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Local PTA Bylaws for all Local PTAs in New Jersey

**Adopted by New Jersey PTA Convention Delegates.
Effective July 1, 2021**

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Local PTA Bylaws -
for all Local PTAs affiliated with the New Jersey Congress of Parents and Teachers, Inc.
(New Jersey PTA)

Preamble

The governing documents of Local PTAs include these generic Local PTA Bylaws and a supplement of Standing Rules for each Local PTA. These bylaws and standing rules may not conflict with the bylaws of New Jersey PTA or National PTA.

Article I: Name

The name of this PTA is _____.

Article II: Purposes

The purposes of this PTA, in common with those of the New Jersey PTA and National 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.

Article III: Principles

The basic principles of this PTA shall be those of New Jersey PTA & National PTA. *(See Appendix)*

Article IV: Tax-Exempt Status of this PTA

This PTA derives its tax-exempt status, under the IRS ruling Section 501(c)3, via the New Jersey PTA's IRS group exemption.

Article V: Membership and Dues

Section 1: Each member of this Local PTA will pay annual dues as determined by this PTA's Board of Directors and approved by the General Membership of this PTA and stated in their Standing Rules. The Local PTA dues amount will include the portion payable to National PTA as determined by National PTA and the portion payable to New Jersey PTA as approved at a New Jersey PTA Annual Meeting.

Section 2: Membership in this Local PTA will be open, without discrimination, to anyone who supports the mission and purposes of National PTA, New Jersey PTA, and this PTA, and has paid dues required by this Local PTA.

Section 3: Each member of this Local PTA is a member of National PTA and of New Jersey PTA, by which this Local PTA is chartered and is entitled to all the benefits of membership.

Section 4: This PTA will conduct an annual enrollment of members but may admit individuals to the membership at any time.

Section 5: The PTA membership year will run from July 1st through June 30th.

Section 6: The Treasurer of each Local PTA will send both state and national portions of each members' dues to the New Jersey PTA office by the 15th of each month starting August 15th.

Section 7: An individual must be a paid member at least 15 days before being eligible to vote on any matters of this PTA.

Section 8: New Jersey PTA Honorary Life Members will be those upon whom the New Jersey PTA Honorary Life Membership has been conferred. New Jersey PTA Honorary Life Members may become a voting member of this Local PTA upon paying current dues to this PTA.

Article VI: Relationship with National PTA and New Jersey PTA

Section 1: This PTA will be organized and chartered under the authority of the New Jersey PTA in the area in which the Local PTA functions, in conformity with such rules and regulations, not in conflict with the National PTA bylaws, nor conflict with New Jersey PTA bylaws.

Section 2: A Local PTA considered in good standing with New Jersey PTA is required to:

- A. Adhere to the purposes and principles outlined in Articles II and III of these bylaws.
- B. Adhere to the requirements outlined in the New Jersey PTA Local PTA Standards of Affiliation (As per Article XV of these bylaws).
- C. Fulfill other criteria as may be prescribed by New Jersey PTA.

Section 3: Any amendments to these Local PTA bylaws, approved at a New Jersey PTA Annual Meeting, will take effect 60 days after the New Jersey PTA Annual Meeting. This PTA will promptly incorporate such amendments to these bylaws.

Section 4: All permanent records, including financial records of this PTA, will be, at all reasonable times, open to inspection by an authorized representative of the New Jersey PTA or when directed by the Committee on State and Constituent Divisions Relationships, by a duly authorized representative of the New Jersey PTA.

Article VII: Structure of this PTA

Section 1: The General Membership of this PTA is comprised of all paid members of this PTA, including those who are members of this PTA's Board of Directors.

Section 2: Board of Directors- The Board of Directors of this PTA consists of the elected Officers and the Chair of each Standing Committee. The duties of the Board of Directors:

- A. To transact necessary business in the intervals between association meetings.
- B. To approve the plans of work of the Standing Committees.
- C. To approve the appointment of the Financial Review Committee.
- D. To submit the budget for adoption by the General Membership.
- E. To create and review standing rules and to present standing rules to the General Membership for approval annually.

Article VIII: Nominating Committee - Election and Duties

Section 1: A Nominating Committee must be elected at a General Membership meeting by the end of December. At least three members (must be an odd number) and one alternate shall be elected to the Nominating Committee. Any current member, excluding the current PTA President, is eligible to serve on the Nominating Committee. The Committee shall elect its Chair.

