

# 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 2019**



# 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/or parent-teacher-student Councils in the state of California. Since Councils vary in size, alternative procedures are included in several sections. Subject to approval of the California State PTA, these Bylaws may be modified further to meet local conditions.

## 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

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## CALIFORNIA STATE PTA

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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 advocacy and education in collaboration with parents, teachers, educators, students, and the 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, as amended, or the 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.
- 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 AND PRINCIPLES**

The following are basic policies and principles 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 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 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. A commitment to inclusiveness and equity, knowledge of PTA, and professional expertise shall be guiding principles for service in this organization.
- e. 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.
- f. 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.
- g. 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.
- h. 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.
- i. 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.
- j. 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 or she 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 \_\_\_\_\_, ~~feity, 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 principles and 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 remit to the Council a total of \_\_\_\_\_ dollar(s) and \_\_\_\_\_ cents (\$ \_\_\_\_\_) annually from each member's dues.

The annual dues shall be allocated as follows:

\*\*\*1. Two dollars and twenty-five cents (\$2.25) of each member's annual dues is payable to the National PTA.

\*\*\*2. Two dollars (\$2.00) of each member's annual dues is payable to the California State PTA.

3. \_\_\_\_\_ dollars and \_\_\_\_\_ cents (\$ \_\_\_\_\_) of each member's annual dues is payable to the \_\_\_\_\_ District PTA.

4. \_\_\_\_\_ dollars and \_\_\_\_\_ cents (\$ \_\_\_\_\_) of each member's annual dues shall constitute the Council's portion and shall be retained by this Council.

### SECTION 7.

To qualify associations for State membership awards, a remittance of Council, district, California State PTA and National PTA portions of the dues paid by each member of a local association in this Council shall be remitted by the Council deadline of \_\_\_\_\_ ~~insert date of Council deadline~~.

### SECTION 8.

For associations to remain in good standing, a remittance of the Council, district, California State PTA and National PTA portions of the dues paid by each member of a local association in this Council shall be remitted by the Council deadline of \_\_\_\_\_ ~~insert date of Council deadline~~.

### \*\*\*SECTION 9.

The first remittance of the national and state portions of the dues received by the Council shall be remitted to the district as provided for in the California State PTA Bylaws.

### SECTION 10.

The first required remittance of the district, California State PTA and National PTA portions of the dues received by the Council shall be remitted to the district by November 15 and monthly thereafter, in accordance with district and California State PTA Bylaws.

**SECTION 11.**

Local associations failing to pay 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 12.**

Additional associations may be accepted at any time.

**ARTICLE V – COUNCIL VOTING BODY**

**SECTION 1.**

The voting body shall consist of Council Officers, Chairpersons 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.**

The requirements and procedures for the election and conduct of the nominating committee, which are found in the California State PTA Toolkit, must be followed by this Council. No members shall serve on the nominating committee for two (2) consecutive years, **(See: California State PTA Toolkit.)**

**SECTION 4.**

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

b. The nominating committee shall be elected at a Council meeting at least two (2) months prior to the *annual / biennial* ~~choose one~~ election meeting. The committee shall serve until the *annual / biennial* ~~choose one~~ election meeting.

c. 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).

~~—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 e not applicable.]~~

- c. Officers shall be nominated by a nominating committee of \_\_\_\_\_ (\_\_\_\_\_) ~~fnumber~~ members of the voting body of the Council, of whom at least \_\_\_\_\_ (\_\_\_\_\_) ~~fnumber~~ shall be members of the Council executive board and no two shall be from the same local association, with \_\_\_\_\_ (\_\_\_\_\_) ~~fnumber~~ alternate(s).
- d. The president shall not serve ex officio or be elected to the nominating committee.
- e. No member shall serve on the nominating committee for two (2) consecutive terms. The committee shall elect its own Chairperson.

