month]~~. If there is but one nominee for any office, the ballot for that office may be dispensed with and the election held by voice vote.

SECTION 7.

Only accredited delegates as provided in Article V, Section 2, and members of the council executive board shall be qualified to vote at the election of council officers. No delegate shall represent more than one association and no person shall have more than one vote.

SECTION 8.

Officers shall serve for a term of one (1) year or until their successors are elected. (In the event that no successor is elected, the position is declared vacant. Vacant positions must be filled by the executive board-elect or executive board, per Article VI, Section 11 and Section 12.) No officer shall be eligible to the same office for more than two (2) consecutive terms, or hold more than one elected or appointed office. Officers shall assume their duties on _____ ~~[exact date, recommended to coincide with fiscal year]~~. No officer shall serve past the start of the next term unless elected to serve in that term. A person who has served in an office for more than six (6) months of a full term shall be deemed to have served a full term in such office.

~~—OR—~~

SECTION 8.

Officers shall serve for a term of two (2) years or until their successors are elected. (In the event that no successor is elected, the position is declared vacant. Vacant positions must be filled by the executive board-elect or executive board, per Article VI, Section 11 and Section 12.) No one shall serve in the same office two (2) consecutive terms. Officers shall assume their duties on _____ ~~[exact date, recommended to coincide with fiscal year]~~. No officer shall serve past the start of the next term unless elected to serve in that term. A person who has served for more than twelve (12) months of a full term shall be deemed to have served a full term in such office.

SECTION 9.

The president-elect shall be entitled to be a delegate to the annual California State PTA Convention. One delegate from the executive board, in addition to the president or president-elect, or alternates shall be elected annually prior to convention. (See California State PTA Bylaws, Article XV – Annual Convention, Section 3c)

SECTION 10.

The president-elect may call meetings of the officers-elect as necessary to ratify the appointments of appointed officers and chairmen of committees, to fill vacancies on the board-elect and to make plans for the coming year's work.

SECTION 11.

If an office remains unfilled after election, it shall be considered a vacant office to be filled by the board-elect.

SECTION 12.

A vacancy occurring in any office shall be filled for the unexpired term by a person elected by the executive board. Election to fill a vacancy shall require a majority vote of the executive board, with at least ten (10) days' previous notice. If notice is not given, the election to fill the vacancy shall require a two-thirds (2/3) vote. The *executive vice president/first vice president* ~~[choose one]~~ shall serve notice of the election to the executive board, in case a vacancy occurs in the office of president. (Refer to Article IX, Section 2f.)

ARTICLE VII – DUTIES OF OFFICERS

SECTION 1.

The president shall:

- a. Coordinate the work of officers and committees of the council in order that the purposes may be promoted.
- b. Preside at all meetings of the council, *and* the executive board *and the executive committee*.
- c. Be a member ex officio of all committees except the nominating committee.
- d. Appoint *the corresponding secretary*, the parliamentarian, the chairmen and members of committees, subject to the ratification of the executive board.
- e. Compile a list of council officers and association presidents no later than _____
~~[council deadline]~~. Send all directory data from the council to the district by _____
~~[district deadline, no later than May 15th]~~.
- f. Sign all authorizations for payment as required by the executive board or council. (See Check Request System: Payment Authorization, Finance section, **California State PTA Toolkit**.)
- g. Be responsible for preparing the council annual report required by the California State PTA.
- h. Be the official representative of the council at district meetings.
- i. Have all contracts and/or legally binding documents approved by the council prior to signing a contract along with another elected officer. (See Contracts, Finance section, **California State PTA Toolkit**.)
- j. Be authorized to sign checks, and not be related by blood or marriage or reside in the same household as the other authorized signers for the council's financial accounts.
- k. Perform such other duties as may be prescribed in these bylaws or assigned by the council.

SECTION 2.

~~[Where there is no executive vice president, strike Section 2 and renumber subsequent sections.]~~

The *executive* vice president shall:

- a. Serve as the primary aide to the president.
- b. Perform the duties of the president in the absence or disability of that officer to act.
- c. Perform such other duties as may be prescribed in these bylaws or assigned by the council.

SECTION 3.

The *additional* vice president(s) shall act as aide(s) to the president *and executive vice president* and shall, *in their designated order*, perform the duties of the president in the absence or disability of that officer to act.

The *first* vice president shall serve as _____.

The *second* vice president shall serve as _____.

The *third* vice president shall serve as _____.

The *fourth* vice president shall serve as _____.

The *fifth* vice president shall serve as _____.

The *sixth* vice president shall serve as _____.

~~[Additional duties of each vice president shall be placed in the Standing Rules.]~~

SECTION 4.

~~[Where there is but one secretary, combine Sections 4 and 5 and renumber subsequent sections.]~~

The *recording* secretary shall:

- a. Keep an accurate record of the proceedings of all meetings of the council, *and* the executive board *and executive committee* in a bound book which is the legal record of the council.
- b. Be prepared to refer to minutes of previous meetings.
- c. Prepare a list of all unfinished business for use by the president.
- d. With the president, sign all authorizations for payment authorizing the expenditure of funds following approval by the council or executive board in accordance with these bylaws. (See Check Request System: Payment Authorization, Finance section, **California State PTA Toolkit**.)
- e. Record all expenditures in the minutes.
- f. Keep a current signed original set of these bylaws and standing rules.
- g. Perform such other duties as may be delegated to the secretary.