Section 2: Duties of the Nominating Committee are:

- A. The Nominating Committee will solicit from the General Membership, via any communication process available for this PTA's use, nominees for the open Officer

positions.

- B. The Nominating Committee will evaluate all possible nominees and will choose one qualified nominee for each officer position. (Nominating Committee members can be considered for nomination.)
- C. The Nominating Committee must obtain written consent from all nominees.
- D. All nominees must be members of this PTA at the time of written consent to their nomination.
- E. When the slate is confirmed, the Nominating Committee, as a courtesy, will inform the PTA President of the slate.
- F. The Nominating Committee must inform the General Membership of the slate and instruct the General Membership on running from the floor. The Nominating Committee must send out this information at least 30 days before the General Membership meeting at which the election will be held.
- G. Members who wish to run from the floor must submit a letter of intent to run at least 20 calendar days before the election meeting. The letter must be submitted to the President, Secretary, and Nominating Committee Chair.
- H. When the slate is unopposed, the election will be by a voice vote. When there is a contested election, a ballot vote will be taken. A majority vote is required for election.

Please refer to the New Jersey PTA Local PTA Resources Hub for detailed information on the nominating and election process.

Article IX: Officers - Qualifications, Elections, Term of Office, Officer Vacancies, and Removal

Section 1: Elected Officers: Each PTA must have at least four elected Officers: President, Vice President, Secretary, and Treasurer. Other officers may be elected as specified in the Local PTA's Standing Rules.

A. Officer Qualification Requirements:

- 1. Each Officer must have been a paid member of this PTA for at least 15 days before the election.
- 2. Each Officer must be at least 18 years of age as of the date of the election. (Members under 18 are prohibited under New Jersey law from serving as an officer).

B. Election of Officers: The Officers will be elected at a General Membership meeting in either April, May, or June.

- 1. No person will hold the position of two or more offices at the same time.
- 2. All Officers assume their duties on July 1st following their election.
- 3. Each Officer must complete New Jersey PTA leadership training at least once per year.

C. Term of Office: A term of office will be one or two years. Officers will serve in their office for their term or until a successor is elected. A member may not serve more than two consecutive terms in the same office. An officer having served more than half of a term will be deemed as having served a full term. Officer terms will be listed in the Standing Rules.

D. Outgoing Officer Requirement: All outgoing Officers must deliver all PTA records and materials to their successors no later than 10 (ten) days following their term's conclusion. Except for the Treasurer who must deliver the records no later than twenty (20) days following their term's conclusion.

Section 2: Officer Vacancies:

- A. If an officer cannot complete their term of office, the PTA Board of Directors will elect a current member to serve the remainder of the term. A majority vote is required for election. The PTA Board of Directors will inform the General Membership of the Officer

change. At least five (5) days notice must be given of the Board of Directors meeting at which the election will be held.

- B. In the event of a vacancy in the office of the President, a current or past member of the Board of Directors shall be elected.

Section 3: Removal of an Officer or Board Member: Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors. An officer elected by the members may be removed with or without cause, only by a General Membership vote.

Contact the New Jersey PTA for further instruction if considering the removal of an officer or board member.

Article X: Officer Duties

Section 1: All elected officers are responsible for ensuring that the Local PTA Standard of Affiliations is adhered to in order to to keep this PTA in good standing with New Jersey PTA, the IRS, and the State of New Jersey.

Section 2: All elected officers must attend leadership training annually as provided for by New Jersey PTA. This Local PTA may request leadership training by sending the request in writing to the New Jersey PTA office.

Section 3: President - The President will preside at all meetings of this PTA and coordinate the work of the Officers and Committees of this Local PTA to promote the purposes.

Section 4: Vice President - The Vice President will act as an aide to the President and will, in their designated order, perform the duties of the President in the President's absence or inability to serve.

Section 5: Recording/Corresponding Secretary - If there is but one secretary, the secretary will perform both secretaries' duties. The Recording Secretary will record the minutes of all PTA meetings and the Board of Directors, have a copy of the official bylaws, a current membership list available at every meeting, and perform such other duties delegated to him/her. The Corresponding Secretary will conduct the association's general correspondence directed by the President, Board of Directors, or this Local PTA.

