

# **Local NCPTA Unit Uniform Bylaws**

## **Amended and Effective**

### **September 1, 2024**



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**LOCAL NCPTA UNIT UNIFORM BYLAWS**  
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## ARTICLE 1 NAME, ADDRESS, DATE OF ADOPTION

This Local NCPTA Unit (hereinafter "Local PTA") 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 of Local NCPTA Unit

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Address

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City

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County

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Zip

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Employer Identification Number (EIN)

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These uniform local bylaws were adopted by the general membership on \_\_\_\_\_ (date) and shall be kept with the permanent records of this Local NCPTA Unit.

## ARTICLE 2 PURPOSES

**Section 2.1 Objectives.** The purpose or purposes (Objects) which this Local NCPTA Unit will hereafter pursue 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 public in united efforts to secure the physical, mental, emotional, and social well-being of all children and youth; and,
- f. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

**Section 2.2 Awareness.** The Purposes of National PTA, NCPTA, and this Local NCPTA Unit are promoted through advocacy and education in collaboration with parents, families, teachers, educators, students, and the public; developed through conferences, committees, projects, and programs; and governed and qualified by the basic policies set forth in Article 3.

**Section 2.3 Federal Status.** The organization is organized exclusively for 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 (referred to as “Internal Revenue Code”).

### **ARTICLE 3 BASIC PRINCIPLES**

The following are basic principles of this Local NCPTA Unit in common with those of National PTA and NCPTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The organization shall work to engage and empower children, families and educators within schools and community 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. The organization 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 the Local NCPTA Unit

### **ARTICLE 4 RELATIONSHIP WITH NATIONAL PTA AND NCPTA**

**Section 4.1 Charter of Local NCPTA Unit.** This Local NCPTA Unit shall be organized and chartered under the authority of NCPTA in the area in which this Local NCPTA Unit functions, in conformity with such rules and regulations as

NCPTA may prescribe. NCPTA shall issue to this Local NCPTA Unit an appropriate charter evidencing the due organization and good standing of this Local NCPTA Unit. A Local NCPTA Unit in good standing is one that:

- a. Adheres to the purposes and basic policies set forth in these uniform bylaws;
- b. Collects the National PTA dues and NCPTA dues and remits such dues to NCPTA by the dates prescribed by NCPTA; and
- c. Is in compliance with the NCPTA Standards of Affiliation for Council and Local NCPTA Units effective September 1, 2024 and linked [here](#)

**Section 4.2 Adoption of uniform bylaws.** To govern its affairs, the general membership of this Local NCPTA Unit has adopted these uniform bylaws by an affirmative vote of a majority of the members present and voting at a meeting wherein a quorum is present, with notice of such proposed vote having been given at least ten (10) days in advance of such meeting. Adoption of these uniform bylaws occurs once at chartering and does not need to be done again when amendments are made. Adoption at chartering is adoption of any further amendments. A copy of the signed adoption copy should be kept in the permanent files of this Local NCPTA Unit along with its charter certificate and, if applicable, Local NCPTA Unit standing rules created by the Local NCPTA Unit's Board.

**Section 4.3 No paid employees, vendors, or contractors on board.** A PTA member shall not serve as a voting member of this local PTA's board of directors while serving as a paid employee, vendor, or contractor of this Local NCPTA Unit. A local unit PTA board member is unable to sell items, products, resources, tools, and services to the local unit PTA on which the person serves as a board member.

**Section 4.4 Accounts and records.** This Local NCPTA Unit shall keep such permanent books of accounts and records as shall be sufficient to establish the items of chartering, adoption of bylaws, standing rules, gross income, receipts, and disbursements of the Local NCPTA Unit. 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. Local NCPTA Unit units must keep all records for the recommended number of years; refer to the guidance document linked [here](#).

**Section 4.5 Good standing requirements as listed in the NCPTA Standards of Affiliation for Council and Local NCPTA Units.** This Local NCPTA Unit shall comply with the good standing requirements of NCPTA as indicated in the NCPTA Standards of Affiliation for Council and Local NCPTA Units. The NCPTA Standards of Affiliation for Council and Local NCPTA Units is available on the NCPTA

website. These good standing requirements effective September 1, 2024 are linked [here](#). These good standing requirements are subject to change at any time by NCPTA with a ten (10) day notice.

