

UNIFORM BYLAWS
for
NORTH CAROLINA PTA COUNCILS
AMENDED APRIL 20, 2020

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ARTICLE 1 NAME, ADDRESS, DATE OF ADOPTION

This PTA Council is organized under the authority of the North Carolina Congress of Parents and Teachers (hereinafter “NCPTA”), a branch of the National Congress of Parents and Teachers (hereinafter “National PTA”).

Name PTA Council: _____

Address: _____

City: _____ County: _____

Employer Identification Number (EIN): _____

ARTICLE 2 PURPOSES

Section 2.1. Purposes defined. The purposes of this PTA council are:

- a. To unify and strengthen local PTA’s/PTSA’s comprising this PTA council;
- b. To provide for the conference and cooperation of the local PTA’s/PTSA’s in the PTA council membership so as to create a public opinion favorable to the interests of children, to encourage programs and projects in the various PTA units which will carry out the Mission and Purposes of PTA, and to assist in the formation, recruitment, and support of PTA’s;
- c. To collaborate with NCPTA to provide leadership training to the council and local PTA units in the council;
- d. To promote the interests of National PTA and NCPTA;
- e. To promote the welfare of children and youth in home, school, community, and place of worship;
- f. To raise the standards of home life;
- g. To secure adequate laws for the care and protection of children and youth;
- h. To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth;
- i. To develop between educators and the public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social, and spiritual education.

Section 2.2. Promotion of purposes. The Purposes of National PTA, NCPTA, and this PTA council are promoted through advocacy and educational programs, 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 3.

Section 2.3. Tax-exempt purposes. 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 referred to as “Internal Revenue Code”).

ARTICLE 3 BASIC POLICIES

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

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. 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.
- c. The organization shall work to promote the health and welfare of children and youth and shall seek to promote collaboration between parents, schools, and the community at large.
- d. 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 2 hereof.
- e. Notwithstanding any other provision of these articles, the organization shall not carry on any 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.
- f. 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 NCPTA.
- g. 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.
- h. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the purposes of the organization.

ARTICLE 4 RELATIONSHIP WITH NATIONAL PTA AND NCPTA

Section 4.1 Charter of PTA Council. This PTA council shall be organized and chartered under the authority of NCPTA in the area in which this PTA council functions and in conformity with such rules and regulations as NCPTA may prescribe. NCPTA shall issue to this PTA council an appropriate charter evidencing the due organization and good standing of this PTA council. A PTA council in good standing is one that:

- a. Adheres to the purposes and basic policies set forth in these uniform bylaws;
- b. Meets other NCPTA criteria, including, but not limited to, the criteria set forth in the current PTA Council Good Standing Requirements.

Section 4.2 Adoption of bylaws. To govern its affairs, this PTA council board has adopted these uniform bylaws by an affirmative vote of a majority of the board members present and voting at a meeting wherein a quorum is present.

Section 4.3 No paid employees on board. A PTA member shall not serve as a voting member of this PTA council's board of directors while serving as a paid employee of, or under contract to this PTA council.

Section 4.4 Accounts and records. This PTA council shall keep such permanent books of accounts and records as shall be sufficient to establish the items of gross income, receipts, and disbursements of the organization. These records shall include the official membership roster. Such books of accounts and records shall at all reasonable times be open to inspection by an authorized representative of NCPTA.

Section 4.5 Good standing requirements. This PTA council shall comply with the good standing requirements of NCPTA. The good standing requirements are available on the NCPTA website and available upon request by mail, email, or telephone. The good standing requirements are subject to change at any time by NCPTA.

Section 4.6 Withdrawal of charter. For failure to maintain good standing, the charter of this PTA council may be withdrawn and its status as a PTA council may be terminated under the circumstances and in the manner provided in the bylaws and standing rules of NCPTA. Upon withdrawal of its charter by NCPTA, this PTA council is obligated:

- a. To immediately yield up and surrender all its books and records and all of its assets and property to NCPTA;
- b. To cease and desist from the further use of any name that implies association with National PTA or NCPTA or status as a constituent organization of National PTA or NCPTA; and
- c. To take promptly all actions necessary or desirable to dissolve this PTA council, under the supervision and direction of NCPTA.

