South Dakota PTA

Bylaws

2015-2016

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South Dakota PTA Bylaws, Adopted April 14, 2012

**Article I. Name**

The name of this organization is the South Dakota Congress of Parents and Teachers. It is also commonly known, and will be referred to in these bylaws, as “South Dakota PTA.” The South Dakota Congress of Parents and Teachers is a not-for-profit corporation organized under the laws of South Dakota.

**Article II. Purposes**

**Section 1.** The purposes of the PTA are:

1. To promote the welfare of children and youth in home, school, community, and place of worship.
2. To raise the standards of home life,
3. To secure adequate laws for the care and protection of children and youth,
4. To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth, and
5. 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 purposes of the PTA are promoted through an advocacy and educational program directed toward parents, teachers, and the general public; developed through conferences, committees, projects, and programs; and governed and qualified by the basic policies set forth in Article III.

**Section 3.** The organization is organized exclusively for the charitable, scientific, literary, or educational purposed 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 National PTA:

1. The organization shall be noncommercial, nonsectarian, and nonpartisan.
2. The organization shall work with the schools and community to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities.
3. 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.
4. No part of the net earnings of the organization shall inure to the benefit of, or be distributed 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.
5. 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.
6. 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 National PTA.
7. 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.

**Article IV. Constituent Organizations**

**Section 1.** The constituent organizations of South Dakota PTA include:

1. Local PTAs (Parent Teacher Associations) or PTSAs(Parent Teacher Student Associations) organized under the authority of the South Dakota PTA: and
2. Council PTAs/PTSAs organized under the direct authority of the South Dakota PTA.

**Section 2.** The South Dakota PTA shall determine criteria for establishing constituent organizations and setting standards for continuing affiliation with the South Dakota PTA and National PTA. A local PTA in good standing is one that:

1. Sends names and addresses of members to the SD PTA office monthly;
2. Remits both the national and state portion of membership dues by the last day of each month;
3. Has bylaws updated as needed and approved by the SD PTA bylaws committee at least every three years;
4. Purchases fidelity and liability insurance available at a group rate through SD PTA or on their own and shows proof of insurance to SD PTA; and
5. Maintains tax-exempt status 501 (c) (3) status with the IRS or SD PTA letter of exemption.

**Section 3.** There shall be no proxy voting by any constituent organization of the South Dakota PTA.

**Section 4.** The purposes and basic policies of the South Dakota PTA shall in every case also be the purposes and basic policies of each constituent organization.

**Section 5.** Each constituent organization shall adopt bylaws for the government of the organization. Such bylaws shall not be in conflict with National PTA or South Dakota PTA Bylaws. Such bylaws shall include an article on amendments and shall include a provision establishing a quorum.

**Section 6.** Local PTAs shall be organized and chartered under the authority of the South Dakota 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, as the South Dakota PTA may in its bylaws prescribe. The South Dakota PTA shall issue to each local PTA in its area an appropriate charter evidencing the due organization and good standing of the local PTA.

**Section 7.** Each local PTA is obligated, upon withdrawal of its charter by the South Dakota PTA:

1. To yield up and surrender all of its books and records and all of its assets and property to the South Dakota PTA or to another 501 (c) (3) organization approved by the South Dakota PTA or to another local PTA organized under the authority of the South Dakota PTA;
2. To cease and desist from the further use of any name that implies or connotes association with the National PTA or the South Dakota PTA or status as a constituent organization of the National PTA; and;

**Article V. Members and Dues**

**Section 1.** Every individual who is a member of a local PTA organized by South Dakota PTA also is a member of National PTA and of the state PTA by which such local PTA is organized and, as such, is entitled to all the benefits of such membership.

**Section 2.** Every individual who is a member of a local PTA organized under the direct authority of National PTA is a member of National PTA and, as such, is entitled to all the benefits of such membership.