**Section 4.6 Withdrawal of charter.** For failure to comply with the NCPTA Standards of Affiliation for Council and Local NCPTA Units, the charter of this Local NCPTA Unit may be withdrawn and its status as a Local NCPTA Unit 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 Local NCPTA Unit 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 immediately remit via money order or certified check the remaining funds that this local unit has; this should be mailed to NCPTA at 3501 Glenwood Avenue Raleigh, NC 27612
- c. 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
- d. To promptly take all actions necessary or desirable to dissolve this Local NCPTA Unit, under the supervision and direction of NCPTA.

**Section 4.7 Dissolution by vote of membership.** This Local NCPTA Unit may dissolve and conclude its affairs in the following manner:

- a. The board of directors shall adopt a resolution recommending that the Local NCPTA Unit be dissolved and directing that the question of such dissolution be submitted to a vote of a special general 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 Local NCPTA Unit 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 general membership meeting of the association, shall be sent to the president of NCPTA at least thirty (30) days prior to this special meeting via certified mail sent to NCPTA Attention: NCPTA President 3501 Glenwood Avenue Raleigh, NC 27612.
- c. Only those persons who were members in good standing of the Local NCPTA Unit on the date of adoption of the resolution, and who continue to be members in good standing on the date of the special general membership meeting, shall be entitled to vote on the question of dissolution.
- d. Approval of dissolution of the Local NCPTA Unit 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 at



least thirty (30) days after this special meeting via certified mail sent to NCPTA Attention: NCPTA President 3501 Glenwood Avenue Raleigh, NC 27612.

- f. All steps taken to dissolve the Local NCPTA Unit shall comply with these bylaws and the General Statutes of North Carolina.
- g. Upon dissolution, after paying all debts of the Local NCPTA Unit, the remaining assets shall be certified mailed to NCPTA at 3501 Glenwood Avenue Raleigh, NC 27612.
- h. Upon dissolution, the Local NCPTA Unit 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 Local NCPTA Unit.

## **ARTICLE 5 MEMBERSHIP AND DUES**

### **Section 5.1 Membership.**

- a. Every individual who is a member of this Local NCPTA Unit is also a member of National PTA and NCPTA and is entitled to all benefits of such memberships. Officers of this Local NCPTA Unit may choose to distribute physical membership cards to all members or have members access to the digital copy.
- b. Membership in this Local NCPTA Unit shall be open, without discrimination, to anyone who believes in and supports the mission and purposes of National PTA and NCPTA.
- c. This Local NCPTA Unit shall conduct an annual Back to School Membership drive. Additional recruitment of new members should be done throughout the school year.
- d. Only members of this Local NCPTA Unit whose dues are current shall be entitled to participate or eligible to vote in the business meetings of the general membership including the election of officers.
- e. The membership year of this Local NCPTA Unit shall begin on July 1st and end on the following June 30th.

### **Section 5.2 Dues.**

- a. Each member of this Local NCPTA Unit shall pay annual dues. The amount of such annual dues shall be:
  - i. an amount determined by the Local NCPTA Unit, plus
  - ii. the dues payable to NCPTA in an amount which shall be determined by NCPTA, plus
  - iii. the dues payable to National PTA in an amount which shall be determined by National PTA. Therefore, member annual dues = Local NCPTA Unit dues + NCPTA dues + National PTA dues.
- b. The state and national portions of the dues paid by each member of this

Local NCPTA Unit shall be set aside by this Local NCPTA Unit and remitted to NCPTA in the manner specified in NCPTA's Standards of Affiliation, through the Givebacks portal. Local NCPTA Unit officers should have access to Givebacks and can contact [office@ncpta.org](mailto:office@ncpta.org) for assistance.

**Section 5.3 Official membership roster.** Each year, the board shall designate a board member, an officer or a membership committee to prepare and keep current an official membership roster. This roster shall include:

- a. the total number of members;
- b. the names, phone numbers, and email addresses of members; and
- c. the dues collected from members and the amounts of dues remitted to NCPTA.