Section 6: Treasurer – The Treasurer will:

- A. Retain custody of all funds of this Local PTA; keep an accurate record of receipts and expenditures; pay all debts of this Local PTA following the approved budget as authorized by this Local PTA. All checks must have two signatures. The President and Treasurer are the primary authorized signers on the bank account(s) of this PTA. A third authorized signer is required. In the absence of one of the primary authorized signers, the third signer shall sign. The third signer shall be one of the other elected officers as prescribed in the Standing Rules of this PTA. *See the New Jersey PTA Treasurer's Resources for additional information about check signing.*
- B. Present a financial statement of accounts (Treasurer's Report) at every Board of Directors and General Membership meeting of this Local PTA and at other times when requested by the Board of Directors.
- C. Keep the record of membership dues owed to New Jersey PTA.
- D. The Treasurer's accounts will be reviewed annually or upon change of Officers. The Financial Review Committee will do this review.

Section 7: Other Officers

The duties of other elected Officers must be included in this PTA's Standing Rules.

Article XI: Committees

Section 1: Only members of this PTA are eligible to serve as Committee Chair or Committee Members.

Section 2: The President of this PTA is an ex-officio member of all Committees except the Nominating and Financial Review Committees.

Section 3: Standing Committees are Committees with ongoing work throughout the year:

- A. Standing Committees shall be created by the Board of Directors as required to promote the objectives and interests of the PTA. The Board of Directors will appoint the Chairs of the Standing Committees.
- B. The Chairs of all Standing Committees shall present plans of work to the Board of Directors for approval. No Committee work will be undertaken without the approval of the Board of Directors. All work performed must be done within the adopted budget.

Section 4: Special Committees are Committees that serve a singular purpose for a short period:

- A. Special Committees may be created by the President, Board of Directors, or the General Membership as deemed necessary to carry out this PTA's work.
- B. Special Committees are created for a specific purpose, the Committee ceases to exist when the Committee's work has concluded.

Article XII: Meetings and Quorum

Section 1: There are two types of meetings, Board of Directors meetings and General Membership meetings. Only members in good standing of this Local PTA are eligible to participate in this PTA's business. The elected officers of this PTA may meet at any time they choose.

Section 2: Board of Directors Meetings

- A. Regular meetings of the Board of Directors will be held ten times during the fiscal year, the dates to be fixed by the Board of Directors before the school year's first meeting.
- B. The Board of Directors may hold electronic meetings based on the New Jersey PTA's approved rules.
- C. Special Meetings of the Board of Directors may be called by the President or by a majority of the board members with five (5) days' notice given. The purpose of the meeting will be stated in the call to the meeting.
- D. **Quorum** – a majority of the current members of the Board of Directors shall constitute a quorum.

Section 3: General Membership Meetings

- A. At least three (3) General Membership meetings will be held during the school year. Dates of the meetings will be announced to the General Membership before the year's first General Membership meeting.
- B. Local PTAs may hold electronic meetings based on the New Jersey PTA Board of Directors' approved rules.
- C. Five (5) days notice will be given if necessary to change the meeting date.
- D. Special Meetings of the General Membership may be called by the Board of Directors, with five (5) days' notice. The purpose of the meeting will be stated in the call to the meeting.
- E. **Quorum** – the quorum requirement shall be specified in the standing rules but shall be at least ten members or double the number of your officers plus one, whichever is greater.

Article XIII: New Jersey Annual Meeting

The cost of attending the New Jersey PTA Annual Meeting is a legitimate line item expense in the Local PTA budget. This Local PTA must prescribe the amount of money the PTA will spend on delegate expenses to the Annual Meeting in their budget.

Article XIV: Dissolution

Section 1: Dissolution of this PTA can be achieved only by following these procedures:

