

Bylaws of the Rochester Community PTA Council

Michigan ID# 410000

Date of Adoption _____

Bylaws of the Rochester Community PTA Council

City: Rochester

County: Oakland

Region: D

Article I: Name

The name of this organization is the Rochester Community PTA Council. ~~We are a council of Parent, Teacher, (Student) Associations, in Region D of the Michigan Congress of Parents, and Teachers and Student, (Michigan PTA), a branch of the National Congress of Parents and Teachers (National PTA).~~

Article II: Articles of Organization

The articles of organization of a constituent organization include: (a) the bylaws of such organization and (b) the certificate of incorporation or articles of incorporation of such organization (in cases in which the organization is a corporation) or the articles of association by whatever name (in cases in which the organization exists as an unincorporated association).

#Article III: Purposes

Section 1. The Objects of the Rochester Community PTA Council of Parent, Teacher, (Student) Associations in common with those of the National PTA and the Michigan PTA are:

- a. To promote the welfare of children and youth in home, school, community and place of worship.
- b. To raise the standards of home life.
- c. To secure adequate laws for the care and protection of children and youth.
- d. To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth.
- e. To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social and spiritual education.

Section 2. The Objects of the National PTA, the Michigan PTA and this council are promoted through an educational program directed toward parents, teachers, and the general public; are developed through conferences, committees, projects, and programs; and are governed and qualified by the basic policies set forth in Article IV.

Section 3. The organization is organized exclusively for the charitable, scientific, literary or educational purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code or corresponding section of any future Federal tax code (hereinafter "Internal Revenue Code").

Article IV: Basic Policies

The following are basic policies of this council in common with those of the National PTA and the Michigan PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the Objects of the organization.
- c. 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.
- d. The organization shall work with the schools 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.
- e. The organization shall not enter into membership with other organizations except such international or national organizations as may be approved by the National PTA Board of Directors. The Michigan PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but a PTA/PTSA representative shall make no commitments that bind the group he represents.
- f. 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 III hereof.
- g. 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.
- h. 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 non-profit funds, foundations, or organizations which have established their tax exempt status under Section 501(c)(3) of the Internal Revenue Code.
- i. Only Michigan PTAs/PTSAs in Rochester Community School District shall be members of this council.
- j. The council shall meet for the purpose of conference and cooperation in matters of child welfare only. It may not legislate for the local PTAs/PTSAs.

Article V: Relationship with National PTA and Michigan PTA

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

Section 2. Each constituent organization shall adopt such bylaws for the government of the organization as may be approved by the Michigan PTA. Such bylaws shall not be in conflict with the Bylaws of the National PTA or the Bylaws of the Michigan PTA.

Section 3. Bylaws of each constituent organization shall include an article on amendments.

Section 4. Each constituent organization shall include in its bylaws provisions corresponding to the Bylaws of the National PTA as are identified herein by a number (#) symbol.

Section 5. The adoption of an amendment to any provision of the Bylaws of the National PTA identified by a number sign (#) shall serve automatically and without the requirement of further action by the constituent organization to amend correspondingly the bylaws of each constituent organization. Notwithstanding the automatic character of the amending process, the constituent organization shall promptly incorporate such amendments in their respective bylaws.

Section 6. The purposes of this council are:

- a. To unify and strengthen local PTAs/PTSAs comprising the council.
- b. To provide for the conference and cooperation of the local PTAs/PTSAs in the council membership so as to create a public opinion ~~favorable to~~ advocating in the interests of child welfare; to encourage child welfare projects in the various local units; and, to assist in the formation of new PTAs according to the plan of the Michigan PTA.
- c. To promote the interests of the National PTA and of the Michigan PTA within its territory.

Section 7. Councils shall not legislate for local PTAs/PTSAs.

Section 8. Each officer or board member of a constituent organization shall be a member of a local PTA/PTSA within its area.

Section 9. Each officer or board member of a local PTA/PTSA shall be a member of such local PTA/PTSA.

Section 10. Only members of a local PTA/PTSA who have paid dues for the current membership year may participate in the business of that association.

Section 11. The council shall keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the council, including, specifically, the number of its member PTAs/PTSAs and the dues collected from them. Such books of account and records shall be at all reasonable times be open to inspection by an authorized representative of the Michigan PTA or, where directed by the Committee on State and National Relationships, by a duly authorized representative of the National PTA.

Section 12. Bylaws of each constituent organization shall include a provision establishing a quorum.