Section 4.7 Dissolution by vote of membership. This PTA council may dissolve and conclude its affairs in the following manner:

- a. The board of directors shall adopt a resolution recommending that the PTA council be dissolved and directing that the question of such dissolution be submitted to a vote of a special membership meeting of members having voting rights. Written or printed notice stating that the purpose of such meeting is to consider the advisability of dissolving the PTA council shall be given to each member entitled to vote at such meeting at least thirty (30) days prior to the date of such meeting.
- b. Written notice of the proposed dissolution, accompanied by a copy of the notice of the special membership meeting of the association, shall be sent by registered mail to the president of NCPTA at least thirty (30) days prior to this special meeting.
- c. Only those persons who were members in good standing of the PTA council on the date of adoption of the resolution, and who continue to be members in good standing on the date of the special membership meeting, shall be entitled to vote on the question of dissolution.
- d. Approval of dissolution of the PTA council shall require the affirmative vote of at least two-thirds (2/3) of the members present and entitled to vote at this special meeting, a quorum being present.
- e. Minutes of this special meeting shall be sent to the president of NCPTA within thirty (30) days.
- f. All steps taken to dissolve the PTA council shall comply with these bylaws and the General Statutes of North Carolina.
- g. Upon dissolution, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to NCPTA.
- h. Upon dissolution, the PTA council will cease and desist from the further use of any name that implies association with National PTA or NCPTA or status as a constituent organization of National PTA or NCPTA.
- i. NCPTA will notify the IRS of the change in status of this PTA council.

ARTICLE 5 MEMBERSHIP AND DUES

Section 5.1 Membership.

- a. Membership in this PTA council shall be open, without discrimination, to any local PTA that subscribes to the purposes and basic policies of NCPTA.
- b. Membership in this PTA council shall consist of local PTA units chartered by NCPTA upon the payment of dues to the council.
- c. This PTA council shall conduct an annual enrollment of members but may admit local PTA's/PTSA's to membership at any time.
- d. A membership roster shall be kept by the secretary and submitted to NCPTA.
- e. The membership year of this PTA council shall begin on July 1 and end on the following June 30.

Section 5.2 Dues.

The annual membership dues of this PTA council shall be set by the council for the coming fiscal year at the last general membership meeting of each fiscal year. The deadline for dues payment shall be set by the council at the last general membership meeting of the fiscal year.

Section 5.3 Official Membership Roster. The secretary shall prepare and keep current an official membership roster. The roster shall include:

- a. The current roster of the PTA council board of director members including committee members and chairs with name and contact information;
- b. The names and contact information of PTA presidents of PTA council member units.

A current copy of this roster shall be present at each meeting of the council with the secretary, and the information on the roster shall be entered into the NCPTA database.

ARTICLE 6 OFFICERS

Section 6.1 Officers. The elected officers of this PTA council shall be a president, one or more vice president(s), a secretary, and a treasurer. No PTA member shall serve in more than one elected position at a time. Each elected officer must be a member of a local PTA unit member of the council. This PTA council shall enter the newly elected officers and their contact information into the NCPTA database immediately after their election. Changes in officers and/or their contact information must be updated in the NCPTA database.

Section 6.2 Election.

- a. Officers who will serve for the coming year shall be elected at the last general membership meeting of the membership year. These officers will assume office on July 1 and serve until the following June 30.
- b. The nominating committee shall nominate an eligible person for each office to be filled and send its report to the members of the council board and to the president of each member PTA at least 30 days before the election.
- c. The president shall give notice of the election of officers to the general membership at least ten (10) days before the last general membership meeting of the fiscal year, and the notice will include the nominating committee's slate of nominees.