SECTION 5.

The *corresponding* secretary shall:

- a. Conduct all necessary correspondence of the council upon authorization of the president, the executive board or the council.
- b. Notify officers of their election and chairmen of their appointments.
- c. Send out notices of executive board meetings.

SECTION 6.

The treasurer shall:

- ***a. Keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the council, including specifically, the number of members, the dues collected from the members and the amount of dues remitted through channels to the California State PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the California State PTA.
- b. Chair the budget committee and prepare the budget for adoption by the council. (See Budgeting and Fundraising, and Sample Financial Calendar of Activities, Finance section, **California State PTA Toolkit**.) Forward one (1) copy of the adopted budget to _____ District PTA.
- c. Contact the bank to secure signatures of all authorized signers on all check and savings account signature cards and file with the bank immediately upon taking office (see h below).
- d. Receive monies *from the financial secretary* for the council, giving a receipt therefore, and deposit immediately in the name of the council in a bank approved by the executive board.
- e. Receive and retain a copy of the deposit slip for any deposit made.
- f. Prepare all authorizations for payment as required by the executive board or council. (See Check Request System: Payment Authorization, Finance section, **California State PTA Toolkit**.)
- g. Upon receipt of a payment authorization form signed by the president and the *recording* secretary, pay all bills as authorized by the executive board or the council. (See Check Request System: Payment Authorization, Finance section, **California State PTA Toolkit**.)
- ***h. Secure two signatures on all checks. Any two of the following are authorized to sign: president, treasurer and _____ ~~[elected officer other than the secretary or auditor]~~. The authorized signers shall not be related by blood or marriage or reside in the same household. (See Banking, Finance section, **California State PTA Toolkit**.)
- ***i. Individuals counting cash/checks shall not be related by blood, marriage, or reside in the same household.
- j. Keep an accurate record of receipts and disbursements in a ledger which is a permanent record of this council. All other financial records must be retained seven years including the current year.
- k. Keep the council informed of expenditures as they relate to the budget adopted by the council.
- l. Remit all district, State and National portions of per capita dues monthly to the financial officer of the district.
- m. Present a treasurer's report at every meeting of the council and the executive board, and at other times when requested by the council. (See Financial Officers' Reports and Forms, Finance section, **California State PTA Toolkit**.)
- n. Be responsible for filling out and forwarding all necessary report forms required by the California State PTA for insurance and for filing all tax returns and other forms required by government agencies. This includes employee reporting forms, if this council pays employees; and independent contractor reporting forms, if this council hires independent contractor(s). Forward one (1) copy of all government filings to _____ District PTA.
- o. Make an annual financial report to the council which includes gross receipts and disbursements for the year. Forward one (1) copy of the annual financial report to _____ District PTA.
- p. Receive and review the budgets, annual financial reports, audits, tax filings and all other government filings as forwarded to the council by the units in the council.

- q. Forward one (1) copy of each unit's budget, annual year-end report and tax filings to the _____ District PTA

(See Article XV – FISCAL YEAR AND IDENTIFICATION NUMBERS)
NOTE: The dishonesty bonding insurance may require additional rules to follow.

SECTION 7.

~~[Where there is no financial secretary strike Section 7 entirely and renumber subsequent sections.]~~

The financial secretary shall:

- a. Give a receipt for monies received for the council and *remit at once to the treasurer or* deposit immediately in a bank approved by the executive board and give a copy of the deposit slip to the treasurer.
- b. Keep an accurate record of all receipts for filing with the treasurer's financial records for the council.
- c. Present a monthly report at every meeting of the council and the executive board and at other times when requested by the council. (See Financial Officers' Reports and Forms, Finance section, **California State PTA Toolkit**.)
- d. Make an annual report to the council.
- e. Perform such other duties as may be delegated to the financial secretary.

SECTION 8.

The auditor shall:

***a. Audit the books and financial records of the council semiannually.

- b. Prepare a mid-year audit to be completed in _____ ~~{month half-way through fiscal year}~~. Present a written report to the executive board at the _____ ~~{month}~~ meeting for review and to the association at the _____ [month; see Article VIII, Section 1] meeting for adoption.

- c. Prepare a year-end audit to be completed in _____ ~~{month immediately following end of fiscal year}~~. Present a written report to the executive board at the _____ ~~{month}~~ meeting for review and to the association at the _____ ~~{month}~~ meeting for adoption. (NOTE: The audit at the end of a term is performed by the outgoing auditor. See Financial Officers' Reports and Forms, Finance section, **California State PTA Toolkit**.)

~~[Associations whose fiscal year and officer term of office begin in the same month should line out the following and reletter the succeeding subsections.]~~

- d. Prepare an end of term audit to be completed in _____ ~~{month immediately following end of term of office}~~. Present a written report to the executive board at the _____ ~~{month}~~ meeting for review and to the association at the _____ ~~{month}~~ meeting for adoption.
- e. Audit the books upon resignation of the treasurer, *the financial secretary* or any check signer and at any time deemed necessary.
 - f. Not be related by blood or marriage or reside in the same household as the financial officers and/or authorized signers of checks.