- A. A Local PTA Board of Directors considering dissolution must afford a New Jersey PTA representative an opportunity to speak to the Board of Directors before taking any action.
- B. If the Board of Directors votes to recommend dissolution, they must question their General Membership. The Board of Directors must give at least 60 days' written notice to the New Jersey PTA and this PTA's General Membership before the meeting at which the question of dissolution will be raised.
- C. A New Jersey PTA representative must be allowed to speak at the General Membership meeting.
- D. Approval to dissolve this PTA requires a majority vote by written ballot by the General Membership of this PTA present at the meeting. The individuals eligible to vote must have been paid members at least 60 days before the General Membership meeting at which the vote to dissolve takes place.
- E. Upon dissolution, this Local PTA is obligated to: pay all debts and obligations of the Local PTA, including any outstanding membership dues owed to New Jersey PTA; submit any residual money to the New Jersey PTA or distribute it to one or more New Jersey non-profit organizations that have established tax-exempt status under section 501(C)3 of the Internal Revenue Code and whose purposes are in accordance with those of New Jersey PTA and National PTA; submit to New Jersey PTA all of this Local PTA's permanent records including all financial documents and immediately stop using the PTA name in any capacity.
- F. Upon dissolution, the New Jersey PTA is obligated by law to immediately notify the following agencies that this PTA is dissolved and therefore no longer legally eligible for tax exemption.
 1. Internal Revenue Service (this PTA EIN will no longer be valid)
 2. State of New Jersey Division of Consumer Affairs Charities Registration Division
 3. State of New Jersey Division of Consumer Affairs Legalized Games of Chance Control Commission
 4. State of New Jersey Department of the Treasury Division of Revenue
 5. National PTA

Section 2: The charter of this PTA will be subject to withdrawal by the New Jersey PTA. The status of such association as a Local PTA will be subject to termination if this PTA is found to violate its bylaws, the bylaws of New Jersey PTA, or the bylaws of National PTA. It is also subject to termination if it is found to be engaged in a practice or activity that may tend to defeat the purposes and principles of the National PTA.

Section 3: PTAs that become inactive due to a lack of officers must submit its residual money to the New Jersey PTA. New Jersey PTA will hold this money in a reserve account, and if the PTA is reactivated, New Jersey PTA will return the money to the newly re-activated PTA. If the PTA is not reactivated within three (3) years, this money will be absorbed into the New Jersey PTA general operating account.

Article XV: Standards of Affiliation Requirements of this PTA

As detailed in the Local PTA Standards of Affiliation, PTA's must:

- A. File the IRS form 990 with the IRS annually by November 15th.

- B. File the New Jersey Charities Registration form annually, with the State of New Jersey, if applicable, by December 31st.
- C. If incorporated, file the New Jersey Annual Report with the State of New Jersey.
- D. Update officer information every year.
- E. All elected officers must attend New Jersey PTA-approved training annually.
- F. The PTA budget must be presented to and adopted by the General Membership of this PTA at the beginning of the school year.
- G. This PTA must collect dues and remit the appropriate portion to the New Jersey PTA office, the first payment due August 15th.
- H. After the end of the fiscal year (July 1st- June 30th), perform a financial review of this PTA's Financial Records. A Financial Review Committee must conduct the Financial Review. The President will ask for four (4) volunteers for the Financial Review Committee, three of whom will serve on the Committee and one will serve as an alternate. These volunteers must be current members who were not signers (or related to signers) on the bank account(s) during the period being reviewed. The President cannot serve on the Financial Review Committee.
- I. This PTA must create Standing Rules, which their General Membership must approve. The Standing Rules must be submitted to the New Jersey PTA office for reference as the General Membership approves changes.

Article XVI: Fiscal Year

The New Jersey PTA's fiscal year and its Constituent PTAs (including this PTA) are July 1st to June 30th.

Article XVII: Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* will govern the New Jersey PTA and its Constituent PTAs (including this PTA) in all cases in which they are applicable and in which they are not in conflict with these bylaws and the bylaws of National PTA, or the Articles of Incorporation.

Article XVIII: Amendments

These bylaws may be amended at a New Jersey PTA Annual Meeting by a two-thirds vote of those present and voting, provided the amendments have been approved by the New Jersey PTA Board of Directors by a majority vote. A notice of proposed amendments must be sent to each Local PTA at least twenty-five (25) days before the New Jersey PTA Annual Meeting.

Appendix

Article III: PRINCIPLES

The following are basic principles of the New Jersey PTA in common with those of the National PTA:

- A. National PTA shall be noncommercial, nonsectarian, and nonpartisan.
- B. National PTA 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. National PTA shall work to promote the health and welfare of children and youth, and shall seek to promote collaboration among families, schools, and the community at large.
- D. Commitment to inclusiveness and equity, knowledge of PTA, and professional expertise shall be guiding principles for service in National PTA.