

Bylaws

Florida
PTA[®]

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BYLAWS



Local Unit



County



Florida PTA

WHAT THEY ARE,
HOW THEY WORK &
WHY YOU NEED THEM



BYLAWS

- A legally binding document that governs the organization.
- Provide the basic framework for PTA purposes and our governing structure.
- **May never be suspended.**
- Should be reviewed annually to determine if any amendments are needed.
- Every board member should know and understand the contents.
- GOOD FOR 3 YEARS



WHAT ARE BYLAWS?

AGAIN... Bylaws **may not be suspended**, even by unanimous vote.

- Bylaws of the PTA determine its structure and provide specific regulations by which its affairs are governed. Bylaws are an IRS Rule to be a 501(c)(3) entity.
- The bylaws define or explain the rules under which the PTA functions. They protect the group from error and guide it to efficient service.
- PTA Units and Councils should be careful not to include items that should be in the Standing Rules (guidelines for running your Board), as this makes the Bylaws too cumbersome.

The Florida PTA has compiled a Bylaws Form that includes wording required by both Florida PTA and National PTA. **Local PTAs in Florida are required to use the most current Bylaws form to be sure that all state requirements are included.**

REMINDER

If a Unit's Bylaws were approved on the 2023 form.... They still should have a copy of the 2024 form because they will automatically need to follow the most recent form provided by Florida PTA.

WHAT BELONGS IN BYLAWS?

Bylaws provide the following important information:

- The structure of the local unit board
- Information on required meeting dates (may include how meeting notification is given)
- Nominating committee formation
- How and when to conduct elections
- Dates for the fiscal year
- Requirements of a quorum for conducting business
- The Parliamentary Authority (Robert's Rules, currently the 12th Edition)

#HANDSOFF

- Article I – Name
- #Article II – Articles of the Association
- #Article III – Purposes
- #Article IV – Basic Policies
- #Article V – Membership and Dues
- Article VI – Officers, Nominating Committee and terms
- Article VII – Duties of Officers
- Article VIII – General Meetings
- Article IX – Executive Board
- Article X – Executive Committee
- Article XI – Standing and Special Committees
- Article XII – Council Membership
- #Article XIII – Relationship w/ National and Florida PTA
- #Article XIV – Fiscal Year (if required by state PTA)
- #Article XV – Parliamentary Authority
- #Article XVI – Amendments

#ARTICLE II: ARTICLES OF ORGANIZATION

The association exists as an unincorporated association of its members. Its "articles of organization" comprise these bylaws, as from time to time amended, and its articles of association, if any. In the absence of separate articles of association, the bylaws shall be deemed to be the articles of association. In the event of any conflict between these bylaws and the articles of association, these bylaws shall govern.

#ARTICLE III: PURPOSES

Section 1. Objectives. The purpose or purposes (Objects) which the Association 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 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. Awareness. The purposes of the PTA 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 IV.

Section 3. The association 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 36 Code").

Articles 1-5 & 13-16 # Cannot be changed

Article I: Name and Info of PTA

Article II: Articles of Organization unincorporated (Do not file on Sunbiz - If a bank requests give them a copy of bylaws)

Article III: Purposes
As a 501C3 we have to follow rules for a charitable class

#ARTICLE IV: BASIC POLICIES

The following are basic policies of this association.

- a. The association shall be noncommercial, nonsectarian, and nonpartisan.
- b. The name of the association or the 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 association.
- c. The association shall not, directly, or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- d. The association shall work with 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 responsibilities to make decisions has been delegated by the people to boards of education.
- e. The association shall not enter into membership with other

- f. No part of the net earnings of the association shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the association 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 provisions of these articles, the association 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. The association will be able to use a PTA debit/credit card issued to the PTA or Electronic Funds Transfer (EFT), for business purposes only. All charges must adhere to the budget adopted by the Association. Any charges not approved by the budget, must be approved by the membership prior to the payment. An electronic banking agreement must be on file for all debit/credit cards issued.
- i. The annual financial audit/review must be completed, and a copy sent to the Florida PTA State Office by August 31st each year.
- j. A copy of the annual IRS 990 must be sent to the Florida PTA State Office by November 30th each year.
- k. Prior to scheduling a vote regarding the dissolution of this association, Florida PTA must be contacted for the mandatory Florida PTA and IRS dissolution procedures. Upon the voluntary or involuntary dissolution of a local unit, or the withdrawal of its charter by Florida PTA Board of Directors, the local unit is obligated to surrender all its books and records to Florida PTA. Local unit assets (funds/property) will be distributed to one or more chartered PTAs/PTSAs in good standing, with prior notice given to Florida PTA.

