

# LOCAL UNIT BYLAWS INDEX

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Certain items are required in all PTA bylaws as they serve to tie PTAs together as a national organization. These are marked in local PTA bylaws with a \*symbol and should be used verbatim with no changes. The structure of the local PTA and its specific rules and regulations are contained in the bylaws adopted by the members of that unit. Local bylaws may not conflict with National PTA Bylaws or Alabama PTA Bylaws.

Approved February 2021

# **BYLAWS**

## **Of the Hampton Cove Elementary School**

### **Article I—Name**

The name of this association is the Hampton Cove Elementary School Parents and Teacher Association (PTA), Owens Cross Roads, Alabama. It is a local PTA organized under the authority of Alabama Congress of Parents and Teachers, a branch of National Congress of Parents and Teachers (National PTA).

### **\*Article II—Purposes**

Section 1. The purposes of the Hampton Cove Elementary School PTA are:

- a. To promote the welfare of children and youth in home, school, place of worship, and throughout the community;
- b. To raise the standards of home life;
- c. To advocate for laws that further the education, physical and mental health, welfare, and safety of children and youth;
- d. To promote the collaboration and engagement of families and educators in the education of children and youth;
- e. To engage the public in united efforts to secure the physical, mental, emotional, spiritual, and social well-being of all children and youth; and
- f. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

Section 2. The purposes of the PTA are promoted through advocacy and education in collaboration with parents, families, 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. The association is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code or corresponding section of any future federal tax code (hereinafter referred to as "Internal Revenue Code").

### **\*Article III—Basic Policies**

The following are basic policies of Hampton Cove Elementary School PTA:

- a. The association shall be noncommercial, nonsectarian, and nonpartisan.
- b. The association 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 association 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 association shall inure to the benefit of, or be distributable to, its members, its 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 association shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from federal income tax under Section 501(c) (3) of the Internal Revenue Code or (ii) by an association, contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code.
- f. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the association, 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 National PTA.
- g. The association or members in their official capacities shall not, directly or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

## **Article IV—Relationship with National PTA and Alabama PTA**

Section 1. Hampton Cove Elementary School PTA shall be organized and chartered under the authority of the Alabama PTA in the area in which this local PTA function, in conformity with such rules and regulations, as the Alabama PTA may in its bylaws prescribe. The Alabama PTA shall issue to this local PTA an appropriate charter evidencing the due organization and good standing of this local PTA.

A local PTA in good standing is one that

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

Section 2. Hampton Cove Elementary School PTA shall adopt such bylaws for the governance of the organization as may be approved by the Alabama PTA. Such bylaws shall not be in conflict with National PTA Bylaws or the bylaws of Alabama PTA.

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

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

Section 5. Each officer or board member of this PTA shall be a member of Hampton Cove Elementary School PTA.

Section 6. The bylaws of Hampton Cove Elementary School PTA shall prohibit voting by proxy.

Section 7. The board of directors of Alabama PTA shall make all decisions regarding the recognition and good standing of local PTAs. A PTA must be in good standing in order to receive the annual local PTA packet and membership cards and to participate in scholarship, grant, and awards programs.

Section 8. This PTA shall keep permanent books of account and records sufficient to establish gross income, receipts, and disbursements, including the number of members and dues collected from members. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of Alabama PTA or National PTA.

Section 9. The charter of this PTA shall be withdrawn and the PTA dissolved according to provisions in Alabama PTA Bylaws. This PTA is obligated, upon withdrawal of its charter by Alabama PTA to:

- a. Surrender all books, records, assets, and property to Alabama PTA, an agency designated by Alabama PTA, or another local PTA organized under the authority of Alabama PTA,
- b. Cease to use the copyrighted name PTA that implies association with or status as a constituent organization of National PTA or Alabama PTA; and
- c. Carry out promptly, under the direction of Alabama PTA, all proceedings necessary for the purpose of dissolving.

Section 10. Organizing/Chartering:

- a. Local PTAs shall be organized in the state as units of National PTA and Alabama PTA for the purpose of promoting the purposes of National PTA and Alabama PTA.
- b. Each local unit shall be authorized to make its own rules for the transaction of its business provided they are not in conflict with National PTA Bylaws or Alabama PTA Bylaws.
- c. A local organization shall become a PTA unit upon receipt in the state office of (i) national and state dues, (ii) two copies of proposed local unit bylaws, subject to approval by Alabama PTA, and (iii) the names of charter members and a list of officers.
- d. The Board of Directors of Alabama PTA shall make all decisions regarding the recognition and status of organized units.

