



## Auburn PTA Bylaws

### **Article I: Name**

The name of this organization is the Auburn Parent–Teacher Association (PTA) of Auburn, NH It is a local PTA unit organized under the authority of the New Hampshire Congress of Parents and Teachers (the New Hampshire PTA), a branch of the National Congress of Parents and Teachers (the National PTA).

### **\*\* Article II: Articles of Organization**

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

The Purposes of the Auburn PTA, in common with those of the National PTA and the New Hampshire PTA, are:

- a. To promote the welfare of children and youth in home, school, places of worship and throughout the community.
- b. To raise the standards of home life
- c. To advocate for laws that further the education, physical and mental health, welfare and safety of children and youth;
- d. To promote the collaboration and engagement of families and educators in the education of children and youth
- e. To engage the public in united efforts to secure the physical, mental, emotional, spiritual and social well-being of all children and youth; and.
- f. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

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

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

### **\*\* Article IV: Basic Policies**

The following are basic policies of the Auburn PTA, in common with those of the National PTA and the New Hampshire PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The name of the organization or names of any members in their official capacities shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the Purposes of the organization.
- c. The organization shall not, directly or indirectly, participate or intervene in any way, including the publishing or distributing of statements, in any political campaign or on behalf of, or in opposition to, any candidate for public office or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- d. The organization shall work with the schools to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities.
- e. The organization shall not enter into membership with other organizations except such international or national organizations as may be approved by the National PTA Board of Directors. The New Hampshire PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but PTA/PTSA representatives shall make no commitments that bind the group they represent.
- f. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private 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 Article III hereof.
- g. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- h. Upon the dissolution of the organization, after paying or adequately providing for all 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.

**\*\* Article V: Relationship with National PTA and State PTA**

**Section 1.** This local PTA shall be organized and chartered under the authority of the New Hampshire PTA in the area in which this local PTA functions, in conformity with such rules and regulations, not in conflict with the National PTA Bylaws, as the New Hampshire PTA may in its

bylaws prescribe. The New Hampshire PTA shall issue to this local PTA an appropriate charter evidencing the due organization and good standing of this local PTA.

A local PTA in good standing is one that:

- a. Adheres to the Purposes and basic policies of the PTA;
- b. Remits the national portion of the dues through the New Hampshire PTA to reach the national office by dates designated by the National PTA;
- c. Has bylaws approved according to the procedures of the New Hampshire PTA;  
and
- d. Meets other criteria as may be prescribed by the New Hampshire PTA.

**Section 2.** This local PTA shall adopt such bylaws for the government of the organization as may be approved by the New Hampshire PTA. Such bylaws shall not be in conflict with the National PTA Bylaws or the bylaws of the New Hampshire PTA.

**Section 3.** Local unit bylaws and amendments thereto shall be approved every three (3) years by a committee of one or more members of the Board of Directors of the New Hampshire PTA.

**Section 4.** This local PTA shall include in its bylaws provisions corresponding to the New Hampshire PTA Bylaws as are herein identified by a double star (\*\*).

**Section 5.** The adoption of an amendment to any provision of the New Hampshire PTA Bylaws identified by a double star shall serve automatically and without the requirement of further action by this local PTA to amend its corresponding bylaws. This local PTA shall promptly incorporate such amendments in its bylaws.

**Section 6.** Bylaws of this local PTA shall include an article on amendments.

**Section 7.** Bylaws of this local PTA shall include a provision establishing a quorum.

**Section 8.** Each officer or board member of this local PTA shall be a member of this local PTA.

**Section 9.** The bylaws of this local PTA shall prohibit voting by proxy (unless proxy voting is specified by applicable state law).

**Section 10.** A PTA member shall not serve as a voting member of this local PTA's board while serving as a paid employee of or under contract to this local PTA.

**Section 11.** Only members of this local PTA who have paid dues for the current membership year may participate in the business of this local PTA.

**Section 12.** This local PTA shall collect dues from its members and shall remit a portion of such dues to the New Hampshire PTA as provided in Article VI hereof.