- g. Be responsible for verifying on the Audit Report Form that all necessary report forms required by the California State PTA for insurance, and tax returns and other forms required by state and federal government agencies have been completed and filed by the due date.
- ***h. Forward one (1) copy of the adopted semiannual council audits and all association audits to the _____ District PTA.

SECTION 9.

The historian shall:

- a. Assemble and preserve a record of the activities, achievements and volunteer hours of the council.
- b. Act as custodian of records and other materials pertinent to the history of the council.
- c. Assist the president with the preparation of the council’s annual report required by the California State PTA.

SECTION 10.

The parliamentarian shall:

- a. Attend all meetings of the council, *and* the executive board *and executive committee* and give necessary advice in parliamentary procedure when requested.
- b. Call the first meeting of the nominating committee, conduct election of a chairman and give instructions in procedure, and may be contacted for additional information, if needed, and shall attend meetings of the nominating committee only if elected to serve as a member of the committee.
- c. Chair the bylaws committee and review bylaws and standing rules annually. (See Changing Bylaws, Running Your PTA section, **California State PTA Toolkit**.)
- d. Be entitled to all rights and privileges of membership including the right to make motions, debate and vote.
- e. Receive and review all association bylaws within the council prior to submitting them through channels to the state parliamentarian for approval and keep a file of all association bylaws within the council.

SECTION 11.

Two (2) copies of officers’ reports shall be compiled annually by all officers and filed in the procedure book for the incoming officer, and with the _____ ~~president or historian~~.

****SECTION 12.**

(Consult with the district PTA prior to beginning this process.)

When an officer fails to attend three (3) consecutive meetings without adequate excuse or when an officer is not fulfilling the responsibilities of the office as prescribed in the bylaws or standing rules, or engages in conduct which the council executive board determines to be injurious to the organization or its purposes, the council executive board may by a two-thirds (2/3) affirmative vote, take such action as it determines appropriate, which may include asking for the resignation of the officer. The officer, however, cannot be removed from office, unless the council first conducts a hearing as authorized by the district PTA. If removing the officer from office is a consideration, the council executive board must make a formal request through channels to the district PTA to determine whether a hearing should be conducted to remove the officer from office before proceeding with any action. If the district hearing panel determines, by a two-thirds (2/3) affirmative vote, that it is in the best interest of the council to conduct a hearing, the council executive board shall follow the Notice and Hearing Procedures set forth below.

Notice and Hearing Procedures: Following the two-thirds (2/3) affirmative vote by the district PTA hearing panel recommending that the council executive board conduct a hearing: 1) The council executive board must give the officer fifteen (15) days' written notice of the hearing to remove the officer from office; 2) The written notice shall contain the reasons for the proposed removal, and shall be mailed by certified mail, return receipt requested, to the last address of the officer shown on the association's records. The fifteen (15) day notice period shall commence when the written notice is deposited in the mail; 3) The hearing shall be before a panel composed of at least a majority of the council's executive board, as so designated by the council's executive board. At the council hearing, the officer, or the officer's representative, must be given an opportunity to address the council hearing panel, either orally or in writing. At the hearing, the officer shall be permitted to offer written evidence, written witness statements and testimony by a reasonable number of witnesses. The council hearing panel may make a recording of the hearing; 4) At the close of the hearing, the council hearing panel shall make a recommendation to the council executive board regarding whether or not the officer should be removed from office. If the council hearing panel recommends removal from office, the council executive board shall convene not less than five (5) days following the council hearing and vote whether the officer will be removed from office; 5) A two-thirds (2/3) vote of the council executive board shall be sufficient to remove the officer from office; 6) The removal vote shall be recorded in the council executive board minutes and shall specify the number of members voting in favor of and against such removal. The council executive board shall mail notice of the removal to the officer by certified mail, return receipt requested, to the last address of the officer shown on the association's records. The removal shall be effective immediately upon deposit of the written notice in the mail. A removed officer may submit a grievance with the State PTA according to its grievance procedures, but such submittal shall not stay the removal; 7) The district PTA shall be notified in writing of the action taken by the council executive board.

SECTION 13.

All officers shall perform the duties prescribed in the current edition of **ROBERT'S RULES OF ORDER NEWLY REVISED** in addition to those outlined in these bylaws and those assigned from time to time. Upon expiration of the term of office or in case of resignation or termination, each officer shall turn over to the president, without delay, all records, books and other material pertaining to the office and shall return to the treasurer, without delay, all funds belonging to the council.