A current copy of this roster shall be provided to the treasurer and the secretary, and the information on the roster shall be entered into the NCPTA database, Givebacks, promptly as provided for in the NCPTA Standards of Affiliation for Council and Local NCPTA Units.

## **ARTICLE 6 OFFICERS**

**Section 6.1 Officers.** The only elected officers of this Local NCPTA Unit 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. Before taking office, each elected officer must be a paid member of this Local NCPTA Unit. This Local NCPTA Unit shall enter the newly elected officers and their contact information into the NCPTA database, Givebacks, immediately after their election. Changes in officers and/or their contact information must be updated in the Givebacks within 30 days of the change..

### **Section 6.2 Election.**

- a. It is highly recommended that officers who will serve for the coming fiscal year be elected at the last general membership meeting of the current fiscal year. These officers will assume office on July 1st and serve until the following June 30th.
- b. The nominating committee shall nominate a slate of eligible candidates for election as officers of this local PTA, as provided in Section 8.3 of these bylaws.
- c. The president shall give notice of the election of officers to the general membership at least ten (10) days before the general membership meeting in which the officers will be elected, and the notice will include the nominating committee's slate of nominees. This notice should be sent using the school-wide communication tools used by the school and PTA.
- 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.

**Section 6.3 Term.** Officers shall take office on July 1st and shall serve for that fiscal year (until the following June 30th), or until the successor is elected and ready to assume office. A person may serve only two consecutive full terms in the same office. However, for each term, the person must be the candidate slated by the nomination committee. A person does not automatically retain a position for a second year.

**Section 6.4 Vacancies.**

- a. President. A vacancy occurring in the office of president shall be filled for the unexpired term by a current member of the board of directors elected by a majority vote of all board members then serving at a board meeting called with at least three (3) days notice. The board of directors will notify the general membership and NCPTA regarding the filling of the vacancy and the candidate who has been elected.
- b. All other offices. A vacancy occurring in any other office shall be filled for the unexpired term by a member of this Local NCPTA Unit in good standing who is elected by a majority vote of all board members then serving at a board meeting called with at least three (3) days notice. The board will notify the general membership and NCPTA regarding the filling of the vacancy and the candidate who has been elected

**Section 6.5 Removal from office.** An officer of this Local NCPTA Unit may be removed from office with 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 Local NCPTA Unit. 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, financial assets, and financial records of this Local NCPTA Unit

**Section 6.7 President.** The president:

- a. Shall preside at all meetings of the general membership and the board of directors at which the president may be present, and shall designate

another officer to preside when the president 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 Local NCPTA Unit;
- c. Shall perform such other duties as may be provided for by these bylaws or assigned to the president by this local PTA or by the board of directors;
- d. Shall sign all contracts of this Local NCPTA Unit that have been approved by the board; and
- e. Shall be an ex officio voting member of all committees except the nominating committee.

**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 6.4 of these bylaws.

**Section 6.9 Secretary.** The secretary shall record the minutes of all meetings of the general 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 that Local NCPTA Unit, including but not limited to:

- a. a copy of the signed Local NCPTA Unit Uniform Bylaws first adopted by this Local NCPTA Unit,
- b. the current standing rules of this Local NCPTA Unit, if standing rules have been adopted by the board;
- c. minutes of past meetings of the general membership and board of directors;
- d. a copy of the official membership roster provided for in Section 5.3 of these bylaws;
- e. a current roster of board members;
- f. a current roster of all committee members and chairs;
- g. legal documents, including but not limited to insurance policies and contracts;
- h. current and past tax returns; and
- i. current and past audit reports;

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

**Section 6.10 Treasurer.** The Treasurer shall:

- a. Collect, deposit and maintain all funds of this Local NCPTA Unit in approved depositories (including, but not limited to, all monies collected as local

dues, raised in PTA activities, received as contributions, or otherwise acquired);