- d. In addition to the individuals nominated by the nominating committee, nominations from the floor will be allowed. When there is only one nominee for an office, that election may be held by voice vote. If there is more than one nominee for any office, election for that office must be by ballot.
- e. Only those individuals who are PTA members and who have signified their consent to serve if elected may be nominated by the nominating committee or by floor nomination or elected to such office.

Section 6.3 Term. Officers shall take office on July 1 and shall serve for that fiscal year (until the following June 30), or until his/her successor is elected and ready to assume office. A person may serve only two consecutive full terms in the same office.

Section 6.4 Vacancies. A vacancy occurring in any officer position shall be filled, as soon as possible, by a current member of the board of directors elected by a majority vote of all the board members then serving at a board meeting called with at least three (3) days notice. The new officer will serve the remainder of the unexpired term. The board of directors will notify the general membership and NCPTA immediately regarding the filling of the vacancy.

Section 6.5 Removal from Office. An officer of this PTA council may be removed from office without cause by the board of directors upon the affirmative vote of two-thirds (2/3) of all board members then serving. Board members must be notified of the request for removal at least five days in advance of the board meeting.

Section 6.6 General duties. All officers shall perform the duties outlined in these bylaws and those assigned by the board of directors of this PTA council. Upon the expiration of the term of office or in case of resignation or removal, each officer shall turn over to the president, without delay, all records, books, and other materials pertaining to the office, and shall turn over to the treasurer, without delay, all funds and other assets of this PTA council.

Section 6.7 President. The president:

- a. Shall preside at all meetings of the membership and the board of directors at which he/she may be present and shall designate another officer to preside when he/she will not be present (in the absence of such designation the board may elect any board member to preside at any meeting);
- b. Shall coordinate the work of the officers, the board and the committees of this PTA council;
- c. Shall perform such other duties as may be provided for by these bylaws or assigned to him/her by this PTA council or by the board of directors;
- d. Shall sign all contracts of this local PTA that have been approved by the board;
- e. Shall be an ex officio voting member of all committees except the nominating committee;
- f. Shall give notice of the election of officers to the general membership at least ten (10) days before the last general membership meeting of the fiscal year and the notice will include the nominating committee's slate of nominees;
- g. Shall appoint the chairs and members of special committees with the approval of the board.

Section 6.8 Vice president(s). The vice president(s) shall perform duties requested by the president and the board of directors. In the event of a vacancy in the office of president, the vice president, or the vice presidents acting together if there is more than one, shall assume the duties of the president until a new president is elected pursuant to Section 7.4 of these bylaws.

Section 6.9 Secretary. The secretary shall record the minutes of all meetings of the membership and the board of directors and shall perform such other delegated duties as may be assigned by the board of directors, and shall maintain a file of important documents related to the PTA council, including but not limited to:

- a. articles of incorporation of this PTA council;
- b. council bylaws;
- c. minutes of past meetings of the membership and board of directors;
- d. a copy of the official membership roster;
- e. legal documents, including but not limited to, insurance policies and contracts;
- f. current and past IRS returns; and
- g. current and past audit reports.

A current copy of the official membership roster shall be present at each meeting of the council, and the information on the roster shall be entered into the NCPTA database.

At the end of his/her term, the secretary shall transfer this file of important documents to his/her successor as secretary.

Section 6.10 Treasurer. The treasurer shall:

- a. Maintain all funds of this PTA council in approved depositories (including, but not limited to, all monies collected as dues, raised in PTA activities, received as contributions, or otherwise acquired);
- b. Disburse funds as authorized by the president, board of directors, or the membership, in accordance with the annual budget adopted by this council, and maintain records identifying the purpose and payee of all disbursements;
- c. Maintain a current record of income, expenditures, assets and liabilities of this PTA council and make all financial records available for inspection and review by the audit committee;
- d. Present a financial report of income and expenses at each meeting of the general membership and the board of directors. This report shall compare current income and expenditures to the approved budget;
- e. Prepare a year-end financial report by June 30 showing the total income and expenditures for the year, comparing those figures with the budget approved at the beginning of the year and the assets and liabilities of the PTA council, and submit the report to the incoming president, treasurer and audit committee;
- f. File all required tax forms and reports in a timely manner, including but not limited to IRS form 990;
- g. At the end of his/her term, transfer all financial records to the incoming treasurer by June 30;
- h. Provide assistance to the audit committee upon request.