ARTICLE VIII – COUNCIL ASSOCIATION MEETINGS

****SECTION 1.**

This council shall hold _____ (_____) ~~number~~ meetings of the council voting body a year on the _____ ~~[insert week and day in the month, e.g., second Tuesday]~~ of _____, _____, _____, _____, _____, and _____,

unless otherwise ordered by the executive board. With the exception of the annual meeting, notice of any change in time or date of regularly scheduled meetings must be given in writing to the entire membership at least ten (10) days in advance. Whenever members are required or permitted to take any action at a meeting, a written notice of the meeting shall be given not less than ten (10) days nor more than ninety (90) days before the date of the meeting to each member who, on the record date for the notice of the meeting, is entitled to vote at such meeting. (Note: If notice is provided by mail and the notice is not mailed by first-class, registered, or certified mail, such notice shall be given not less than twenty (20) days before the meeting.) The notice shall contain the place, date and time of the meeting and the general nature of the business that the board, at the time of the notice, intends to present for action by the members, but any proper matter may be presented at the meeting for action.

Whenever a council meeting is adjourned to another time or place, notice need not be given of the adjourned meeting if the time and place thereof are announced at the meeting at which the adjournment is taken. No meeting may be adjourned for more than forty-five (45) days. At the adjourned meeting the council may transact business which might have been transacted at the original meeting.

****SECTION 2.**

The annual/biennial in odd/even years [~~choose one~~] election meeting shall be held in _____ [~~month~~]. At least thirty 30 days' prior written notice of the annual/biennial [~~choose one~~] election meeting must be given.

SECTION 3.

The year's proposed program and budget, which includes all programs, projects, and expenditures, require approval by the council. The year's proposed programs and budget shall be presented to the council for approval at the first council meeting of the year. Projects which involve major financial obligations, other than necessary organizational expenses, shall be approved annually or by each new administration. This council shall not assume any financial obligation in any one term of office that will be carried over into the succeeding term. All approved programs, projects, and expenditures MUST be recorded in the council minutes, the legal record for this council. (See Guide to Executive Leadership – President, Running Your PTA section, and Approving the Budget, Fiduciary Responsibilities, and Contracts, Finance section; **California State PTA Toolkit.**)

****SECTION 4.**

a. Special meetings may be called by the president.

The president must call a special meeting upon the written request of _____ (_____) [~~number~~] members of the executive board. Special meetings requested by the executive board must be held within fourteen (14) days of receipt of the written request.

All council members must be notified of any special meeting at least ten (10) days prior to the meeting. Only business mentioned in the notice of a special meeting can be transacted at that meeting.

- b. Upon request in writing for a special meeting by five (5) percent or more of the members, the president shall, within twenty (20) days of receipt of such request, cause notice to be given to the members entitled to vote that a meeting will be held at a time fixed by the executive board, not less than thirty-five (35) nor more than ninety (90) days after the receipt of the request.
- c. The notice shall contain the place, date and time of the meeting and the general nature of the business that the board, at the time of the notice, intends to present for action by the members and no other business may be transacted.

SECTION 5.

****a.** This council shall establish a quorum for the transaction of business in any meeting of this council.

****b.** _____ (_____) [~~number~~] voting members representing _____ (_____) [~~number~~] associations shall constitute a quorum. If this bylaw provision authorizes a quorum of less than one-third (1/3) of the voting power, then only those matters the general nature of which was contained in the notice of the meeting may be voted upon at such meeting. (See p. iii for quorum instructions)

SECTION 6.

Council association meetings are open to all members of the associations comprising the council voting body as outlined in Article V – VOTING BODY.

*****SECTION 7.**

The privilege of making motions, debating and voting shall be limited to members of the council who are present and who have been members of a local association for at least the previous thirty 30 days.

*****SECTION 8.**

Voting by proxy is PROHIBITED.

ARTICLE IX – EXECUTIVE BOARD

SECTION 1.

The executive board shall consist of the officers of the council, the chairmen of standing committees, and the presidents of member associations or their representatives, *the superintendents of schools or their representatives, and principals of the schools having associations in this council or their representatives*, all of whom shall be members of local associations in this council territory.

SECTION 2.

The executive board shall:

- a. Transact all necessary business between meetings of the council, except that of modifying any action of the voting body at a council meeting, and such other business as may be referred to it by the council.
- b. Authorize the payment of council bills within the limits of the budget adopted by the council. Such action must be ratified at the next council meeting and must be recorded in the council minutes.
- c. Authorize the payment of other unbudgeted council bills not to exceed a cumulative total of _____ dollars (\$_____) between meetings of the council. Ratification of payment of these bills must occur at the next council meeting and must be recorded in the council minutes. (See Authorization Procedure, Finance section, **California State PTA Toolkit**.)
- d. Receive a written financial report from the treasurer *and financial secretary* at each executive board and council meeting.
- e. Create such committees as deemed necessary to promote the purposes, to carry on the work of the council, _____ District PTA, the California State PTA and the National PTA. The executive board may grant such committees the authority of the board, except with respect to:
 - (1) The approval of any action for which the approval of the members or a majority of the members is required;
 - (2) The filling of vacancies on the executive board or in any committee which has the authority of the executive board;
 - (3) The amendment or repeal of bylaws or the adoption of new bylaws;
 - (4) The amendment or repeal of any resolution of the board which by its express terms is not so amendable or repealable;
 - (5) The appointment of committees of the board or members thereof;
 - (6) The approval of any self-dealing transaction.
- f. Fill all vacancies in office, including that of president. (Refer to Article VI, Section 12)
- g. Present a report at meetings of the council.