Section 11. Procedures for Dissolution

The charter of a local PTA may be withdrawn in the following manner:

- a. The executive committee (or other body that, under its bylaws, manages the affairs of the local PTA) shall adopt a resolution recommending dissolution and directing that the question of dissolution be submitted to a vote at a special meeting of members having voting rights. Written notice stating the purpose of the meeting is to consider the advisability of dissolution shall be given to each member entitled to vote at the meeting at least thirty days prior to the date of the meeting.
- b. Written notice of the adoption of the resolution, accompanied by a copy of the notice of the special meeting of members, shall be given to the president of Alabama PTA at least twenty days before the date of the meeting.
- c. Only those persons who were members in good standing on the date of adoption of the resolution and who continue to be members in good standing on the date of the special meeting shall be entitled to vote on the question of dissolution.
- d. Approval of dissolution shall require the affirmative vote of two-thirds of the members present and entitled to vote, a quorum being present.

## **\*Article V—Membership and Dues**

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

Section 2. Membership of this PTA shall be made available without regard to race, color, creed, or national origin to any individual who subscribes to the purposes and basic policies of PTA.

Section 3. This PTA shall conduct an annual enrollment of members, but persons may join at any time.

Section 4. Each member of Hampton Cove Elementary School PTA shall pay annual dues determined by the association. The amount of dues shall include the portions payable to National PTA and Alabama PTA.

Section 5. The amount of such annual dues shall include the portion of \$1.00 payable to the Alabama PTA and \$2.25 payable to National PTA.

Section 6. Each member of this PTA shall pay annual dues of \$20 for individual families/\$7 teachers to the association.

Section 7. The state and national portions of dues paid by each member of this PTA shall be set aside and remitted to Alabama PTA as state bylaws provide. Alabama PTA shall pay to National PTA the national portion of dues paid by all members of this PTA.

Section 8. The local treasurer shall keep the record of the national and state portion of the membership dues separate from the record of general funds of the local PTA.

Section 9. When remitting dues, the local treasurer shall send the names, addresses, telephone numbers and/or email addresses of PTA members for whom dues are being paid.

Section 10. This PTA shall make at least one remittance of state and national dues by December 1. Remittances made on or before March 1 shall determine (i) voting delegate representation at state convention and (ii) eligibility for state awards.

## **Article VI—Officers**

Section 1. The officers of Hampton Cove Elementary School PTA shall be a president, three vice presidents, a secretary, a treasurer, and a financial secretary.

Section 2. Officers shall be elected at the last general membership meeting of the school year.

Section 3. The vote shall be conducted by ballot and a majority vote shall elect. When there is only one candidate for any office that election may be held by voice vote.

Section 4. The following provisions shall govern the eligibility of individuals to be officers of the Hampton Cove Elementary School PTA:

- a. Each officer shall be a member of this PTA
- b. No officer may be eligible to serve more than two consecutive terms in the same office.
- c. A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in such office.
- d. The President may serve a maximum of six (6) consecutive years on the board. All other officers may serve a maximum of four (4) consecutive years on the board.

Section 5. Officer term shall begin following the last day of the school year and shall extend until the last day of the following school year. Transition and on-boarding period is defined as the first day following new board elections and extends through the last day of the school year. Treasurer term extends to the last day of the fiscal year, June 30. The newly elected Treasurer should work directly with the outgoing Treasurer from the first day following board elections until the end of the fiscal year.

Section 6. A vacancy occurring in the office of president shall be filled for the remainder of the unexpired term by the 1<sup>st</sup> vice president. A vacancy in any officer role other than president shall be filled by the board of directors.

Section 7. There shall be a nominating committee composed of at least three member volunteers

- a. The nominating committee shall elect its chair
- b. The nominating committee shall nominate an eligible person for each office and report its nominees at the last regular general membership meeting of the school year.
- c. Only those individuals who are current members of the Hampton Cove Elementary School PTA and who have signified their consent to serve if elected shall be nominated for, or elected to, such office.
- d. No one wishing to run for an elected office of the board shall serve on the nominating committee.