ARTICLE 7 BOARD OF DIRECTORS

Section 7.1 Duties. The affairs of this PTA council shall be managed by the board of directors in the intervals between general membership meetings. The board of directors:

- a. Shall transact necessary business in the intervals between general membership meetings and such other business as may be referred to it by the members of this PTA council;
- b. Shall create and supervise standing and special committees;
- c. Shall elect chairs and members of standing committees;
- d. Shall approve president's appointments of chairs and members of special committees;

- e. Shall review and approve the plans of work of the committees;
- f. Shall present a report regarding the activities of this PTA council at all general membership meetings;
- g. Shall require an annual review of this PTA council's financial records as provided in these bylaws;
- h. Shall prepare a budget for the year and submit that proposed budget to the membership for adoption at the first general membership meeting of the year;
- i. Shall propose the amount for membership dues for adoption by the general membership;
- j. Shall assure the preparation and maintenance of the official membership roster;
- k. May adopt council standing rules that shall not be in conflict with these bylaws or the bylaws, good standing requirements or policies of National PTA and NCPTA;
- l. Shall undertake other activities as needed to assure the successful operation of this PTA council and to fulfill the responsibilities of this PTA council under these bylaws;
- m. Shall agree to abide by the following Conflict of Interest Policy: When any actual or potential conflict of interest exists, with respect to any subject requiring action by the board of directors or any of its committees, the member having an actual or potential conflict shall immediately notify the president or committee chair of such conflict, and the member shall not participate in the deliberations, shall not vote on the subject with which the member has an actual or potential conflict of interest, and shall not use his/her personal influence. The minutes of the meeting shall reflect that a disclosure was made and that the board member who stated a conflict of interest did abstain from voting.

Section 7.2 Qualifications. Each board member shall be a member of a local PTA that is a member unit of this council.

Section 7.3 Composition. The board of directors shall consist of the elected officers of this council, the chairs of the standing committees, an educator representative elected by the board, and up to three at-large members elected by the board.

Section 7.4 Regular and special meetings. Regular meetings of the board of directors shall be held during the school year, the time to be fixed by the board of directors at its first meeting of the year. Special meetings of the board of directors may be called by the president or by any three members of the board, three days notice having been given and the purpose of the meeting stated.

Section 7.5 Quorum. A majority of the board of directors shall constitute a quorum for the transaction of business.

Section 7.6 Meetings by Electronic Media. Upon majority vote by the board of directors, meetings may be held by a telephone or electronic conference system that allows all participating board members to simultaneously communicate with each other during the meeting. Telephone or electronic conference shall not be used unless available to all board members. A board member participating in this type of meeting is deemed to be present at the meeting.

Section 7.7 Removal from Board. A board member of this PTA council may be removed from office without cause by the board of directors upon the affirmative vote of two-thirds (2/3) of all board members then serving. Board members must be notified of the request for removal at least five days in advance of the board of directors meeting.

Section 7.8 Proxy voting. Voting by proxy is prohibited.

ARTICLE 8 COMMITTEES

Section 8.1 Standing Committees.

- a. The board of directors shall establish the following standing committees: advocacy, audit, nominating, and reflections. The board may establish additional standing committees at any time, as needed.
- b. The board of directors shall elect the chairs and members of standing committees.
- c. Only members of local PTA's/PTSA's in the council may serve as committee chairs or members.
- d. The term of chairs and members of standing committees shall be from July 1, or a date thereafter when they assume office, to the end of that fiscal year on the following June 30.
- e. The chair of each standing committee shall present a plan of work to the board of directors for approval.
- f. The president shall be an ex officio voting member of all standing committees except the nominating committee.
- g. All standing committee chairs and members serve at the direction of the board of directors and may be replaced by a majority of directors then serving at any meeting of the board upon ten (10) days notice to the board of such proposed action.
- h. Standing committee meetings may be called by the committee chair or any three members of the committee.