Article IV: Basic Policies

- Section A. HUGE this year with elections.
- PTAs can have debit cards but must follow procedures
- Must follow budget and approve changes BEFORE payment
- Audit Due - August 31st
- 990 Due - Nov 30th
- Florida PTA must be contacted BEFORE unit dissolution

#ARTICLE V: MEMBERS AND DUES

Section 1. Membership in the PTA/PTSA shall be made available to any individual who subscribes to the Objects and basic policies of the National PTA, without regard to race, color, creed, or national origin, under such rules and regulations not in conflict with the provisions of these bylaws, the bylaws of the state PTA, or the bylaws of the National PTA.

Section 2. Only members of the association shall be eligible to participate in the business meetings, or to serve in any of its elective or appointive positions.

Section 3. Every individual who is a member of this PTA/PTSA is, by virtue of that fact, a member of the National PTA and of the state PTA by which this local PTA/PTSA is chartered and is entitled to all benefits of such membership.

Section 4. The association shall conduct an annual enrollment of members, but persons may be admitted to membership at any time.

Section 5. Each member of the association shall pay annual dues to this association. Such annual dues shall include at a minimum the amounts due to the state PTA and National PTA.

Section 6. The state and National PTA portions of the dues paid by each member of the association shall be set aside by the association and remitted to the state PTA through such channels

Article V: Members & Dues

- Membership is open to all who support the mission
- Only members can serve and vote at meetings
- Membership is valid until Sept 30th

and at such time as the state bylaws may provide. (Each state PTA is responsible for payment to the National PTA of the national portion of dues paid by members of the association.) The remittance to the state PTA shall be accompanied by a report, in such form as may be required by the state PTA, showing the name and address of the president of the association, the amount of dues collected during the period covered by the report and the number of members of the association.

#Section 7. For the purpose of annual enrollment, the membership year shall be July 1 through June 30. The membership card shall be valid upon payment of dues through September 30 of the following membership year. For Florida PTA award purposes, the membership year shall be July 1st through May 1st each fiscal year. Membership dues are to be sent monthly, as collected, to the state office, to be eligible for programs, services, and materials.

ARTICLE VI: OFFICERS AND THEIR ELECTION

#Section 1. Each officer of this PTA/PTSA shall be a member of this PTA/PTSA.

Section 2. Officers and Their Election

- a. The officers of this association shall consist of a president, _____ (number) vice-presidents, a recording secretary, a corresponding secretary, a treasurer.
- b. Officers shall be elected by ballot annually in the month of _____. However, if there is but one nominee for any office, election for that office may be by show of membership cards or voice vote. A majority vote shall elect.
- #c. With the exception of the treasurer, officers shall assume their official duties following the end of the school year and shall serve for a term of one year or until their successors are elected. The treasurer shall assume all duties after the books have been audited.
- #d A person shall not be eligible to serve more than two consecutive terms in the same office.

Section 3. Nominating Committee:

- a. There must be a nominating committee elected, composed of 3 or 5 members, the number determined by the association at a regular meeting at least one month prior to the election of officers. The president shall appoint a chair pro tem who shall call the first meeting. The committee shall elect its own chair.
- b. The nominating committee shall nominate one person for each office to be filled and report its nominees at the election meeting at which time additional nominations may be made from the floor. In order to be nominated a person must be a member of this PTA.
- c. Only those persons who have consented to serve if elected shall be nominated for or elected to such office.
- d. Members of the nominating committee may be elected to office.