~~{Councils that are not incorporated should line out the following.}~~
- h. *Act as the Board of Directors of the corporation, as defined by the California Corporation Code.*

SECTION 3.

The executive board is subject to the orders of the council and none of its acts shall conflict with action taken by the council.

*****SECTION 4.**

A PTA/PTSA member shall not serve as a voting member of the executive board while serving as a paid employee of or under contract to this council.

SECTION 5.

The executive board shall meet at least once a month during the school year and a minimum of fourteen (14) days prior to council meetings, unless otherwise ordered by the executive board. The executive board shall schedule the day and the week and place for the monthly executive board meetings no later than the first month of the board’s term. (See Article VI, Section 6 and Executive Board, Running Your PTA section, **California State PTA Toolkit.**)

SECTION 6.

Special meetings of the executive board may be called by the president. The president must call a special meeting upon the written request of _____ (_____) ~~{number}~~ members of the executive board. Special meetings must be held within fourteen (14) days of receipt of the written request. All executive board members must be notified of any special meeting at least seven (7) days prior to the meeting. Only business mentioned in the notice of a special meeting can be transacted at that meeting.

SECTION 7.

*****a.** This council shall establish a quorum for the transaction of business in any meeting of this executive board.

b. _____ (_____) ~~{number}~~ members shall constitute a quorum. ~~{The quorum may not be less than either one fifth (1/5) of the members of the executive board or two (2) members, whichever is larger.}~~

*****SECTION 8.**

Voting by proxy is PROHIBITED.

SECTION 9.

Members of the executive board may participate in and act at any meeting of the executive board via teleconferencing using equipment with which all board members participating in the meeting can communicate with each other at the same time. Participation in such meetings shall constitute attendance and presence in person at the meeting. Quorum shall be established by roll call and identification of individual executive board members.

ARTICLE X – EXECUTIVE COMMITTEE

SECTION 1.

There shall be an executive committee composed of all the elected and appointed officers of the council as stated in Article VI, Section 2.

SECTION 2.

The executive committee shall perform the duties of the council board between meetings, provided the action of the executive committee shall not conflict with that of the council board and shall be ratified at the next council board meeting.

SECTION 3.

The executive committee shall meet at least once a month during the school year, unless otherwise ordered by the executive committee. The day and week for the executive committee meetings shall be set no later than the end of the first month of the council's fiscal year.

SECTION 4.

Special meetings of the executive committee may be called by the president. The president must call a special meeting upon the written request of _____ (_____) ~~number~~ members of the executive committee. Special meetings must be held within fourteen (14) days of receipt of a written request. All executive committee members must be notified of any special meeting at least seven (7) days prior to the meeting. Only business mentioned in the notice of a special meeting can be transacted at that meeting.

SECTION 5.

****a. The council shall establish a quorum for the transaction of business in any meeting of this executive committee.*

b. _____ (_____) ~~number~~ members shall constitute a quorum. ~~[The quorum may not be less than either one fifth (1/5) of the members of the executive committee or two (2) members, whichever is larger.]~~

*****SECTION 6.**

Voting by proxy is PROHIBITED.

SECTION 7.

Members of the executive committee may participate in and act at any meeting of the executive committee via teleconferencing using equipment with which all committee members participating in the meeting can communicate with each other at the same time. Participation in such meetings shall constitute attendance and presence in person at the meeting. Quorum shall be established by roll call and identification of individual executive committee members.

ARTICLE XI – COMMITTEES

SECTION 1.

The executive board shall create committees as required to carry on the work of the council, the _____ District, the California State PTA and the National PTA. The quorum for a committee meeting shall be a majority of its members. The authority of these committees shall be subject to the limitations listed above in Article IX, Section 2(e).

Members of committees may participate in and act at any meeting of the committee via teleconferencing using equipment with which all committee members participating in the meeting can communicate with each other at the same time. Participation in such meetings shall constitute attendance and presence in person at the meeting. Quorum shall be established by roll call and identification of individual committee members.

SECTION 2.

Chairmen and members of committees, all of whom shall be members of local associations in this council, shall be appointed by the president subject to the ratification of the executive board. (See Committee Member Selection, Running Your PTA section, **California State PTA Toolkit.**)

SECTION 3.

The term of office for chairmen shall be *one/two* ~~{choose one}~~ year(s) or until successors have been appointed. A chairman may serve *an* additional term(s) if appointed by the president, approved by the executive board and ratified by the council.

SECTION 4.

The chairmen shall present plans of work to the executive board for approval. No work shall be undertaken without the consent of the executive board. (See Committee Development and Guidelines, Running Your PTA section, **California State PTA Toolkit**.)

SECTION 5.

Two (2) copies of chairmen's reports shall be compiled annually by all chairmen and filed in the procedure book for the committee, and with the _____ ~~{president or historian}~~.

**SECTION 6.

(Consult with the district PTA prior to beginning this process.)