## **Article VII—Duties of Officers**

Section 1. The president shall:

- a. Preside at all meetings of Hampton Cove Elementary School PTA
- b. Serve as an ex officio member of all committees except the nominating committee;
- c. Coordinate the work of the officers and committees of this local PTA in order that the purposes may be promoted;
- d. File all records;
- e. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the board of directors or executive committee.

Section 2. The vice president(s) shall:

- a. Act as aide(s) to the president;
- b. In their designated order 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> perform the duties of the president in the president’s absence or inability to serve;
- c. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee;
- d. 1st Vice President shall oversee Membership;
- e. 2nd Vice President shall oversee Fundraising;

- f. 3rd Vice President shall oversee Student Programs

Section 3. The secretary shall:

- a. Record the minutes of all general membership and board of directors meetings;
- b. Be prepared to read the records of any previous meetings;
- c. Have a current copy of the bylaws;
- d. Maintain a membership list;
- e. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.

Section 4. The treasurer shall:

- a. Have custody of the funds of the Hampton Cove Elementary School PTA;
- b. Maintain a full account of the funds of this PTA;
- c. Make disbursements as authorized by the president, board of directors, or the Hampton Cove Elementary School PTA in accordance with the budget adopted by the Hampton Cove Elementary School PTA;
- d. Have checks or vouchers signed by two authorized people: the treasurer and the president, secretary, or financial secretary.
- e. Cause to be kept a full and accurate account of the receipts and disbursements in the books belonging to the Hampton Cove Elementary School PTA specifically the PTA's Employee Identification Number (EIN), password and acknowledgement;
- f. Provide a written financial statement to the board of directors at each meeting and the general membership at their meetings;
- g. Present an annual report of the financial condition of the organization;
- h. Submit the books annually for an audit by an auditing committee selected by the board of directors at the end of the fiscal year.
- i. Report the findings of the annual audit to the board of directors and to the membership and;
- j. Prepare the return for the "Organization Exempt from Federal Income Tax", Form 990, 990N, 990EZ, and insure its timely return to the IRS for the unit.
- k. Under current State Department of Education guidelines, no school employee should handle funds of a school-related organization. Therefore, if a school employee is elected to serve as president, they should not be authorized as a signatory for checks; nor should a school employee be elected to serve as a treasurer or be placed in charge of a fund-raising activity.
- l. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.
- m. Responsible for ensuring the Board adheres to the following criteria as it relates to Requests for Funds:
  1. Equal access or allocation of funds to all persons in the same position (i.e., to all teachers or to all students, school wide or a particular grade level).
  2. Provide an explanation of the enrichment value of the activity or program to the current curriculum.
  3. Requests for funds outside the yearly budget to be granted on a case by case basis from the PTA to persons or entities will be reviewed and voted upon by the PTA board. Requests will be considered with respect to whether they are in accord with the PTA purpose as stated in Article II herein. Funds given by the PTA to any individual person or entity shall not exceed \$500.00 per request. The PTA reserves the right to delay or deny any request for funds without cause.

Section 4. The financial secretary shall:

- a. Have custody of the funds for deposit only of the Hampton Cove Elementary School PTA;
- b. Deposit funds and maintain a full and accurate copy deposit records;
- c. Forward all original deposit records to the Treasurer;
- d. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.

## Article VIII—Board of Directors

Section 1. The affairs of the Hampton Cove Elementary School PTA shall be managed by the board of directors in the intervals between local PTA general membership meetings. The Board of Directors may meet virtually if unable to meet in person.

Section 2. The members of the board shall be

- a. Elected officers;
- b. The Hampton Cove Elementary School principal or a representative, the assistant principal or a representative (if applicable), two (2) faculty members;
- c. Standing Committee Chairs

Section 3. Each board member shall be a member of this local PTA.

Section 4. A PTA member shall not serve as a voting member of this PTA's board of directors while serving as a paid employee of or under contract to this PTA.

Section 5. Duties of the board shall be to

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

Section 6. If any member of the board of directors shall at any time cease to meet the qualifications or fulfill the duties of the position, that person may be removed from the board by resolution adopted by the board of directors.

Section 7. Regular meetings of the board shall be held with the date and time to be fixed by the board at its first meeting of the year.

Section 8. Special meetings of the board may be called by the president or when requested by 2 members upon 7 days written notice to each member of the board.

Section 9. At all meetings of the board, a majority of the members of the board shall constitute a quorum for the transaction of business.