Article VI:

- Officers & Election
- Nominating Committee
- Vacancies

Must be a member for 30+ days to vote during annual election meeting

Section 4. Vacancies A vacancy occurring in the office of president shall be filled for the remainder of the unexpired term by the vice president. A vacancy occurring in any other office shall be filled for the unexpired term by a person elected by a majority vote of the Board of Directors on which they shall serve, notice of such election having been given.

#Section 5. A member whose dues have not been paid at least thirty days prior to the annual election meeting may not vote in the annual election of officers.

#Section 6. Any person holding an elected or appointed position in this association shall serve for the designated term or until a successor is elected or appointed.

ARTICLE VII: DUTIES OF OFFICERS

Section 1. The president shall preside at all meetings of the association, the executive committee and the board of directors at which the president may be present; perform such other duties as may be prescribed in these bylaws or assigned by the association or by the board of directors; may appoint a parliamentarian and historian, with the approval of the Board of Directors; and shall coordinate the work of the officers and committees of the association in order that the Purposes may be promoted.

Section 2. The vice-president(s) shall act as aide(s) to the president (or as set out in Standing Rules/Policies and Procedures) and shall (in their designated order) perform the duties of the president in the absence or disability of that officer to act.

Section 3. The recording secretary shall record the minutes of all meetings of the association and of the executive committee and board and shall perform such other duties as may be delegated.

Section 4. The corresponding secretary shall prepare all written communications as directed by the association or by the Board of Directors and shall perform such other duties as may be delegated.

#Section 5. The treasurer shall have custody of all of the funds of the association; shall keep a full and accurate account of receipts and expenditures; and shall make disbursements in accordance with the approved budget, as authorized by the association. **Three members of the Board of Directors are required to be on file with the bank**, with two signatures required on PTA checks and debit/credit authorizations. The treasurer shall present a financial statement at every meeting of the association and at other times when requested by the Board of Directors and shall make a full report at the annual meeting. The treasurer shall be responsible for the maintenance of such books of account and records as conform to the requirements of Article XIII, Section 3, of the bylaws. The treasurer's accounts shall be examined annually by an auditor or an audit committee of not less 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. The audit committee shall be appointed by the Board of Directors. The committee's report shall be given at the next regular meeting after the audit is completed.

Article VII: Duties Of Officers

Article VIII: General Membership Meetings

- Minimum - 3 General Meetings a year
- Need Quorum to conduct business

ARTICLE VIII: GENERAL MEMBERSHIP MEETINGS

Section 1. Regular meetings of the association shall be held _____(number) times (at least three) during the school year, unless otherwise provided by the association or by the Board of Directors. Ten (10) days notice shall be given for a regular meeting. _____(number) days notice shall be given of change of date. Meetings may be conducted in person, by conference call, teleconference, or other electronic media, as permitted by applicable law. Votes cannot be cast by text-based mediums, such as email, text, and similar mediums.

Section 2. Special meetings may be called by the Board of Directors, _____(number) days notice having been given.

Section 3. The last regular meeting of the association shall be held in _____(month) and shall be known as the annual meeting.

Section 4. _____(number) members (minimum of 10) shall constitute a quorum for the transaction of business in any meeting of this association.

ARTICLE IX: BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of the officers of the association, the chairs of standing committees and the principal of the school or a representative appointed by him/her. If constituted as a PTSA, the board shall include at least one student. The chair of the standing committees shall be selected by the officers of the association. The members of the Board of Directors shall serve until the election and qualification of their successors.

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

Section 3. The duties of the Board of Directors shall be:

- a. To transact necessary business in the intervals between association meetings and such other business as may be referred to it by the association.
- b. To create standing committees.
- c. To approve the plans of work of the standing committees.
- d. To present a report at the regular meetings of the association.
- e. To prepare and submit to the association for approval a budget for the fiscal year.
- f. To approve routine bills within the limits of the budget.