When a chairman fails to attend three (3) consecutive meetings without adequate excuse or when a chairman is not fulfilling the responsibilities of the office as prescribed in the bylaws or standing rules, or engages in conduct which the council executive board determines to be injurious to the organization or its purposes, the council executive board may by a two-thirds (2/3) affirmative vote, take such action as it determines appropriate, which may include asking for the resignation of the chairman. The chairman, however, cannot be removed from office, unless the council first conducts a hearing as authorized by the district PTA. If removing the chairman from office is a consideration, the council executive board must make a formal request through channels to the district PTA to determine whether a hearing should be conducted to remove the chairman from office before proceeding with any action. If the district hearing panel determines, by a two-thirds (2/3) affirmative vote, that it is in the best interest of the council to conduct a hearing to make a final determination as to the removal of the chairman, the council executive board shall follow the **Notice and Hearing Procedures** set forth below.

Notice and Hearing Procedures: Following the two-thirds (2/3) affirmative vote by the district PTA hearing panel recommending that the council executive board conduct a hearing: 1) The council PTA executive board must give the chairman fifteen (15) days' written notice of the hearing to remove the chairman from office. The fifteen (15) day notice period shall commence when the written notice is deposited in the mail; 2) The written notice shall contain the reasons for the proposed removal, and shall be mailed by certified mail, return receipt requested, to the last address of the chairman shown on the association's records; 3) The hearing shall be before a panel composed of at least a majority of the council's executive board, as so designated by the council's executive board. At the council hearing, the chairman must be given an opportunity to address the hearing panel, either orally or in writing. At the hearing, the chairman shall be permitted to offer written evidence, written witness statements and testimony by a reasonable number of witnesses. The council hearing panel may make a recording of the hearing; 4) At the close of the hearing, the council hearing panel shall make a recommendation to the council executive board regarding whether or not the chairman should be removed from office. If the council hearing panel recommends removal from office, the council executive board shall convene not less than five (5) days following the council hearing and vote whether the chairman will be removed from office; 5) A two-thirds (2/3) vote of the council executive board shall be sufficient to remove the chairman from office; 6) The removal vote shall be recorded in the council executive board minutes and shall specify the number of members voting in favor of and against such removal; The council executive board shall mail notice of the removal to the chairman by certified mail, return receipt requested, to the last address of the chairman shown on the association's records. The removal shall be effective immediately upon deposit of the written notice in the mail. A removed chairman may submit a grievance with the State PTA according to its grievance procedures, but such submittal shall not stay the removal; 7) The district PTA shall be notified in writing of the action taken by the council executive board.

SECTION 7.

Each chairman, upon expiration of his term of office or in case of resignation or termination, shall turn over to his successor, without delay, all records, books and other material pertaining to the chairmanship, and shall return to the treasurer, without delay, all funds belonging to the council.

SECTION 8.

The council and the executive board each have the power to create special committees in order to carry out specific programs and projects, subject to the limitations listed in Article IX, Section 2(e).

SECTION 9.

The chairmen and members of special committees shall serve until their assignments have been completed.

**ARTICLE XII – CHARTER PROCEDURE
FOR LOCAL ASSOCIATIONS IN THIS COUNCIL**

*****SECTION 1.**

Local PTAs shall be organized and chartered under the authority of the California State PTA in the area in which this association functions, in conformity with such rules and regulations, not in conflict with the National PTA Bylaws, as the California State PTA may in its bylaws prescribe. The California State PTA shall issue to each local association in its area an appropriate charter evidencing the organization is in good standing.

A local association in good standing is one which:

- a. Adheres to the purposes and basic policies of the PTA;
- b. Remits the national portion of the dues through the California State PTA to reach the national office by dates designated by the National PTA;
- c. Has bylaws approved according to the procedures of the California State PTA; and
- d. Meets other criteria as may be prescribed by the California State PTA.

*****SECTION 2.**

A local association in good standing in California is one which also:

- a. Pays dues to and actively supports all branches of the National and California State PTA;
- b. Pays insurance premiums to the California State PTA; and
- c. Is composed of not less than fifteen (15) members of whom at least three (3) shall serve in the offices of president, secretary and treasurer, respectively.
- d. Files all required state and federal tax returns and other government forms.

*****SECTION 3.**

A local association shall receive a charter as a constituent organization of the National PTA:

- a. After its bylaws have been approved by the California State PTA parliamentarian;
- b. After the California State PTA office has received the “Application for Acceptance As A Unit of the California State PTA” with the charter membership dues;

- c. After an application for an Employer Identification Number (EIN) as a “subordinate” (constituent organization) (exempt letter dated November 18, 1943) under the name “PTA California Congress of Parents, Teachers, and Student, Inc.” has been submitted to the Internal Revenue Service; and
- d. Upon a majority vote of the California State PTA Board of Managers.

*****SECTION 4.**

The charter of this association shall be subject to withdrawal and the status of such organization as a PTA/PTSA shall be subject to termination by a two-thirds (2/3) vote of the Board of Managers, in the manner and under the circumstances provided in the bylaws of the California State PTA.

