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Cherokee Elementary PTA BYLAWS

2019

Cherokee PTA
Cherokee Elementary School
Liberty Twp, OH
45011



Cherokee Elementary PTA Bylaws

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***Article I—Name**

The name of this organization is the Cherokee Elementary Parent and Teacher Association (PTA) of Liberty Township, Ohio. It is a local PTA organized under the authority of Ohio Congress of Parents and Teachers (Ohio PTA), a branch of National Congress of Parents and Teachers (National PTA).

***Article II—Purposes**

Section 1. The purpose or purposes (Objects) which the corporation 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. The purposes of the PTA are promoted through an advocacy and educational program directed toward parents, teachers, and the general public; developed through conferences, committees, projects, and programs; and governed and qualified by the basic policies set forth in Article III.

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

Section 4. In accordance with Ohio PTA, this association further defines children and youth as birth through 23 years of age.

***Article III—Basic Policies**

The following are basic policies of PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The organization shall work with the schools and community to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities.
- c. The organization shall work to promote the health and welfare of children and youth and shall seek to promote collaboration between parents, schools, and the community at large.
- d. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to, its members, directors, trustees, officers, or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II.
- e. 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.
- f. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to Ohio PTA.

- g. The organization or members in their official capacities shall not, directly or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

***Article IV—Relationship with National PTA and Ohio PTA**

Section 1. This local PTA is chartered as a constituent organization of the Ohio PTA in conformity with such rules and regulations as the Ohio PTA and National PTA may prescribe.

The Ohio PTA has issued to this local PTA an appropriate charter. The charter shall be subject to withdrawal and the status of this organization as a PTA unit shall be subject to termination in the manner and under the circumstances provided in the bylaws of the Ohio PTA.

Section 2. Individual National and Ohio PTA dues are collected from members by this local PTA.

Section 3. This local PTA to be in good standing with Ohio PTA:

- a. Adheres to the purposes and basic policies of PTA,
- b. Remits the initial payment of National and Ohio PTA dues to the Ohio PTA by November 30,
- c. Reviews these bylaws every three (3) years and submits them to the Ohio PTA Director of Bylaws and Standing Rules for further approval, and
- d. Adhere to the Ohio PTA Standards of Affiliation
- e. Meets other criteria as may be established by the National or Ohio PTA.

Section 4. These bylaws and amendments to them must be approved by the Ohio PTA and shall not be in conflict with National PTA bylaws or Ohio PTA bylaws.

Section 5. This local PTA not in good standing by:

- a. November 30:
 - 1. Shall not be eligible for awards.
 - 2. Shall have their unit removed from the mailing list of the Ohio PTA.
 - 3. Shall not be eligible to participate in the Reflections program of the Ohio PTA.
- b. March 15:
 - 1. Shall be considered inactive.
 - 2. Shall know that the Internal Revenue Service (IRS) will be notified by Ohio PTA that this unit is no longer a tax-exempt organization of the Ohio PTA.

Section 6. To be reinstated to good standing, this local PTA shall provide a list of current officers, remit the current year's National PTA dues and Ohio PTA dues, and fulfill Ohio PTA Standards of Affiliation and current IRS regulations collaborating with the Ohio PTA office.

Section 7. This local PTA shall keep minutes of meetings, a membership list, and accounting records sufficient to establish the items of gross income and disbursements of the organization, including dues collected from its members and the amount of dues remitted to the Ohio PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the Ohio PTA.

Section 8. This local PTA if disbanding or withdrawing from the Ohio PTA shall notify its Ohio PTA District Advisor or the Ohio PTA office thirty (30) days before a disbanding vote is taken and be governed by the procedure established by the Board of Directors of the Ohio PTA.

Section 9. This local PTA, in accordance with IRS regulations, shall:

- a. File an annual financial report with the Ohio PTA office;

- b. File a Form 990 or 990 EZ with a Schedule A if gross receipts exceed \$50,000 annually or file a form 990 N if gross receipts do not exceed \$50,000 annually with the IRS; and
- c. Know that the Ohio PTA office staff has applied for a Federal Employer Identification Number (EIN) for this constituent unit.

Section 10. This local PTA, in accordance with the State of Ohio regulations shall: Register with the Attorney General's office and file annually thereafter.

***Article V—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 Ohio PTA and is entitled to all the benefits of such membership.

Membership in this local PTA does not imply membership in any other local PTA.

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

Section 3. Each member shall pay annual dues in the amount of \$10.00 to this local PTA. For each individual, these annual dues shall include Ohio PTA dues and National PTA dues.

Section 4. Individuals are entitled to only one vote even though they may be serving in more than one position. There shall be no voting by proxy at any meeting of this PTA.

Section 5. Only current members of this PTA may serve in any elective or appointive positions or participate in any business of this PTA.

Section 6. Members who are under 18 years of age are prohibited under Ohio law from signing contracts that bind the members of this PTA.

Section 7. Membership year is 1st day of July to the last day of June.