- b. Disburse funds in accordance with the annual budget adopted by this Local NCPTA Unit, and maintain records identifying the purpose and payee of all disbursements;
- c. Maintain a current record of income, expenditures, assets and liabilities of this Local NCPTA Unit, 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, which report shall compare current income and expenditures to the approved budget;
- e. Remit dues to NCPTA in accordance with Article 5 of these bylaws and the current NCPTA Standards of Affiliation for Council and Local NCPTA Units
- f. Prepare a year-end financial report by June 30th showing the total income and expenditures for the fiscal year, comparing those figures with the budget approved at the beginning of the fiscal year, and the assets and liabilities of the Local NCPTA Unit, and submit that report to the incoming president, treasurer and audit committee;
- g. File all required tax forms and reports in a timely manner, including but not limited to tax returns for the previous fiscal year, and submit copies of all such filings to the secretary of this Local NCPTA Unit, and submit completion confirmation to Givebacks in accordance with the current NCPTA Standards of Affiliation;
- h. At the end of the term, transfer all financial records to the audit committee by July 1st; and
- i. Provide assistance to the audit committee upon request.

## **ARTICLE 7 BOARD OF DIRECTORS**

**Section 7.1 Duties.** The affairs of this Local NCPTA Unit shall be managed by the board of directors in the intervals between general membership meetings. The board shall be responsible to assure that all activities and expenditures of this Local NCPTA Unit shall be consistent with the budget approved by the general membership. 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 Local NCPTA Unit;
- b. Shall create and supervise standing and special committees;
- c. Shall elect chairs and members of standing committees as outlined in section 8.1 of these bylaws;
- d. Shall review and approve president's appointments of chairs and members of special committees;
- e. Shall review and approve the plan of work of the committees;

- f. Shall present a report regarding the activities of this Local NCPTA Unit at all general membership meetings;
- g. Shall require an annual review of this Local NCPTA Unit's financial records as provided in these bylaws;
- h. Shall prepare a budget for the fiscal year and submit that proposed budget to the general membership for adoption at or before its first meeting in the fiscal year;
- i. Shall assure the preparation and maintenance of the official membership roster as provided for in Section 5.3 of these bylaws;
- j. May adopt Local NCPTA Unit standing rules that shall not be in conflict with these bylaws or the bylaws, good standing requirements or policies of National PTA and NCPTA; and
- k. Shall undertake other activities as needed to assure the successful operation of this Local NCPTA Unit, and to fulfill the responsibilities of this Local NCPTA Unit under these bylaws.
- l. Shall agree to abide by and sign the Conflict of Interest Agreement and the Code of Ethics:

## **Section 7.2 Qualifications.**

Before taking office, each elected officer must be a paid member of this Local NCPTA Unit. NCPTA prohibits any school staff member to be the president, treasurer, or check signer for any local unit or council in the district in which the person is a staff member. This does not apply to those serving as substitute teachers in the school district unless the school district has a policy that prevents substitute teachers from serving in this capacity.

**Section 7.3 Composition.** The board of directors shall consist of the elected officers of this Local NCPTA Unit; the chairs of the standing committees, one teacher elected by the board and up to three at-large members elected by the board, and either the school principal or one school administrator designated by the principal to serve for the duration of the term. Each having one vote.

- a. A Community PTA's board of directors shall consist of the elected officers of this Local NCPTA Unit, the chairs of the standing committees, one educator elected by the board, and up to three at-large members elected by the board to serve for the duration of the term. Each having one vote.

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

**Section 7.5 Board Meeting Quorum.** A majority of the board of directors shall constitute a quorum for the transaction of business. Majority equals more than 50%.of your board total being in attendance.

**Section 7.6 Meetings by electronic media.** Board meetings may be held by a telephone or electronic conference system that allows all participating members to simultaneously hear and speak to each other during the meeting. Telephone or electronic conferences shall not be used unless available to all board members.

**Section 7.7 Removal from board.** A board member of this Local NCPTA Unit may be removed from office with cause by the board of directors upon the affirmative vote of two-thirds (2/3) of all board members then serving. With cause is established based on a violation of the NC Standards of Affiliation and/or a violation of the Local NCPTA Unit Bylaws. Board members must be notified of the request for removal at least five (5) days in advance of the board of directors meeting. The person being considered for removal should be given an opportunity to provide a rebuttal statement during the meeting.