*****SECTION 5.**

A local association is obligated, upon withdrawal of its charter by the California State PTA:

- a. To yield up and surrender all of its books and records and all of its assets and property to the California State PTA or to another PTA or PTSA organized under the authority of the California State PTA;
- b. To cease and desist from further use of any name that implies or connotes association with the National PTA or the California State PTA or status as a constituent organization of the National PTA; and
- c. To carry out promptly, under the supervision and direction of the California State PTA, all proceedings necessary or desirable for the purpose of dissolving this association.

SECTION 6.

Upon withdrawal of an association’s charter, the California State PTA shall have the right to collect and transfer any funds, including funds deposited by the association with a financial institution, over which the association or its officers have or had signature authority or control. (See Changes in Association Status, “Charter Withdrawal,” Know Your PTA section, **California State PTA Toolkit.**)

*****SECTION 7.**

Each local association shall upon withdrawal of its charter by the California State PTA immediately cease and desist from any further use of the association’s Internal Revenue Service Employee Identification Number (EIN) as a constituent organization under the group exemption number issued to the California State PTA.

SECTION 8.

THE COUNCIL AND DISTRICT SHALL BE CONSULTED AT LEAST SIXTY (60) DAYS PRIOR TO ANY VOTE BEING TAKEN TO DISBAND an association within this council’s boundaries. (See Changes in Association Status, “Charter Withdrawal,” Know Your PTA section, **California State PTA Toolkit.**)

**ARTICLE XIII – RELATIONSHIP WITH NATIONAL PTA
AND CALIFORNIA STATE PTA**

SECTION 1.

This council is a constituent organization of the National PTA. It is organized under the authority of the California State PTA as empowered by the bylaws of the National PTA.

*****SECTION 2.**

This council upon its organization shall submit a copy of its bylaws to the California State PTA parliamentarian for approval.

An application for an Employer Identification Number (EIN) as a “subordinate” (constituent organization) (exempt letter dated November 18, 1943) under the name “PTA California Congress of Parents, Teachers, and Students, Inc.,” shall be submitted to the Internal Revenue Service by the district.

*****SECTION 3.**

The bylaws of this council shall not be in conflict with the bylaws of the National PTA or with those of the California State PTA.

*****SECTION 4.**

This council shall include in its bylaws provisions corresponding to the provisions of the bylaws of the California State PTA identified by a triple star.

SECTION 5.

The **California State PTA Toolkit** published by the California State PTA contains policy statements of the PTA not found in the bylaws or standing rules. As a recognized council of the California State PTA, this council is obligated to follow those policy statements.

SECTION 6.

This council shall be subject to termination in the manner and under the circumstances provided by the California State PTA.

SECTION 7.

A council in good standing is one which complies with National PTA bylaws and California State PTA guidelines including:

- ***a. Adheres to the purposes and basic policies of the PTA;
- ***b. Adheres to the California State PTA policies and bylaws;
- ***c. Has bylaws approved according to the procedures of the California State PTA;
- ***d. Has a minimum of three (3) local associations as council members;
- ***e. Has at least three (3) elected officers: president, secretary and treasurer;
- ***f. Forwards the national and state portion of per capita dues to the California State PTA by the deadline date;
- ***g. Pays insurance premiums to the California State PTA;
- ***h. Forwards all insurance premiums received from associations by the deadline date;
- ***i. Complies with the legal filing requirements of state and federal government agencies;
- j. Submits the names and addresses of association and council officers to the district PTA according to established procedures and deadline dates; and
- k. Meets other criteria as may be prescribed by the California State PTA.

*****SECTION 8.**

A council not in good standing shall be notified in writing by March 1. If the council is still not in good standing by March 31, its recognition shall be withdrawn in accordance with procedures established by the California State PTA Board of Managers.

*****SECTION 9.**

This council is obligated, upon withdrawal of recognition by the California State PTA:

- a. To yield up and surrender all of its books and records and all of its assets and property to the California State PTA or to such agency as may be designated by the California State PTA, to be held for the benefit of another constituent organization established by the California State PTA;
- b. To cease and desist from further use of any name that implies or connotes association with the National PTA or the California State PTA or status as a constituent organization of the National PTA; and
- c. To carry out promptly, under the supervision of the California State PTA, all proceedings necessary or desirable for the purpose of dissolving such council.

*****SECTION 10.**

This council shall, upon withdrawal of its recognition by the California State PTA, immediately cease and desist from any further use of the council's Internal Revenue Service Employer Identification Number (EIN) as a constituent organization under the group exemption number issued to the California State PTA.

*****ARTICLE XIV – ARTICLES OF ORGANIZATION**

The “articles of organization” of this council comprise these bylaws, as from time to time amended, and the “articles of association,” if any. In the absence of separate articles of association, these bylaws shall be deemed to be the articles of association. In the event of any conflict between these bylaws and the articles of association, these bylaws shall govern.

~~{Councils that are incorporated should substitute the following.}~~

This council is a nonprofit corporation organized under the laws of the State of California. Its “articles of organization” comprise the articles of incorporation and these bylaws as from time to time amended. In the event of any conflict between the articles of incorporation and these bylaws, the council should take prompt action to amend the articles of incorporation to conform to the provisions of these bylaws. The articles of incorporation for the council shall be submitted to the California State PTA as part of the organizational papers and at other times as requested by the California State PTA, in accordance with Article VI, Section 12 of California State PTA Bylaws.