**Section 13.** The members of the nominating committee for officers of this local PTA shall be elected by the general membership, or the executive board.

**Section 14.** This local PTA shall keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts, and disbursements of the organization, including, specifically, the number of its members, the dues collected from its members, and the amounts of dues remitted to the New Hampshire PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the New Hampshire PTA or, where directed by the committee on state and national relationships, by a duly authorized representative of the National PTA.

**Section 15.** The charter of this local unit PTA shall be subject to withdrawal and the status of such organization as a local PTA shall be subject to termination, in the manner and under the circumstances provided by the bylaws of the New Hampshire PTA.

**Section 16.** This local PTA is obligated, upon withdrawal of its charter by the New Hampshire PTA:

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

**Section 17.** This local PTA may dissolve and wind up its affairs in the following manner:

- a. Notify the state president one month prior to the proposed action.
- b. Notify all members of this local PTA at least ten (10) days previous to the meeting of date, time, place and impending business.
- c. In the absence of the president or other officers, a member shall call the meeting to order and a temporary chairman and secretary shall be elected.
- d. Require a two-thirds (2/3) vote of those present and voting on the action to dissolve (a quorum being present) and only those members whose dues have been paid at least thirty (30) days prior to the meeting may vote on the motion.
- e. Provide for disposition of funds of the disbanding unit as specified in Section 16a, above.
- f. A unit out of membership not more than one year may be reinstated upon payment of dues.

#### **Article VI: Membership and Dues**

**\*\*Section 1.** Every individual who is a member of this local PTA is, by virtue of that fact, a member of the National PTA and of the New Hampshire PTA by which this local PTA is chartered, and is entitled to all the benefits of such membership.

**\*\*Section 2.** Membership in PTA shall be open, without discrimination, to anyone who believes in and supports the mission and purposes of National PTA.

**\*\*Section 3.** This local PTA shall conduct an annual enrollment of members but may admit individuals to membership at any time.

**\*\*Section 4.** Each member of a local PTA shall pay annual dues as may be determined by the association. The amount of the dues shall include the portion payable to the state PTA as determined by the state, which includes the cost of general liability insurance paid by NH PTA on

behalf of each local unit in good standing. 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 and NH PTA Annual Conventions. When there is an increase in dues at the National and/or State level, the local unit may increase its dues by the increased amount only without an amendment to the local PTA bylaws.

**Section 5.** Each member of this local PTA shall pay annual dues of \$5.25 to the association. The amount of such annual dues shall include the portion payable to the New Hampshire PTA and the portion payable to the National PTA. (NOTE: units set their own dues)

**\*\*Section 6.** The state and national portions of dues paid by each member of this local PTSA shall be set aside by this local PTA and remitted to the New Hampshire PTA through such channels and at such times as the state PTA bylaws may provide. Each state PTA shall pay to the National PTA the amount of the national portion of dues paid by all members of local PTAs in its area.

**\*\*Section 7.** The state and national portions of dues paid by each member of this local PTA shall be set aside by this local PTA and remitted to the New Hampshire PTA. The first remittance shall be by December 10, and the final remittance by March 10. Dues may be remitted at other times during the year. Remittance shall be accompanied by a report showing the name of the PTSA, the amount of dues collected during the period covered by the report, the numbers of members covered, and the name and address of the treasurer remitting the dues.

**\*\*Section 8.** The New Hampshire PTA shall obtain a Blanket Liability Insurance Policy to insure units in good standing, the cost of such policy to be determined by the Board of Directors and included with the state portion of a member's dues remitted by local units to New Hampshire PTA.

**\*\*Section 9.** An Honorary Life Membership in the New Hampshire PTA may be conferred for distinguished service with the following stipulations:

- a. A fee, as determined by the Board of Directors, shall be paid to the Treasurer of the New Hampshire PTA through the state chairman for Life Memberships.
- b. An Honorary Life Membership provides only state convention guest privileges upon payment of the convention registration fee.
- c. An Honorary Life Member may become an active member upon payment of dues to a local unit.