Section 4. Regular meetings of the Board of Directors shall be held monthly during the school year, the time to be fixed by the board at its first meeting of the year. A majority of the Board of Directors members shall constitute a quorum. Special meetings of the Board of Directors may be called by the president or by a majority of the members of the board. A treasurer's report must be given at every board meeting. (Quorum to exclude minors per Florida Statutes, Section 617.0824.)

Section 5. Meetings of the Executive Committee, Board of Directors and Committee meetings of the PTA, may be conducted in person, by conference call, teleconference, or other electronic media, as permitted by applicable law. Votes cannot be cast by text-based mediums, such as email, text, and similar mediums.

Article IX: Board of Directors

- Board meeting every month during the school year.
- Officers may only be removed by the body that elected them.

Article X: Executive Committee

- Meet as needed between Monthly Board Meetings.

Section 6. Officers may only be removed by the body that elected them.

Section 7. Local units will utilize the Florida PTA Kit of Materials for best practices and approved procedures for conducting business.

#ARTICLE X: EXECUTIVE COMMITTEE

Section 1. The executive committee shall consist of the elected officers.

Section 2. The duties of the executive committee shall be to transact emergency business in the interval between Board of Directors meetings.

Section 3. The majority of the executive committee shall constitute a quorum.

Section 4. Meetings of the executive committee shall be held as needed.

Section 5. Officers may only be removed by the body that elected them.

ARTICLE XI: STANDING AND SPECIAL COMMITTEES

Section 1. The Board of Directors may create such standing committees as it may deem necessary to promote the Purposes and carry on the work of the association. The term of each chair shall be one year and/or until the election/appointment and qualification of a successor.

Section 2. Committee Chairs may only be removed by the body that elected/appointed them.

Section 3. The chair of each standing committee shall present a plan of work to the Board of Directors for approval. No committee work shall be undertaken without the consent of the Board of Directors.

Section 4. The power to form special committees and appoint their members rests with the association and the Board of Directors.

Section 5. The president shall be a member ex-officio of all committees, except the nominating committee.

ARTICLE XII: COUNCIL MEMBERSHIP

Section 1.

- a. The association shall be represented in meetings of the County Council Parent Teacher Association, as provided in the council's bylaws.
- b. Delegates and their alternates shall be selected and serve for a term of one year to the County Council of PTAs.

Section 2. This association shall pay annual dues to the _____ County Council of PTAs, as provided in the council's bylaws.

Article XI: Standing & Special Committees

Article XII: Council Membership

- Units select delegates based on # of delegates in County bylaws
- Delegates vote at County General Membership Meetings

Article XIII: Relationship with National & State PTA

Article XIV: Fiscal Year

- July 1st - June 30th

Article XV: Parliamentary Authority

Article XVI: Amendments

Major Differences Between Local Unit Bylaws & County

#ARTICLE IV: BASIC POLICIES

- i. The council may not legislate for the local PTAs/PTSAs.

ARTICLE V: MEMBERS AND DUES

#Section 1. Membership in this council shall consist of local PTAs/PTSAs of the National/Florida PTA in _____ County upon payment of dues as hereinafter provided.

Section 2. The annual dues for membership in this council shall be \$ _____ per year and payable by _____ (date) and shall be delinquent after said date. Local units with unpaid dues on _____ (date) shall be deemed not in good standing. Any newly organized PTA/PTSA may be exempt from paying dues for the remainder of the current membership year at the discretion of the Board of Directors.

Section 3. Delegates from local PTAs/PTSAs whose dues to the council are in arrears shall not participate in the business meetings of the council.

Section 4. Local PTAs/PTSAs may be reinstated at any time by bringing their dues current. Reinstated PTAs/PTSAs may participate and vote thirty (30) days after reinstatement.

Article IV: Basic Policies

I. Can not legislate for local units

Article V: Members & Dues

- Membership in council is via unit dues
- Local unit will not be in good standing if they have not paid county dues
- If a unit is not in good standing they can not participate in county business

NOT DIFFERENT BUT WORTH HIGHLIGHTING

Section 5. A majority of the members of the board shall constitute a quorum. (Quorum to exclude minors per Florida Statutes, Section 617.0824.)