ARTICLE XV – IDENTIFICATION NUMBERS AND FISCAL YEAR

SECTION 1.

The National PTA Identification (ID) number and the California State PTA Council Identification (ID) number for this council is _____ {number}.

SECTION 2.

The Internal Revenue Service Employer Identification Number (EIN) for this council is _____ - _____ {number}.

SECTION 3.

The entity number for this council assigned by the Franchise Tax Board is _____ {number}.

SECTION 4.

The Registry of Charitable Trust number, as assigned by the California State Office of the Attorney General, is _____ {number}. (See instructions, p. iv)

SECTION 5.

If incorporated, the corporation number for this council, as assigned by the Secretary of State, is _____ {number}.

SECTION 6.

The California State Board of Equalization Seller's Permit number is _____ {number}.

SECTION 7.

Fiscal year of this council shall begin _____ {month and day} and end _____ {month and day}. (Once a fiscal year has been established and on file with the Internal Revenue Service, consult the California State PTA treasurer for the procedure required to change the fiscal year.)

*****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 this council in all cases in which they are applicable and in which they are not in conflict with these bylaws, those of the California State PTA, the National PTA, the articles of incorporation and the California Nonprofit Corporation Law.

ARTICLE XVII – AMENDMENTS

*****SECTION 1.**

Bylaws for this council shall be reviewed annually and updated at least every three years by the bylaws committee of this council.

*****SECTION 2.**

Before adoption, all proposed amendments accompanied by the bylaws shall be submitted through channels to the California State PTA parliamentarian for approval. They also shall be approved by the California State PTA parliamentarian when there is a change of status (e.g., when combining or dividing the council).

SECTION 3.

After the California State PTA parliamentarian has approved and signed amended bylaws, the process of adoption must be completed. The council shall by a two-thirds (2/3) vote adopt amended bylaws at any meeting of the council, provided notice has been given at the previous meeting OR thirty 30 days’ written notice has been given to each member association and to each member of the executive board.

*****SECTION 4.**

The adoption of an amendment to any provision of the bylaws of the California State PTA identified by a triple star (***) shall serve automatically and without the requirement of further action by this council to amend correspondingly the bylaws of this council. Notwithstanding the automatic character of the amending process, this council shall promptly incorporate such amendments in its bylaws.

*****SECTION 5.**

The adoption of an amendment to any provision of the bylaws required by California Corporations Code and identified by a double star (**) by the California State PTA shall serve automatically and without the requirement of further action by this council to amend correspondingly the bylaws of this council. Notwithstanding the automatic character of the amending process, this council shall promptly incorporate such amendments in its bylaws.

BYLAWS OF:

_____ Council of PTAs
(Full Legal Name of Council)

_____ District PTA

APPROVED BY:

_____ California State PTA Parliamentarian

_____ Date

ADOPTED BY COUNCIL:

_____ Council Secretary

_____ Date of Adoption by Council

_____ Council President

STANDING RULES

1. At the beginning of the term of office, each member of the executive board shall be given a copy of these bylaws and shall be responsible for making a thorough study of them.
2. A copy of these bylaws shall be made available to any member of the council upon request.
3. The membership list/directory of this council shall be for the exclusive use of the organization and shall not be available for distribution or purchase by any other organization or commercial entity.
- **4. At least fourteen (14) days' notice, in writing, must be given to the president in order to have an item of business or an announcement placed on the council agenda. (This allows the president time to prepare the agenda and provide written notice to the council at least ten (10) days prior to the meeting, in accordance with Article VIII, Section 1.)
5. When a recommendation for an item of business or an announcement that has not had prior consideration by the executive board is brought to a council meeting, it shall be referred to a committee and/or the executive board for study.
6. Any non-PTA material to be distributed at a council meeting must be approved by the executive board prior to the meeting.
7. Executive board meetings shall be held on the _____ [~~insert week and day in the month, e.g., second Tuesday~~] of each month during the school year.
8. At least twenty-four (24) hours' notice, in writing, must be given to the president in order to have an item of business or an announcement placed on the executive board agenda.
9. Each officer and chairman shall be responsible for keeping an up-to-date procedure book and for turning it over to the incoming officer or chairman at the end of the term of office.
10. The president, subject to ratification of the executive board, may appoint an assistant to any of the chairmen.
11. The standing committees of this council include [~~list all committees that function all year~~]:
12. The associations in this council shall include: [~~List all associations included in this council, if not already listed in the bylaws.~~]
13. Each local association in this council shall pay an annual assessment fee of _____ dollars and _____ cents (\$_____) and shall be remitted to the council financial officers by _____ [~~insert council deadline~~]. Such assessment shall be voted on by units at the first council association meeting each year.

NOTE: Standing rules may be adopted by majority vote at any council meeting. * **Amendments** to standing rules require a two-thirds (2/3) vote without previous notice, a majority vote with such notice. Standing rules should be procedural rather than parliamentary and may not conflict with or supersede the bylaws.

*See Article VIII, Section 5.