**Section 7.8 Proxy voting.** The term proxy vote refers to a ballot cast by a person on behalf of another not able to attend the meeting, or who may not choose to vote on a particular issue. Voting by proxy is prohibited.

## **ARTICLE 8 COMMITTEES**

### **Section 8.1 Standing Committees.**

- a. The board of directors shall establish an audit committee by August 1st. An advocacy and nominating committee shall be established by September 11th. Additional standing committees shall be established at any time; as needed.
- b. The board of directors shall elect the chairs and members of standing committees.
- c. Only members of this Local NCPTA Unit may serve as chairs or members of standing committees.
- d. The term of chairs and members of standing committees shall be from the date thereafter when they assume office to the end of that fiscal year on June 30th.
- 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 and audit committees;
- 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 Audit Committee.**

- a. The audit committee shall be composed of no fewer than three members. Individuals with authorization to execute financial transactions, and their family members may 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 11 of these bylaws.

### **Section 8.3 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 the Local NCPTA Unit who does not serve on the board.
- b. Neither the president nor the principal shall 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 Local NCPTA Unit.
- d. Refer to Section 6.2 of these bylaws for requirements of the nominating process.

### **Section 8.4 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 its charter and NCPTA's 501(c)(3) status.

### **Section 8.5 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 this Local NCPTA Unit may serve as chairs or members of special committees. The chair of each special committee shall present a



- plan of work to the board of directors for approval.
- e. All special committee chairs and members serve at the direction of the board of directors and can be removed by action of a majority of directors then serving at any meeting of the board upon ten (10) days notice to the board of such proposed action.
  - f. Special committee meetings may be called by the committee chair or any three members of the committee.

**Section 8.6 Meetings by electronic media.** Meetings may be held by a telephone or electronic conference system that allows all participating members to simultaneously hear and speak to each other during the meeting. Telephone or electronic conferences shall not be used unless available to all committee members.

**Section 8.7 Proxy voting.** The term proxy vote refers to a ballot cast by a person on behalf of another not able to attend the meeting, or who may not choose to vote on a particular issue. Voting by proxy is prohibited

**Section 8.8 Committee Meeting Quorum.** A majority of the committee members shall constitute a quorum for the transaction of business. Majority equals more than 50%.of your committee total being in attendance.

## **ARTICLE 9 GENERAL MEMBERSHIP MEETINGS**

**Section 9.1 Regular general membership meetings.** Regular general membership meetings of this Local NCPTA Unit shall be scheduled by the board and held at least three (3) times per fiscal year. Five (5) days notice must be given to the general membership to change the date of a regular general membership meeting. In the event of an emergency 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 9.2 Special meetings.** Special meetings of this Local NCPTA Unit may be called by the president or a majority of the board of directors, at least three (3) days notice having been given. The meeting notice shall include the purpose of the meeting and the meeting shall be limited to such purpose.

**Section 9.3 Last general membership meeting of the fiscal year.** The last general membership meeting of the fiscal year shall be held in April, May, or June.

**Section 9.4 General Membership Meeting Quorum.** Either twenty (20) members or fifty percent (50%) of the membership of this Local NCPTA Unit, whichever number is less, shall constitute a quorum for the transaction of

business in any general membership meeting of this Local NCPTA Unit.

**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 Local NCPTA Unit.

**Section 9.6 Proxy voting.** The term proxy vote refers to a ballot cast by a person on behalf of another not able to attend the meeting, or who may not choose to vote on a particular issue. Voting by proxy is prohibited

**Section 9.7 Meetings by electronic media.** General membership meetings may be held by a telephone or electronic conference system that allows all participating members to simultaneously hear and speak to each other during the meeting.

## **ARTICLE 10 COUNCIL MEMBERSHIP**

(This article applies only to Local NCPTA Units holding membership in a NCPTA council.)

This Local NCPTA Unit shall be represented in meetings of the local NCPTA Council as designated in the council bylaws. This Local NCPTA Unit shall pay annual dues to the NCPTA Council as determined by the council .