## **Article VII: Officers and Their Election**

**\*\*Section 1.** Each officer shall be a member of this local PTA.

### **Section 2.**

- a. The officers of this organization shall consist of a president, a vice-president, a secretary and a treasurer.
- b. Officers shall be elected by ballot in the month of May. However, if there is but one nominee for any office, election for that office may be by voice vote.
- c. Officers shall assume their official duties following the close of the meeting in May and shall serve for a term of one (1) year or until their successors are elected.
- d. A person shall not be eligible to serve more than two consecutive terms in the same office. However, if there is no one to succeed the officer currently holding

the position, he/she may continue in his/her position, as necessary. This is subject to a vote by the general membership.

**Section 3. Nominating Committee**

- a. There shall be a nominating committee composed of three (3) members who shall be elected by this local PTA at a regular meeting at least two months prior to the election of officers. The committee shall elect its own chairman.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular meeting in May, at which time additional nominations may be made from the floor.
- c. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.

**Section 4. Vacancies**

A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the executive board, notice of such election having been given. In case a vacancy occurs in the office of the president, the first vice-president shall serve notice of the election.

**Article VIII: Duties of Officers**

**Section 1.** The president shall:

- a. preside at all meetings of this organization;
- b. perform such other duties as may be prescribed in these bylaws or assigned by the Auburn PTA;
- c. be an ex officio member of all committees except the nominating committee;
- d. coordinate the work of the officers and committees of this local PTA in order that the Purposes be promoted.

**Section 2.** The vice-president(s) shall:

- a. act as aide to the president; and shall,
- b. perform the duties of the president in the absence or inability of that officer to serve.

**Section 3.** The secretary shall

- a. record the minutes of meetings of this organization;
- b. have a current copy of the bylaws;
- c. maintain a membership list;
- d. perform other duties as assigned.

**Section 4.** The treasurer shall

- a. have custody of all funds of this organization;
- b. keep a full and accurate account of receipts and expenditures;

- c. make disbursements as authorized by the president, executive board, or association in accordance with the budget adopted by this organization;
- d. have checks or vouchers signed by two persons, the treasurer and one other person;
- e. present a financial statement at every meeting of the Auburn PTA and at other times when requested by the executive board;
- f. make a full report at the meeting at which new officers officially assume their duties (usually the annual meeting);
- g. be responsible for the maintenance of such books of account and record as conform to the requirements of Article V, Section 14 of these bylaws;
- h. have the accounts examined annually or upon change of officer by an auditor or an auditing committee of not fewer than three members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report;
- i. submit the books annually for an audit by an auditing committee selected by the executive board at least two weeks before the meeting at which new officers assume duties.

### **Article IX: Executive Board**

#### **Section 1.**

- a. The executive board shall consist of the officers of the organization, the chairmen of standing committees, and the principal of the school or a representative appointed by him. The chairmen of the standing committees shall be selected by the officers of the association.
- b. The president may appoint a parliamentarian, subject to the approval of the officers of this local PTA.

**\*\*Section 2.** Each board member shall be a member of this local PTA.

**Section 3.** The duties of the executive board shall be:

- a. to transact necessary business in the intervals between local PTA meetings and such other business as may be referred to it by the association;
- b. to create standing and special committees;
- c. to approve the plans of work of the standing committees;
- d. to present a report at the regular meetings of this local PTA;
- e. to select an auditor or an auditing committee to audit the treasurer's accounts;
- f. to prepare and submit to this local PTA for adoption a budget for the year;

g. to approve routine bills within the limits of the budget.

**Section 4.** Regular meetings of the executive board shall be held during the school year, the time to be fixed by the board at its first meeting of the year. A majority of the executive board members shall constitute a quorum. Special meetings of the executive board may be called by the president or by a majority of the members of the board, two (2) days notice being given.