**SECTION 5.**

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, 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 6.**

- \*\*\* 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 who is 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 7.**

Election shall be held by ballot at the *annual / biennial* ~~choose one~~ election meeting in \_\_\_\_\_ ~~fmonth~~. 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 8.**

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 9.**

Officers shall serve for a term of one (1) 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 9.**

Officers shall serve for a term of two (2) years. 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 10.**

- a. When elected annually, 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.
- ~~—OR—~~
- a. When elected biennially, no Officer shall be eligible to the same office for two (2) consecutive terms or hold more than one elected or appointed office.
  - b. Officers shall assume their duties on \_\_\_\_\_ ~~finsert exact date~~.

**SECTION 11.**

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 5.)

**SECTION 12.**

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

**SECTION 13.**

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

**SECTION 14.**

A vacancy occurring in any office shall be filled for the unexpired term by a person elected by the executive board. An election to fill a vacancy shall require a majority vote of the entire executive board, with at least ten (10) days prior 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 notify the executive board when a vacancy occurs in the office of president.

**SECTION 15.**

For purposes of these Bylaws, all notices shall be in writing and shall be given personally, by mail, or by other means of written communication. If notice is provided by mail (including the U.S. Postal Service, express courier services and the like), such notice shall be addressed to the recipient at his or her address as it appears on the records of the Council, with postage prepaid, and shall be deemed to be delivered when deposited in the mail. If notice is provided by electronic mail, it shall be addressed to the recipient (who has provided unrevoked consent to use this means of transmission for communications) at the electronic mail address as it appears on the records of the Council, and shall be deemed to be delivered upon receipt by the sender of the delivery notification.

**ARTICLE VII – DUTIES OF OFFICERS AND CHAIRPERSONS**

**\*\*\*SECTION 1.**

The Officers and Chairpersons of the committees of this Council, established pursuant to these Bylaws, must follow and abide by the responsibilities, duties and procedures for Officers and Chairpersons as prescribed in the California State PTA Toolkit.

**\*\*SECTION 2.**

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

When an Officer/Chairperson fails to attend three (3) consecutive meetings without adequate excuse or when an Officer/Chairperson 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, of the entire executive board, take such action as it determines appropriate, which may include asking for the resignation of the Officer/Chairperson.

The Officer/Chairperson, however, cannot be removed from office, unless the Council first conducts a hearing as authorized by the district PTA. If removing the Officer/Chairperson from office is a consideration, the Council executive board must make a formal request to the district PTA to determine whether a hearing should be conducted to remove the Officer/Chairperson from office before proceeding with any action. If the district hearing panel determines, by a two-thirds (2/3) affirmative vote of the entire district PTA hearing panel, 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/Chairperson fifteen (15) days prior written notice of the hearing to remove the Officer/Chairperson from office;
- 2) The written notice shall set forth the reasons for the proposed removal, and shall be mailed by certified mail, return receipt requested, to the last address of the Officer/Chairperson shown on the Council’s records. The fifteen (15) day notice period shall commence when the written notice is deposited in the mail;



- 3) The hearing shall be held 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/Chairperson, or the Officer's/Chairperson's representative, must be given an opportunity to address the Council hearing panel, either orally or in writing and the Officer/Chairperson must 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 as to whether or not the Officer/Chairperson 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 to vote on whether the Officer/Chairperson will be removed from office;
- 5) A two-thirds (2/3) vote of the entire Council executive board shall be sufficient to remove the Officer/Chairperson 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/Chairperson by certified mail, return receipt requested, to the last address of the Officer/Chairperson shown on the Council's records. The removal shall be effective immediately upon deposit of the written notice in the mail. A removed Officer/Chairperson may file a grievance with the State PTA according to its grievance procedures, but such submittal shall not stay the removal; and
- 7) The district PTA shall be notified in writing of the action taken by the Council executive board.

**SECTION 3.**

All Officers/Chairpersons 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 the expiration of the term of office or in case of resignation or termination, each Officer/Chairperson shall turn over to the president or secretary, without delay, all records, books and other material pertaining to the office and shall return to the treasurer, president or secretary, without delay, all funds belonging to the Council.