**Section 3.** Membership in PTA shall be made available without regard to race, color, creed, or national origin.

**Section 4.** Each member of a local PTA shall pay annual dues as may be determined by the organization. The amount of the dues shall include the portion payable to the state PTA as determined by the state and approved by a two-thirds (2/3) majority of the voting body at the South Dakota PTA Annual Convention, and the portion payable to National PTA as recommended by the board of directors and approved by a two-thirds (2/3) majority of the voting body at the National PTA Annual Convention.

**Article VI. Officers**

**Section 1.** The officers of South Dakota PTA shall be a president, a 1st Vice President, a vice president for advocacy, a vice president for membership, a vice president of programs, a secretary, and a treasurer.

**Section 2.** The offices of president, 1st Vice President, treasurer and vice president of programs shall be elected during odd numbered years at the annual convention by the voting body of the convention. The offices of secretary, vice president for advocacy, vice president for membership will be elected during even numbered years at the annual convention by the voting body of the convention.

**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 South Dakota PTA:

1. Each officer shall be a member of a local PTA chartered by the South Dakota PTA.
2. No officer may be eligible to serve more than two terms in the same office.
3. 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.

**Section 5.** Each officer elected at an annual convention shall take office following the close of the convention and shall serve for a term of two years or until their successor is elected.

**Section 6.** A vacancy occurring in the office of president shall be filled for the remainder of the unexpired term by the 1st Vice President. A vacancy in any office other than president shall be filled by the board of directors.

**Article VII. Duties of Officers**

**Section 1.** The president shall

1. Preside at all meetings;
2. Serve as an ex officio member of all committees except the nominating committee;
3. 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 1st Vice President shall

1. Act as aide(s) to the president;
2. Perform the duties of the president in the president’s absence or inability to serve;
3. 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 3.** The vice president(s) shall

a. Perform duties as provided for by these bylaws, prescribed by the parliamentary authority, or directed by the board of directors, or executive committee.

**Section 4.** The secretary shall

a. Keep an accurate account of all meetings;

b. Be prepared to read the records of any previous meetings;

c. File all records;

d. 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 5.** The treasurer shall

1. Maintain a full account of the funds of the South Dakota PTA;
2. Cause to be kept, a full and accurate account of the receipts and disbursements in books belonging to the South Dakota PTA.
3. Render a written statement to the board of directors, at each meeting;
4. Present an annual report of the financial condition of the organization;
5. Prepare or cause to be prepared an annual report for audit;
6. 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.

**Article VIII. Board of Directors**

**Section 1.** The affairs of the South Dakota PTA shall be managed by the directors.

**Section 2.** Each board member shall be a member of a local PTA chartered by South Dakota PTA.

**Section 3.** The member of the board shall be

1. Elected officers;
2. Immediate Past SD PTA President;
3. Committee chairs identified in Article XI; and
4. Council presidents.

**Section 4.** Duties of the board shall be

1. Attend to the matters relating to the business of SD PTA arising during the interval between convention, and
2. Make rules for the transaction of the business of the SD PTA and board of directors.

**Section 5.** 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 6.** Regular meetings of the board shall be held at least three times during the fiscal year.

**Section 7.** Notice of time and place of each regular meeting shall be given at least 14 days prior to the meeting.

**Section 8.** Special meetings of the board may be called by the president or when requested by five 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, or 10 members of the board, whichever is the lesser, 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 fourteen days.

**Article IX. Executive Committee**

**Section 1.** There shall be an executive committee of the South Dakota PTA, the members of which shall be the elected officers.

**Section 2.** Special meetings of the executive committee may be called by the president or upon written request of three members with 5 days notice to each member of this executive committee.

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

**Section 4.** A executive committee shall

1. Transaction business referred to it by the board;
2. Act in emergencies between meetings of the board; and
3. Make a report at each board meeting.

**Section 5.** The executive committee shall take no action in conflict with any action taken by the board of directors.

**Article X. National Council of States Representation**

**Section 1.** The National Council of States member shall be appointed by the state president for a term of one year. The state president is not eligible to serve as the council representative per National PTA bylaws Article X, Section 1.