## **ARTICLE 11 FINANCE AND BUDGET**

**Section 11.1 Monthly financial review.** The audit committee will conduct a monthly review of this Local NCPTA Unit's bank statements and supporting documents and shall sign an acknowledgment on the bank statements that the expenditures were consistent with the approved budget.

**Section 11.2 Financial review when a 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 Local NCPTA Unit's financial records within 10 days of the officer leaving the position.

**Section 11.3 Annual financial review.** By August 31st 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 Local NCPTA Unit'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). Local NCPTA Unit units must keep all records for the recommended number of years; refer to the guidance document linked [here](#); 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. A copy of the report should be kept in the PTAs records for that fiscal year.

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 Financial Review marking it submitted in Givebacks Local NCPTA Unit no later than August 31st. 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 11.4 Annual budget.** The officers shall prepare a proposed annual budget which, following approval by the board, shall be considered and adopted at or before the first general membership meeting of the fiscal year. Amendments to the budget may be considered and adopted at regular or special general membership meetings.

**Section 11.5 Checks.** All expenses of this Local NCPTA Unit shall be documented and approved, prior to payment, by at least two individuals with authorization to execute financial transactions. Checks must be signed by at least two of no more than four authorized members of the board of directors, except that none of these officers so authorized shall be related. A check payable to an authorized signatory cannot be signed by that individual. Any and all checks and related financial information shall be in the possession and maintenance of the Treasurer. The signing of blank checks is prohibited.

**Section 11.6 Establishing and accepting electronic payments.** Payments made by electronic means must have documentation of prior approval by two individuals with authorization to execute financial transactions.

- a. This Local NCPTA Unit shall not utilize any electronic payment platform, except the Givebacks payment processing platform, that requires an individual's personal information to establish the account including a person's name, date of birth, credit history, etc. This prohibits use of platforms such as Cashapp that require an individual's personal information (i.e. social security number, bank account, etc.) to be connected in order to establish and accept electronic payments. NCPTA allows Local NCPTA Units to utilize the following electronic payment platforms as they have a business function that allows the Local NCPTA Unit to connect all transactions directly to the Local NCPTA Unit's EIN and bank account—PayPal for Business, Square Business Banking, Zelle for Your Business. If the electronic payment platform is not listed as approved, it is not approved.

- b. All Local NCPTA Unit funds must be held in an account belonging to that PTA.
- c. Local NCPTA Units must not allow PTA payments to be sent to a personal electronic payment platform account.
- d. All electronic banking accounts must be examined in all financial reviews of this PTA.

**Section 11.7 Debit Card.** All expenses of this Local NCPTA Unit paid by debit card shall be documented and approved, prior to payment, by at least two individuals with authorization to execute financial transactions.

- a. The Local NCPTA Unit may have a debit card to be used exclusively for the sole purpose of making purchases on behalf of the PTA.
- b. The debit card is to be issued in the official legal name of the PTA.
- c. The Treasurer is to maintain a log of debit card purchases and reconcile these with budget line items.
- d. The debit card must be mailed to the official PTA address and issued by the Treasurer.
- e. Only the Local NCPTA Unit authorized bank signers may be issued and authorized to use the debit card.
- f. The Local NCPTA Unit debit card must be returned to the Treasurer at the end of the fiscal year, the end of the authorized bank signer's board term, or whichever comes first.
- g. A NCPTA approved "PTA Debit Card Usage Agreement" must be completed prior to taking possession of the PTA debit card. This agreement must be kept on file at all times during the given fiscal year and must be signed and submitted to the Treasurer annually.
- h. Unauthorized use of the Local NCPTA Unit debit card.
  - i. The board member will immediately lose debit card privileges and the card will be confiscated; the board member will be subject to removal from the board of directors.
  - ii. The board member may be subject to possible legal action.
  - iii. The board member will be personally and solely responsible for any fees incurred as a result of the unauthorized use of the debit card.
  - iv. The use of the Local NCPTA Unit debit card for any cash advance options is prohibited.
  - v. Any transactions requiring the use of a PIN or ATM are prohibited.
- i. All Local NCPTA Unit debit card purchases must have prior approval from the President and Treasurer submitting the "PTA Debit Card Pre-Approval Form".
- j. The President or Treasurer may not approve their own "PTA Debit Card Pre-Approval Form".
- k. All Local NCPTA Unit debit card purchase receipts shall be submitted to

the Treasurer within 5 business days of the charge to allow the Treasurer to reconcile with the bank statement and budget line items.