Section 13. Voting by proxy shall be prohibited.

Section 14. The members of the nominating committee for officers of a constituent organization shall be elected by membership, Board of Directors/Managers, Executive Board, or Executive Committee.

Section 15. The charter of this council shall be subject to withdrawal and the status of such organization as a PTA/PTSA council shall be subject to termination, in the manner and under the circumstances provided in the bylaws of the Michigan PTA.

Section 16. This council is obligated, upon dissolution by the Michigan PTA:

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

Section 17. There shall be but one person serving in any elected office.

Article VI: Membership and Dues

#**Section 1.** Each council unit shall pay \$25.00 annual council dues to the Michigan PTA office on or before June 1 of each fiscal year. This payment will constitute payment for the following fiscal year. No council packet shall be distributed until payment of council dues to Michigan PTA is received.

Section 2. Membership in this council shall consist only of local units chartered by the Michigan PTA as authorized by the National PTA in Rochester Community School District upon the payment of dues as hereinafter provided.

Section 3. The annual dues for membership in this council shall be paid by each local PTA/PTSA in membership on or before November 1, in the amount approved by the voting body and included in the Rochester PTA Council Standing Rules.

Section 4. Additional local units may be accepted as members at any time.

Section 5. Delegates from local PTAs/PTSAs whose dues to the council are in arrears shall not participate in the business meetings of the council.

Section 6. Each local Council shall submit a copy of their annual audit, budget and 990 to the MPTA state office by December 1st of each year.

Article VII: Voting Body

Section 1. The voting body of this council shall consist of the officers of the council; the chairs of council standing committees; the president of each member unit or their alternate; accredited delegates or their alternates as specified in Section 2 of this article; the superintendent of schools or his/her representative.

Section 2. Each member PTA/PTSA shall be represented by its president or their alternate, and by one delegate or their alternate, selected by the PTA/PTSA according to its own bylaws or procedures.

Section 3. Members are entitled to one vote even though they may be serving in more than one position.

Section 4. A quorum for the transaction of business shall consist of at least two officers and one (1) delegate from a majority of the member PTAs/PTSAs.

Article VIII: Officers and Their Election

Section 1. The officers of this council shall be a president, two vice presidents, a secretary and a treasurer. These officers shall be elected by ballot at the regular council meeting in May. However, if there is only one candidate for any office, the election for that office (or offices) may be by voice vote. Officers, with the exception of the Treasurer, shall assume their official duties beginning on July 1st and shall serve for a term of one year. Outgoing Treasurers are responsible for completing an end of year financial statement, turning the books over to an auditor and filing any tax paperwork that is required prior to relinquishing their position.

#Section 2. There shall be but one person serving in any elected office.

Section 3. Only members of a local PTA/PTSA whose state and council dues are paid and members whose individual dues to the local PTA/PTSA are paid shall be eligible to hold office, to serve on the executive board, to serve on a council committee, or to serve as delegates to the council. A person shall not be eligible to serve more than two consecutive terms in the same office unless a successor has not been elected. Anyone who has served more than one half (1/2) of a term shall be credited with having served that term.

Section 4. Nominations for officers shall be made by a nominating committee consisting of three members of the voting body of the council, no two of whom shall be from the same member unit.

- a. This committee shall be ~~elected by ballot~~ selected at a council meeting not less than two months before the one at which the election of officers is to be held. Nominations for the committee members shall be made from the floor.
- b. The nominating committee shall send the list of nominees to the members of the executive board and to the president of each member association at least 30 days before the annual election meeting. The consent of each candidate must be obtained before their name is placed in nomination. Additional nominations may be made from the floor, provided the consent of each candidate has been obtained before their name is placed in nomination.
- c. Only those persons who have signified their consent to serve if elected shall be nominated for, or elected to, such office.

Section 5. A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the executive board.

Article IX: Duties of Officers

Section 1. The president shall:

- a. Preside at all meetings of the council and its executive board/committee at which they may be present;
- b. ~~Sign, with the secretary, all~~ Be an authorized check signer on orders on the treasury of the council;
- c. Help to extend PTA work into all parts of the council territory, keeping it in harmony with the state plan;
- d. Coordinate the work of the officers and committees, in order that the Objects may be promoted;
- e. Be a member ex officio of all committees except the nominating committee;

Section 2. The vice presidents shall, in their designated order, ~~shall~~:

- a. ~~Preside~~ in the absence of the president; ~~and~~
- b. ~~Shall serve as aide to the president; and sign, if designated with president, orders on the treasury of the council.~~
- c. If a non check signer, receive, review and sign-off on the bank statement monthly.