Section 8.2 Advocacy Committee

- a. The advocacy committee shall promote advocacy on behalf of children and family engagement and shall promote the purposes provided for in Article 2 of these Bylaws.
- b. The advocacy committee shall be nonpartisan and shall not engage in any activities that could jeopardize the PTA council's 501(c)(3) status.

Section 8.3 Audit Committee.

- a. Individuals with check signing authority and their family members shall not serve on the audit committee, nor may the outgoing or incoming treasurer.
- b. The audit committee shall be responsible for the audits and financial reviews described in Article 10 of these bylaws.

Section 8.4 Nominating Committee

- a. The nominating committee shall be comprised of an odd number and no fewer than three members; at least two of the committee members shall be board members and at least one committee member shall be a member of a local PTA unit council member who does not serve on the board.
- b. The president shall not be a member of the nominating committee.
- c. Throughout the year, the nominating committee is tasked with identifying talented, motivated, and responsible individuals to serve as officers of this council.
- d. Prior to the last general membership meeting each year, the nominating committee shall prepare a slate of nominees for officers of this council for the coming year, the president shall include that slate in the notice for the last general membership meeting, the chair of the nominating committee shall place such names in nomination at that meeting, and the election shall be conducted as provided in Section 6.2 of these bylaws.

Section 8.5 Reflections Committee

- a. The reflections committee shall organize and support the reflections arts program and follow rules and guidelines provided by NCPTA and National PTA.

Section 8.6 Special Committees.

- a. A special committee is a committee that is created to perform a special project and goes out of existence once the project has been completed.
- b. The board of directors may create special committees and shall specify the duration and duties of such committees.
- c. The president shall appoint the chairs and members of special committees with the approval of the board and the president shall be an ex officio voting member of all special committees.
- d. Only members of a local PTA unit council member may serve as chairs or members of special committees.
- e. The chair of each special committee shall present a plan of work to the board of directors for approval.
- f. All special committee chairs and members serve at the direction of the board of directors and may be replaced by a majority of directors then serving at any meeting of the board upon ten (10) days notice to the board of such proposed action.
- g. Special committee meetings may be called by the committee chair or any three members of the committee.

Section 8.7 Meetings by electronic media. Standing and special committee meetings may be held by a telephone or electronic conference system that allows all participating members to simultaneously communicate with each other during the meeting. Telephone or electronic conferences shall not be used unless available to all committee members. A committee member participating in this type of meeting is deemed to be present at the meeting.

Section 8.8 Proxy voting. Voting by proxy is prohibited.

Section 8.9 Quorum. A majority of the members of any committee shall constitute a quorum for the transaction of business.

ARTICLE 9 VOTING BODY AND GENERAL MEMBERSHIP MEETINGS

Section 9.1 Voting Body. The voting body of this council shall consist of the council board of directors and two delegates from each PTA unit member;

Section 9.2 Regular general membership meetings. Regular membership meetings of this PTA council shall be scheduled by the board and held at least two (2) times per membership year. Five (5) days notice must be given to the membership to change the date of a regular membership meeting. In the event of an emergency; such as natural disaster, war or epidemic the board of directors, by two-thirds (2/3) vote of the board members then in office, shall have the authority to modify the meeting requirements, as needed.

Section 9.3 Special meetings. Special meetings of this council may be called by the president or a majority of the board of directors, three (3) days notice having been given. The meeting notice shall include the purpose of the meeting.

Section 9.4 Quorum. A majority of the PTA member units shall constitute a quorum for the transaction of business.

Section 9.5 Majority vote. Unless a higher vote is required by these bylaws, the act of the majority of the voting members present and voting shall be the act of this PTA council.