**ARTICLE VIII – COUNCIL ASSOCIATION MEETINGS**

**\*\*SECTION 1.**

Council association meetings are meetings of the Council voting body. Association meeting dates shall be identified in the Standing Rules of this Council. 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. The written 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* ~~fechoose one~~ election meeting shall be held in \_\_\_\_\_ ~~frmonth~~. At least thirty (30) days prior written notice of the *annual / biennial* ~~fechoose 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 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 of this Council. (See: 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 president's 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.

**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 whose dues are paid 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 Chairpersons 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 is subject to the orders of the Council and none of its acts shall conflict with action taken by the Council at an association meeting. Members of 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. Be responsible for keeping 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 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.
- d. Forward copies of the adopted budget to the district PTA.
- e. 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). Copies of all government filings shall be submitted to the district PTA.
- f. Be responsible for audits of the financial records of the Council to be conducted at mid-year, at the end of each fiscal year, and at the resignation of any financial officer or authorized check signer. These audits must be reviewed by the executive board and considered, approved and adopted by the Council voting body at a Council association meeting. Copies of adopted audits shall be submitted to the district PTA.
- g. Appoint an audit committee, ratified at a Council association meeting, to conduct the required audits and review the books. The audit committee shall be composed of the auditor and, at least, one other member. Alternatively, the board may authorize, subject to ratification at a Council association meeting, that required audits be conducted by a qualified accountant (paid or volunteer).
- h. Appoint a member, ratified at a Council association meeting, who is not a check signer to review the monthly bank reconciliation.
- i. Create committees as are deemed necessary to promote the purposes, to carry on the work of the Council, the District PTA, the California State PTA and the National PTA and approve a committee's plan of work.
- j. Fill all vacancies in office, including that of president.

~~*[Councils that are not incorporated should line out the following.]*~~

- k.. *Act as the Board of Directors of a nonprofit public benefit corporation, as defined by the California Corporation Code.*

**\*\*\*SECTION 3.**

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 4.**

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, week and place for the monthly executive board meetings no later than the first month of the board's term. **(See: California State PTA Toolkit)**

**SECTION 5.**

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 a 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 6.**

**\*\*\*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.

**\*\*\*SECTION 7.**

Voting by proxy is PROHIBITED.

**SECTION 8.**

*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.

**\*\*\*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 X XI – 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 geographic 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 geographic 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 National PTA and the California State 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 PTA and California State PTA;
- b. Pays insurance premiums to the California State PTA;
- 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. and;
- d. Complies with the legal filing requirements of state and federal government agencies.

**\*\*\*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 California State PTA 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 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 selected by the California State PTA that is 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: 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: California State PTA Toolkit)**

## **ARTICLE XI XII – 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 and 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 National PTA and California State 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. Remits 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 surrender all of its books and records and all of its assets and property to the California State PTA or to such agency selected 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 XII XIII – 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 public benefit 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 XIII XIV – 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}*.

**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 XIV XV – 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, the Bylaws of the California State PTA and the National PTA, the Articles of Incorporation *of the \_\_\_\_\_ *{if incorporated, insert name of council}** and the California Nonprofit Corporation Law.

**ARTICLE XV XVI – AMENDMENTS**

**\*\*\*SECTION 1.**

Bylaws for this Council shall be reviewed annually and updated at least every five (5) 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. The Bylaws must also 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 the amended bylaws, the process of adoption must be completed. The Council shall by a two-thirds (2/3) vote of the members present adopt the amended Bylaws at any meeting of the Council, provided notice of the meeting is given at the previous meeting OR thirty (30) days written notice is 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.

**SIGNATURES**

**BYLAWS OF:**

\_\_\_\_\_ Council of PTAs  
(Full Legal Name of Council)  
\_\_\_\_\_ District PTA

**APPROVED BY:**

\_\_\_\_\_ Date  
California State PTA Parliamentarian

**ADOPTED BY COUNCIL:**

\_\_\_\_\_ Date of Adoption by Council  
Council Secretary

\_\_\_\_\_  
Council President

## Standing Rules

1. **Bylaws** – 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. A copy of these Bylaws shall be made available to any member of the Council upon request.
  