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Section 3. The secretary shall:

- a. Record the minutes of all meetings;
- b. Notify each committee chair of their appointment;
- c. ~~If As~~ a non check signer, receive, review and sign-off on the bank statement monthly;
- d. Conduct correspondence delegated to them;
- e. Keep an accurate roster of the names of the local PTAs/PTSAs in membership, the names and e-mail addresses of local PTA/PTSA officers and delegates, and the names and addresses of the members of the council's executive board;
- #f. Immediately following the election, send the name and address of the newly elected president to the Michigan PTA office.

Section 4. The treasurer shall:

- a. Have custody of all funds of the council;
- b. Sign, with one officer, all orders on the treasury of the council;
- ~~b-c.~~ Collect and keep a full and accurate account of all monies of the council;
- ~~c-d.~~ Pay out funds only as authorized by the president, executive board/committee or council;
- ~~d-e.~~ Present a financial statement at each meeting of the council;
- ~~e-f.~~ Submit the books annually for an audit and file taxes as required.
- ~~f-g.~~ Forward the \$25.00 council dues to the Michigan PTA office on or before June 1 of each fiscal year;
- ~~g-h.~~ Be responsible for the maintenance of such books of account and records as conform to the requirements of Article V, Section 11, of the Bylaws.
- ~~h-i.~~ Submit copies of the annual audit, budget and 990 to the Michigan PTA state office by December 1st of each year.

Section 5. The treasurer's accounts shall be examined annually by an auditor or an auditing committee of not less than three members, who, satisfied that the Treasurers annual report is correct, shall sign a statement of that fact at the end of the report. The auditing committee shall be appointed by the executive board at least two weeks before the annual meeting.

Section 6. All officers shall:

- a. Perform the duties outlined in these bylaws and those assigned from time to time;
- b. Deliver to their successors all official material within 30 days following the meeting at which the successors are elected or in the case of the Treasurer, after the audit and tax forms have been completed in July.

Article X: Meetings

Section 1. Regular meetings of the council shall be held once a month unless otherwise provided for by the council or executive board ~~seven-one~~ days' notice shall be given of change of date.

Section 2. The annual meeting shall be in May and shall be for the purpose of electing officers, receiving reports of officers and committees, and conducting any other business that may arise.

Section 3. Special meetings of the council may be called by the president, and shall be called upon request of a majority of the members of the executive board or a majority of the local PTAs/PTSAs in membership. At least ~~five-one~~ days' notice of such a special meeting shall be given.

Section 4. Meetings of this council shall be open to all member of PTAs/PTSAs holding membership in the council, but the privilege of introducing motions and voting shall be limited to the voting body as outlined in Article VII.

Section 5. A quorum for the transaction of business shall consist of at least two officers and one (1) delegate from a majority of the member PTAs/PTSAs.

Section 6. The privilege of holding office, introducing motions, debating, and voting shall be limited to members of the association whose current dues are paid. Nominees for office and persons voting at the annual election for officers shall have membership dues paid (30) days prior to election or before February 28th, whichever date occurs first in the calendar year.

Article XI: Executive Board

Section 1. The executive board shall consist of the officers of the council, and the superintendent or their representative.

Section 2. A PTA member shall not serve as a voting member of a constituent organization's board at the local, council, district, region, state or national level while serving as a paid employee of, or under contract to, that constituent organization.

Section 3. The executive board shall:

- a. Transact business as may be referred to it by the council;
- b. Act in emergencies between meetings of the council;
- c. Fill vacancies in office;

- d. Create standing and special committees;
- e. Approve plans of work of council standing committees;
- f. Present a budget to be approved ~~to by~~ the membership ~~in May of each year before the end of the fiscal year~~;
- g. Report at the regular meetings of the council;
- h. Select an auditor or auditing committee of at least three members to audit the books at the end of the fiscal year and at such times as required by the resignation of the fiscal officer;
- i. Obtain a fidelity bond for the treasurer and all persons authorized to handle funds and securities;
- j. Register the signature of the Treasurer, the President and ~~the Vice Presidents one officer~~ for all accounts at the bank. All checks shall bear two (2) of the ~~four (4) three (3)~~ signatures registered with the bank;
- k. Determine the method of selecting delegates and alternates to represent the council at Michigan PTA and National PTA conventions;
- l. Shall be able to expend funds up to fifty (\$50.00) dollars without the vote of the membership.