Our Students can vote but must be excluded from counting towards Quorum per Florida Statute

#Section 14. A local PTA may dissolve and conclude its affairs in the following manner:

- a. The executive committee (or other body that, under its bylaws, manages the affairs of the local PTA) shall adopt a resolution recommending that the local PTA be dissolved and directing that the question of such dissolution be submitted to a vote at a special meeting of the members having voting rights. Written or printed notice stating that the purpose of such meeting is to consider the advisability of dissolving the local PTA shall be given to each member entitled to vote at such meeting at least thirty (30) days prior to the date of such meeting. Notice shall be given to the region representative and the council president at least 30 days before the vote is taken.
- b. Written notice of the adoption of such resolution, accompanied by a copy of the notice of the special meeting of members, shall be given to the president of the Florida PTA at least (20) days before the date fixed for such special meeting of the members.
- c. Only those persons who were members of the local PTA on the date of adoption of the resolution and who continue to be members on the date of the special meeting shall be entitled to vote on the question of dissolution.
- d. Approval of the dissolution of the local PTA shall require the affirmative vote of at least two-thirds of the members present entitled to vote at the special meeting, a quorum being present.

Florida Bylaws

- Details about who can/cannot vote for a unit dissolution
- Requires a $\frac{2}{3}$ vote to pass

Updating Local Unit & County Bylaws

NO CHANGES

If you are updating your local unit bylaws and **NO CHANGES** or amendments are being made to the existing approved bylaws, membership approval is NOT required before you submit to Florida PTA for approval. If bylaws are updated without amendments or changes, you simply report to the members the date that the bylaws were updated and sent to the Florida PTA State Office for review and approval.

Affirmation of Bylaws (PLEASE CHECK and FILL OUT ONLY ONE)	
<input type="checkbox"/>	These bylaws were voted upon and approved at the general membership meeting of this PTA/PTSA on _____ (Date).
OR	
<input checked="" type="checkbox"/>	These bylaws were reviewed on <u>8/15/2021</u> (Date), and no changes were made. This was reported to the general membership on <u>8/15/2021</u> (Date).

Check ONLY the 2nd Box in the Affirmation of Bylaws Section
Notice to the Members and a General Membership Meeting IS NOT REQUIRED

- A General Membership meeting is NOT required if you are NOT making any changes to the existing, approved bylaws.
- Use the current Bylaws template available on the Florida PTA website. <https://floridapta.org/bylaws/>

- Enter all variables EXACTLY as shown on your current, approved, bylaws that are on file with Florida PTA. **No changes or amendments can be made**
- Check ONLY the second box in the "Affirmation of Bylaws" section which states: "No Changes were made."
- After the second box, enter the two dates required.
- *You can notify all members immediately that you updated the bylaws with no changes to meet Florida PTA compliance by sending an email through Givebacks.*

WITH CHANGES

You must give 30 days' notice to the members and have them vote to approve **ONLY** if you are making amendments to the bylaws.

Affirmation of Bylaws	
(PLEASE CHECK and FILL OUT <u>ONLY ONE</u>)	
<input checked="" type="checkbox"/>	These bylaws were voted upon and approved at the general membership meeting of this PTA/PTSA on <u>August 20, 2021</u> (Date).
OR	
<input type="checkbox"/>	These bylaws were reviewed on _____ (Date), and no changes were made. This was reported to the general membership on _____ (Date).

Check **ONLY** the 1st Box in the Affirmation of Bylaws Section
General Membership Meeting IS Required

- **Thirty days' notice must be given to the members of the proposed amendments.**
- After 30 days, hold a General Membership meeting, where a quorum is present.
- A 2/3 vote of the members present and voting is required to approve the changes.
- Check **ONLY** the first box (on top) in the "Affirmation of Bylaws" section on page 1 of the bylaws. And follow submission procedures.

1st time voting on something such as election, creating bylaws, appointing chairs, etc you need a majority vote.

When you are voting to amend something that was previously voted on such as bylaws, removing an elected officer, etc you need a 2/3 vote.



QUESTIONS??