Section 10. Upon the expiration of the term of office or when individuals cease to hold the position that entitles them to be a member of the board, they shall automatically cease to be a member of the board and shall be relieved of all



duties and responsibilities incident to such membership. All records, books, and other materials pertaining to the position shall be turned over to the president and all funds pertaining to the position shall be returned to the treasurer within 14 days.

## **Article IX—Executive Committee**

Section 1. There shall be an executive committee of the Hampton Cove Elementary School PTA, the members of which shall be:

- a. Elected officers;
- b. The Hampton Cove Elementary School principal or a representative, the assistant principal or a representative (if applicable), two (2) faculty members;

Section 2. Special meetings of the executive committee may be called by the president or upon written request of three (3) members with 7 days' notice to each member of the executive committee. The Executive Committee may meet virtually if unable to meet in person.

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

Section 4. Duties of the executive committee shall be to

- a. Transact business referred to it by the board;
- b. Appoint standing committee chairs;
- c. Approve the planning and execution of the standing/special committees;
- d. Act in emergencies between meetings of the board of directors;
- e. Make a report at each board of directors meeting.

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

## **Article X—Committees**

Section 1. Only members of the Hampton Cove Elementary School PTA shall be eligible to serve in any elective or appointive positions.

- a. Section 2. The standing committees of this local PTA may include: Hospitality, Room Parent Coordinator, Book Fair, Spirit Wear, Community Partners/Spirit Nights, Reading Support, and Communications. Standing committees may be added or amended as needed per approval by the Executive Board.

Section 3. The board of directors may create special committees, as it may deem necessary to promote the purposes and carry on the work of this local PTA. Special committee chairs shall be appointed by the elected board member to whom they report.

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

## **Article XI—General Membership Meetings**

Section 1. Regular meetings of this local PTA shall be held on a quarterly basis, unless otherwise decided by the general membership, the board of directors, or the executive committee. Fourteen (14) days' notice shall be given to the membership of any change of date. Meetings may be held virtually, as needed.

Section 2. Special meetings of this local PTA may be called by the president or by a majority of the board of directors, seven (7) days' notice having been given.

Section 3. The annual meeting shall be held within the (2) months prior to the end of the school year.

Section 4. Fifteen (15) members shall constitute a quorum for the transaction of business in any meeting of this PTA. Business may be transacted virtually, as needed.

## **Article XII—Council Membership\***

This article applies only to those local PTAs holding membership in a council PTA. The following sections **must** correspond to the council PTA bylaws and are provided as a guideline to local PTAs.

Section 1. This local PTA shall be represented in meetings of the Huntsville Council PTA by the president, or appointed alternate.

- a. All representatives to the council PTA must be members of this local PTA
- b. Delegates and their alternates shall be chosen by election beginning on the first day following the last day of a given school year and shall extend until the last day of the following school year
- c. Delegates shall serve a term of 1 year

Section 2. This local PTA shall pay annual dues of \$35 to the Huntsville Council PTA as provided in the Huntsville Council PTA bylaws.

## **\*Article XIII—Alabama PTA Convention**

Section 1. This local PTA, if in good standing with Alabama PTA, shall be represented at the annual meeting of the Alabama PTA by the president, or appointed alternate, and one voting delegate for each 50 members or major fraction thereof. All representatives to the Alabama PTA convention must be members of this local PTA.

- a. Delegates and their alternates shall be chosen in the month of August.

## **Article XIV—Fiscal Year (If required by state PTA)**

The fiscal year of the Hampton Cove Elementary School PTA shall be from July 1 to June 30.

## **\*Article XV—Parliamentary Authority**

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

## **\*Article XVI—Amendments**

Section 1. These bylaws may be amended at any regular general membership meeting of the Hampton Cove Elementary School PTA by a two-thirds vote of those present and voting, provided the amendments have been approved by the board of directors and notice of proposed amendments has been provided to the membership 5 days prior to the meeting. Notice of proposed amendments may be provided virtually to all members. Voting on proposed bylaw amendments may occur virtually, if needed.

Section 2. The executive committee or the board of directors by a majority vote may authorize the Committee on Bylaws to submit a revised set of bylaws as a substitute for the existing bylaws.

Section 3. Submission of amendments or revised bylaws for approval by the Alabama PTA shall be in accordance with the bylaws or regulations of the Alabama PTA.