**Section 2.** The member shall represent the South Dakota PTA at all meetings designated by the National PTA for the purpose established in the National PTA governance instruction. (National PTA bylaws Article X, Section 5 and 6)

**Article XI. Committees**

**Section 1.** Committees may be appointed by the president, executive committee, or the board of directors when deemed necessary to promote the purposes and carry on the work of SD PTA.

**Section 2.** The board of directors shall determine the scope of the work, duties, authority and responsibilities of such committees.

**Section 3.** The committees include:

1. Committee on Nominations
2. Committee on Election
3. Committee on Budget and Finance
4. Committee on Bylaws and Standing Rules
5. Committee on Resolutions
6. Committee on Legislation
7. Committee on Scholarships

**Article XII. Councils**

**Section 1.** A council may be formed when there are three or more PTA units within a geographical area. Those units may be organized into a county, area or city council, and their bylaws are approved by the state bylaws committee or someone designated by the state bylaws committee.

**Section 2.** Only PTA units may be members of a council.

**Article XIII. Committee on State and Local Relationships**

**Section 1.** There shall be a committee on state and local relationships consisting of a minimum of three (3) members of the board of directors, one of whom shall be the immediate past president, one of whom shall be an officer, and one of whom shall be a member of the board of managers not holding an afore mentioned position.

**Section 2.** This committee shall review any alleged violations by local PTAs of National PTA Bylaws, the South Dakota PTA Bylaws or their own bylaws, or other practices or activities of local PTAs that may tend to defeat the purposes and basic polices of the South Dakota PTA and shall promptly report to the state board of directors the results of such review and its recommendations for action.

**Section 3.** The South Dakota PTA board of directors shall give due consideration to the report of the committee and shall accord the local PTA an opportunity to be heard and to respond to the report. If, upon such consideration and hearing, the South Dakota PTA board of directors finds a violation by a local PTA, it may, by a two-thirds vote of all its members then in office, require the local PTA to take appropriate action within a period of time stipulated by the South Dakota board of directors and if the recommended action is not taken by the local PTA within the allotted time, the South Dakota PTA board of directors may, by a two-thirds vote of all its members then in office, withdraw the charter of the local PTA and terminate it status as a local PTA.

**Article XIV. State Conventions**

**Section 1.** An annual convention of the South Dakota PTA shall be held at such time and at such place as may be determined by the Executive Committee.

**Section 2.** The following members of the South Dakota PTA (hereinafter referred to as the “voting body”) shall be entitled to vote at the annual convention:

1. The members of the board of managers,
2. The duly accredited delegates of each local PTA,
3. The past presidents of the South Dakota PTA.

**Section 3.** Each local PTA shall be entitled to accredit to the South Dakota annual convention as its delegates the following members provided they are members in good standing:

1. The president of the local PTA or designated alternate;
2. One additional delegate from among members of the local PTA for each 25 members, or major fraction thereof, of the local PTA reported to the National PTA as of March 31 preceding the annual convention. The selection of the delegates shall be governed by the bylaws of the local PTA;
3. The president or his/her representative of a new unit chartered by the South Dakota PTA between March 31 of the preceding year and fifteen days prior to the annual convention shall be entitled to delegate status.

**Section 4.** Twenty-five voting members duly accredited to the annual convention, present at any meeting of the annual convention, shall constitute a quorum. The vote of a majority of the voting persons comprising the voting body present in person shall decide any question, except bylaws, brought before the convention.

**Article XV. National Convention**

**Section 1.** The South Dakota PTA shall be entitled to accredit to the annual convention as its delegates:

1. One additional delegate from among the members of the state PTA for each 1,000 members, or major fraction thereof, of the South Dakota PTA, as shown on the books of the treasurer of National PTA as of March 31 preceding the annual convention.

**Section 2.** The selection of the delegates, other than the South Dakota PTA National Council of States’ member who shall be a delegate by virtue of appointment by the board of directors.

**Article XVI. Parliamentary Authority**

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

**Article XVII. Amendments**

**Section 1.** These bylaws may be amended at an annual convention 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 constituent organizations 30 days prior to the opening of convention.

**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.