Section 9.6 Proxy voting. Voting by proxy is prohibited.

Section 9.7 In Event of an Emergency (See 9.2); Meetings by Electronic Media. Upon majority vote by the board of directors, meetings may be held by a telephone or electronic conference system, including videoconferencing, that allows all participating members to simultaneously communicate with each other during the meeting. Telephone or electronic conference, including videoconferencing, shall not be used unless available to all members. A member participating in this type of meeting is deemed to be present at the meeting

ARTICLE 10 FINANCE AND BUDGET

Section 10.1 Monthly Financial Review. The audit committee will conduct a monthly review of this council's bank statements and supporting documents and shall sign an acknowledgment on the bank statements that the expenditures were authorized.

Section 10.2 Financial review when financial officer leaves office. If any officer with financial responsibility, including but not limited to check signing authorization, leaves office before the end of a fiscal year, the audit committee will conduct a review of the council's financial records.

Section 10.3 Annual Financial Review. By August 31 each year, the audit committee, or a certified public accountant appointed by the board shall:

- a. Examine the treasurer's year-end financial report and this council's financial records (including but not limited to all depository accounts, the general ledger of receipts and expenditures, supporting documentation and checks, and records of membership dues paid); and
- b. State in writing whether or not the treasurer's year-end report is correct and shall submit that statement, with a copy of the report, to the board of directors.

The board shall review and approve the report of the audit committee or certified public accountant, and thereafter the audit committee shall use the data in the report to prepare and file the required council year-end report online in the NCPTA database no later than August 31. The audit committee will summarize its report to the general membership at its next meeting. The audit committee, at any time, may recommend to the board that an independent review of the financial records by a certified public accountant should be conducted.

Section 10.4 Annual Budget. The officers shall prepare a proposed annual budget which, following approval by the board, shall be considered and adopted at the first general membership meeting of the membership year. Amendments to the budget may be considered and adopted at regular or special general membership meetings.

Section 10.5 Checks. Checks must be signed by two of no more than four officers authorized by the board of directors to sign checks, except that none of these officers so authorized shall be related, and at least one of these authorized officers shall be the treasurer. The signing of blank checks and checks made out to “cash” are prohibited.

Section 10.6 Expenditures and fund availability. All council expenditures must be consistent with the approved budget and based on actual fund availability. All reimbursements for expenditures will be contingent upon actual fund availability.

Section 10.7 Depositories. All depositories of council funds, including checking, savings and investment accounts, must be approved by the board of directors.

Section 10.8 Contracts and other financial agreements. All contracts and other financial agreements require the prior approval of the board and must be signed by the president.

ARTICLE 11 FISCAL YEAR

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

ARTICLE 12 PARLIAMENTARY AUTHORITY

This PTA counsel shall conduct its meetings in accordance with Robert’s Rules of Order, Newly Revised (current edition) to the extent that it does not conflict with North Carolina law, National PTA bylaws, NCPTA bylaws, NCPTA standing rules, policies and procedures, these uniform council bylaws, and any PTA council standing rules.

ARTICLE 13 AMENDMENTS

Amendments to the uniform council bylaws may be made only by the NCPTA Board of Directors and any such amendments shall automatically become part of the uniform council bylaws adopted by council PTA’s/PTSA’s. The NCPTA Board of Directors will notify all council PTA’s/PTSA’s of amendments to the uniform council bylaws.

ARTICLE 14 NCPTA CONVENTION

Section 14.1 Representation. A PTA council in good standing is entitled to be represented at the annual NCPTA convention by one delegate upon payment of the convention registration fees.

ARTICLE 15 APPLICATION OF THESE UNIFORM BYLAWS

The foregoing uniform council bylaws shall be applied as the sole and exclusive bylaws of this PTA council.

These uniform council bylaws were adopted by the council board on _____ (date) and shall be kept with the permanent records of this council.

President (print name)

President (signature)

Date: _____