2. **Membership List** – 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.
  
3. **Board Roster** – The president shall prepare the list of Council Officers and association presidents required for directory data and submit as directed by the district. The deadline for directory data to district is \_\_\_\_\_.
  
4. **Annual Report** – The *president/historian* ~~[choose one]~~ shall be responsible for the preparation of the Council’s annual report required by the California State PTA.
  
5. **Vice Presidents** – The *executive vice president / first vice president* ~~[choose one]~~ shall serve as the primary aide to the president and perform the duties of the president in the absence or disability of that officer to act.

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 *and the executive vice 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* \_\_\_\_\_.

6. **Check Signers** – All disbursements of the association must be signed by two (2) authorized signers. Authorized signers are: president, treasurer *and* \_\_\_\_\_ ~~selected officer other than the secretary or auditor~~. The authorized signers and any individuals counting cash shall not be related by blood or marriage nor reside in the same household.
  
7. **\*\*Council Association Meeting Dates** – Association meetings are meetings of the Council voting body. The Council shall hold \_\_\_\_\_ ( \_\_\_\_\_ ) ~~[number]~~ association meetings a year on the \_\_\_\_\_ ~~[insert week and day in the month, e.g., second Tuesday]~~ of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ ~~[insert months of meetings]~~ of the school year unless otherwise ordered by the association or the executive board.
  
8. **\*\*Association Meeting Agenda** – 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 notice to the Council at least ten (10) days prior to the meeting).
  
9. **Association Meeting Business Items** – 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.

10. **Approving Material for Council Meetings** – Any non-PTA material to be distributed at a Council meeting must be approved by the executive board prior to the meeting.
11. **Executive Board Meeting Date** – 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.
12. **Executive Board Meeting Agenda** – 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 meeting agenda.
13. **Authorization for Expenditures** – The executive board shall perform the duties and responsibilities prescribed in the California State PTA Toolkit. It is authorized to pay bills for budgeted expenditures and other unbudgeted Council bills not to exceed a cumulative total of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) between meetings of the Council. Ratification for payment of these bills must occur at the next Council meeting and must be recorded in the Council minutes.
14. **Procedure Books** – Each Officer and Chairperson shall be responsible for keeping a procedure book to pass on to the incoming Officer or Chairperson at the end of the term.
15. **Committees** – The executive board may establish committees as required to carry on the work of the Council, the district PTA, California State PTA and the National PTA. The quorum for a committee meeting shall be a majority of its members, all of whom must be members of the local associations in this Council.

*Members of committees may participate in and act at any meeting of a 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.*

16. **Committee Chairpersons** – The president shall appoint each Chairperson of a committee and may appoint an assistant to any of the Chairpersons, subject to the ratification of the executive board. All committees shall follow the rules and procedures prescribed in the California State PTA Toolkit.

The term of office for a Chairperson shall be *one / two* ~~choose one~~ year(s). A Chairperson may serve an additional term if appointed by the president, approved by the executive board and ratified by the Council. No Chairperson shall be eligible to be appointed to the same committee position for more than two consecutive terms.

17. **Standing Committees** – The standing committees of this Council include *[list all committees that function all year]*:
18. **Associations in Council** – The associations in this Council shall include: *[list all associations included in this Council, if not already listed in the bylaws]*:

19. **Council Assessment** – Each local association in this Council shall pay an annual assessment fee of \_\_\_\_\_ dollars and \_\_\_\_\_ cents (\$ \_\_\_\_\_) and shall be remitted to the Council by \_\_\_\_\_ ~~deadline~~ *[insert date of council meeting]*. 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 of the members present at any Council meeting. Amendments to Standing Rules require a two-thirds (2/3) vote of the members present without prior written notice, and a majority vote of the members present with such notice. Standing Rules should be procedural rather than parliamentary and may not conflict with or supersede the Bylaws.

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