**Section 11.8 Expenditures and fund availability.** All expenditures of this Local NCPTA Unit 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 11.9 Depositories.** All depositories of Local NCPTA Unit funds, including checking, savings and investment accounts, must be approved by the board of directors.

**Section 11.10 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 12 NCPTA CONVENTION**

**Section 12.1 Representation.** A Local NCPTA Unit in good standing is entitled to be represented at the annual convention of NCPTA by its president or alternate, and by one delegate for every twenty-five (25) members, or major fraction thereof, as shown on the books of the state treasurer as of a date determined by the NCPTA Executive Committee, and upon payment of the convention registration fees. All delegates representing this PTA at the NCPTA annual convention must be members of this PTA.

**Section 12.2 New Local NCPTA Units.** New Local NCPTA Units organized after March 15 may be represented at the NCPTA annual convention by two PTA member delegates as long as NCPTA has received state dues at least ten (10) days prior to convention and the new Local NCPTA Unit or individual delegates have paid the convention registration fee.

## **ARTICLE 13 OPERATIONAL REQUIREMENTS AND DISSOLUTION**

**Section 13.1 Net Earnings.** No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, Board members, trustees, officers or other private individuals 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 these Bylaws.

**Section 13.2 Exempt Activities.** 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.

### **Section 13.3 Political Activities.**

- a. 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.
- b. 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.

**Section 13.4 Dissolution** Upon dissolution, after paying all or adequately providing for the debts and obligations of the Local NCPTA Unit, the remaining assets shall be certified mailed to NCPTA at 3501 Glenwood Avenue Raleigh, NC 27612.

## **ARTICLE 14 GOVERNING AUTHORITY OF NCPTA**

NCPTA is the governing organization for all council, local units, and community PTAs. Therefore, none of these entities have authority over and above NCPTA. Local NCPTA Units are independent organizations and NCPTA Councils shall have no authority to direct the actions of Local NCPTA Units. A NCPTA Council's function is to support Local NCPTA Units and to serve as a resource. NCPTA Councils are prohibited from having any access to the financial assets (i.e. banking accounts, debit cards, etc.) of a Local NCPTA Unit. Having such access may result in the immediate revocation of the NCPTA Council's charter and further action by NCPTA.

## **ARTICLE 15 FISCAL YEAR**

The fiscal year of this Local NCPTA Unit shall begin on July 1 and end on the following June 30.

## **ARTICLE 16 PARLIAMENTARY AUTHORITY**

This Local NCPTA Unit shall conduct its meetings in accordance with Robert's Rules of Order to the extent that it does not conflict with North Carolina law, or the Local NCPTA Unit Uniform Bylaws. by NCPTA..

## **ARTICLE 17 AMENDMENTS**

Amendments to the uniform local bylaws may be made only by the NCPTA board of directors, and any such amendments shall automatically become

part of the Local NCPTA Unit Uniform Bylaws adopted by Local NCPTA Units. The NCPTA board of directors will notify all Local NCPTA Units of amendments to the Local NCPTA Unit Uniform Bylaws.

### **ARTICLE 18 APPLICATION OF THESE UNIFORM BYLAWS**

The foregoing Local NCPTA Unit Uniform Bylaws supersede any and all bylaws previously adopted, and shall be applied as the sole and exclusive bylaws of this Local NCPTA Unit.

The foregoing Local NCPTA Unit Uniform Bylaws were adopted by the general membership of this Local NCPTA Unit on \_\_\_\_\_ (date), and shall be kept with the permanent records of this Local NCPTA Unit. A Local NCPTA Unit only adopts the Local NCPTA Unit Uniform Bylaws once at chartering and any future amendments are automatically adopted as well.