**[If a unit desires to include an executive committee, it may add a new Article following executive board. This committee is usually composed of the elected and appointed officers. See Robert's Rules of Order Newly Revised, pp. 403 and 484; 1990 edition see pp. 475, 570 and 571.]**

#### **Article X: Committees**

**Section 1:** Only members of this local PTA shall be eligible to serve in any elective or appointive positions.

**Section 2:** The executive board may create such standing committees as it may deem necessary to promote the Purposes and carry on the work of this local PTA. The term of each chairman shall be one (1) year or until the selection of a successor.

**Section 3.** The chairman of each standing committee shall present a plan of work to the executive board for approval. No committee work shall be undertaken without the consent of the executive board.

**Section 4.** The power to form special committees and appoint or elect their members rests with this local PTA (unless the bylaws delegate this power to the president or the executive board).

**Section 5.** The president shall be an ex officio member of all committees except the nominating committee.

#### **Article XI: Meetings**

**Section 1:** Regular meetings of the local PTA shall be held on the third Tuesday of each month during the school year, unless otherwise provided by this local PTA or by the executive board, two (2) days' notice having been given.

**Section 2:** Special meetings of this local PTA may be called by the president or by a majority of the executive board, two (2) days' notice having been given.

**Section 3:** The annual meeting shall be held in September.

**Section 4:** Six (6) members shall constitute a quorum for the transaction of business in any meeting of this local PTA.

#### **Article XII: Council Membership**

This local PTA is not a member of any council.

#### **Article XIII: Fiscal Year**

The fiscal year of this local PTA shall begin on August 31st and end on the following August 30th.

#### **\*\*Article XIV: Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Auburn PTA and in all cases in which they are applicable and in which they are not in conflict with these bylaws, the National PTA Bylaws, the New Hampshire PTA bylaws, or the articles of incorporation



## **\*\* Article XV: Amendments**

### **Section 1.**

- a. These bylaws may be amended at any regular meeting of the Auburn PTA by a two-thirds vote of the members present and voting, provided that notice of the proposed amendment shall have been given at least ten days in advance and that the proposed amendment shall be subject to approval of the New Hampshire PTA.
- b. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws by a majority vote at a meeting of this local PTA, or by a two-thirds vote of the executive board. The requirements of adoption of a revised set of bylaws shall be the same as in the case of an amendment.
- c. Submission of amendments or revised bylaws for approval by the New Hampshire PTA shall be in accordance with the bylaws or regulations of the New Hampshire PTA.

**Section 2.** The adoption of an amendment to any provision of the bylaws of the New Hampshire PTA identified by a double star (\*\*) shall serve automatically and without the requirement of further action by the Auburn PTA to amend their corresponding bylaws. Local PTAs shall promptly incorporate such amendments in their respective bylaws

## **\*\*Article XVI: Conflict of Interest Statement**

Members of the Board of Directors of the Auburn PTA serve in a fiduciary capacity and owe a duty of care, a duty of undivided loyalty and a duty of obedience to the Auburn PTA. Board members must conduct themselves with integrity and honesty and act in the best interest of the Auburn PTA, and in accordance with state and federal laws.

Board members may not use their relationship to the Auburn PTA for their own personal gain. They must avoid conflicts of interest between their duties to the Auburn PTA and their duties to other organizations, or their own professional or personal interest. Full disclosure by a Board member of any actual or potential conflict is required by the standard of good faith. A conflict of interest exists when a Board member participates in the deliberation or resolution of an issue important to the Auburn PTA while, at the same time, the Board member has other professional, business or volunteer responsibilities outside the Auburn PTA that could predispose or bias the Board member to a particular view or goal.

In the case where an expenditure of more than \$500.00 is being made and a Board member has a relationship, either personal or professional, with the payee, he or she must abstain from a vote, and the expenditure must be voted on by the remaining members of the Board of Directors.

**NOTE:** Articles designated by a double star (\*\*) are required by New Hampshire PTA to be included exactly as written in the bylaws of each local unit. No changes are allowed to double-starred items. These provisions are required by New Hampshire PTA in order to maintain consistency with both state and national bylaws and to preserve the unique relationship that exists with individual members and the local, state and national levels