Section 4. Regular meetings of the executive board shall be held as designated by the board at its first meeting. Special meetings of the board may be called by the president, or upon the request of a majority of members of the board, one days notice having been given.

Section 5. A majority of the executive board ~~members including two~~ officers, shall constitute a quorum.

Section 6. Each officer or board member of a council shall be a member of a local PTA/PTSA within its area.

Article XII: Committees

Section 1. Such standing committees shall be created by the executive board as may be deemed necessary to promote the Objects and carry on the work of the council.

Section 2. The chairs of the standing committees shall be selected by the executive board.

Section 3. The term of standing committee chairs shall be one year or until the selection of their successors.

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

Section 5. Chairs of all standing committees shall be members in good standing of local PTAs/PTSAs holding council membership.

Section 6. Special committees may be appointed by the president when such committees are deemed necessary by the executive board or the council.

Section 7. The quorum of any committee shall be a majority of its members or at least 5 members, whichever is smaller.

Section 8. The president shall be a member ex officio of all committees except the nominating committee.

Article XIII: Fiscal Year

The fiscal year of this council shall begin on July 1 and end on the following June 30th.

Article XIV: Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the National PTA and its constituent organizations in all cases in which they are applicable and in which they are not in conflict with these bylaws, the Bylaws of the Michigan PTA, and the Bylaws of the National PTA, or the Articles of Incorporation.

Article XV: Disbandment

Section 1. If a local PTA Council is considering disbandment, the council executive committee shall meet with the Field Service Representative or the Region Vice President, prior to formal action.

Section 2. After meeting with the Field Service Representative or Region Vice President, the written notice stating the recommendation of the executive board shall be given to each member entitled to vote at such meeting and to the President of the Michigan PTA, and to the appropriate Field Service Representative at least thirty (30) days prior to the date of such a meeting.

Section 3. Only those members of the voting body whose local unit is in good standing thirty (30) days prior to date of the vote of disbandment shall be entitled to vote. Membership enrollment shall be available at any time. (See Article X – Membership, Section 3, Michigan PTA Bylaws.)

Section 4. Approval of disbandment of the council shall require the affirmation vote of the delegates of at least two-thirds (2/3) of the member units present and entitled to vote at the meeting, a quorum being present. The secretary shall notify their Field Service Representative and the Michigan PTA Office of the decision.

Section 5. Should a local unit fail to:

1.
 - a) elect officers and
 - b) hold at least one (1) meeting and
 - c) enroll at least twenty-five (25) members and
 - d) pay the \$25.00 unit dues by ~~February 28~~ December 1,

the immediate past treasurer or the superintendent of schools shall notify their Field Service Representative and the Michigan PTA Office.

2. Activate itself before the end of the school year, its assets, funds and records shall be turned over to the Michigan PTA to be held in escrow until the council reactivates itself, a period not to exceed two (2) years.
3. Reactivate itself during this two (2) year period, its funds and assets shall become the property of the Michigan PTA.

Article XVI: Amendments

Section 1.

- a. These bylaws may be amended at any regular meeting of this council by a two-thirds vote of the members present and voting, provided written notice of the proposed amendment shall have been given to each member PTA and to each member of the executive board at least 30 days prior to the date of the meeting at which action is taken, and provided the amendment is not in conflict with the required articles prescribed in the Bylaws of the Michigan PTA and the National PTA.
- b. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws by a majority vote at a meeting of the council, or by a two-thirds vote of the executive board. The procedure for action on amendments in Section 1, a, should then be followed.
- #c. After adoption of these bylaws or any amendments to these bylaws a copy of the bylaws with the minutes from the meeting in which they were adopted shall be sent for approval to the Michigan PTA office either through Postal Mail or via email to membership@michiganpta.org.

Section 2. The adoption of an amendment to any provision of the Bylaws of the National PTA identified by a number (#) symbol shall serve automatically and without the requirement of further action by the constituent organization to amend correspondingly the bylaws of each constituent organization. Notwithstanding the automatic character of the amending process, the constituent organization shall promptly incorporate such amendments in their respective bylaws.

Section 3. The adoption of an amendment to any provision of the Bylaws of the Michigan PTA identified by a number (#) symbol shall serve automatically and without the requirement of further action by the constituent organization to amend correspondingly the bylaws of each constituent organization. Notwithstanding the automatic character of the amending process, the constituent organization shall promptly incorporate such amendments in their respective bylaws.