***Article VI—Officers**

The officers of this local PTA shall be one president – as well as co-president, as needed, vice-presidents- as well as co-vice presidents, as needed, one recording secretary, one corresponding secretary, one treasurer, and two District Parent Council Representatives.

Article VII—Nominations and Elections

Section 1. There shall be a nominating committee composed of 3 current members of this PTA.

- a. The President may not serve on this committee.
- b. The committee shall be elected by this local PTA at a regular general membership in the month of March.
- c. The chair shall be elected by the board.
- d. The nominating committee shall nominate one (1) eligible person for each office to be filled and report its nominees to the regular general membership in April. Additional nominations may be made from the floor at the election meeting.
- e. Only individuals who are current members of this PTA and who have signified their consent to serve if elected shall be nominated for office. An exception to this can be made for an incoming parent who currently does not have a student at the school, but who will the following year.
- f. Only a current member of the Executive Committee can be nominated for President, unless extenuating circumstances exist.

- g. The member who is nominated Treasurer shall have experience in the accounting field. If there is no available member, the position should be filled by a current member of the Executive Board, unless extenuating circumstances exist.

Section 2. The following provisions govern the eligibility of individuals to be officers of this PTA:

- a. No officer may serve more than 3 consecutive terms in the same office, unless extenuating circumstances exist. A term is 1 year. A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in such office.

*b. An officer must be a current member of this PTA.

Section 3. Officers shall be elected in the month of May.

Section 4. The vote shall be conducted by ballot and a majority vote shall elect. When there is only one candidate for any office that election may be held by voice vote.

Section 5. Officers shall assume their official duties on July 1st and shall serve for a term of 1 year or until their successors are elected. Newly elected officers should shadow the exiting officer until July 1st to aid in transition.

Section 6. In case a vacancy occurs in the office of president, the Secretary shall serve notice of the election for the president to the members of the PTA. The president shall be elected by a majority of the members present.

Section 7. A vacancy occurring in any other elective position shall be filled for the unexpired term by a person elected by a majority vote of the members present, notice of such election having been given.

Article VIII—Duties of Officers

Section 1. The president shall:

- a. Preside at all meetings of this local PTA;
- b. Serve as an ex-officio member of all committees except the nominating and audit/financial review committees;
- c. Coordinate the work of the officers and committees of this local PTA in order that the purposes may be promoted;
- d. Ensure that this local PTA complies with the Ohio PTA Standards of Affiliation.
- e. Ensure that this local PTA registers and files with the Ohio Attorney General in accordance with state law.
- f. Appoint committee chairmen except the chair of the nominating committee;
- g. Appoint an auditor or an audit/financial review committee at least one month prior to the end of the fiscal year and at any change of treasurer; and
- *h. Perform duties prescribed by these bylaws, standing rules, and the parliamentary authority adopted by this PTA.

Section 2. The vice president(s) shall:

- a. Act as aide(s) to the president;
- b. In their designated order based on the approved Executive Committee Member listing, perform the duties of the president in the president's absence or inability to serve; and
- *c. Perform duties prescribed by these bylaws, standing rules, and the parliamentary authority adopted by this PTA.

Section 3. The recording secretary shall:

- a. Keep a record of all meetings of the association, Board and Executive Committee;
- b. Be custodian of the permanent file;
- c. Have a current copy of the bylaws and standing rules;
- d. Maintain a membership list;
- e. Submit to Ohio PTA the requested list of names and addresses of unit officers or chairs;
- f. Submit to Ohio PTA a record of annual volunteer hours of this PTA; and
- *g. Perform duties prescribed by these bylaws, standing rules, and the parliamentary authority adopted by this PTA.

Section 4. The corresponding secretary shall:

- a. Conduct correspondence as directed by the president, Board, or association;
- b. Maintain a file of correspondence received by the association; and
- *c. Perform duties prescribed by these bylaws, standing rules, and the parliamentary authority adopted by this PTA.

Section 5. The treasurer shall:

- *a. Have custody of the funds and maintain a full and accurate account of the receipts and disbursements belonging to this local PTA;
- *b. Make disbursements as authorized by the President, Board, or membership in accordance with the budget adopted yearly by this local PTA;
- *c. Have checks signed by two officers, who are not immediate family members, the treasurer and one other officer;
- *d. Provide a financial statement at each meeting;
- *e. Submit to the Ohio PTA an annual report of the financial condition of the organization.
- *f. Submit the books annually or upon change of officer for an audit/financial review;
- *g. Have this PTA bonded for a sum equivalent to the average gross receipts of this association during a year;
- *h. Submit the Ohio PTA and National PTA portion of the dues to Ohio PTA monthly with the first payment no later than November 30; and
- *i. Perform duties prescribed by these bylaws, standing rules, and the parliamentary authority adopted by this PTA.
- *j. File a 990 form annually with the IRS.
- *k. Have this unit maintain appropriate liability insurance

Section 6. The Lakota District Parent Council (DPC) representatives:

- a. Attend the meetings of Lakota DPC and report to the association,
- b. Be a member of the PTA council voting body representing this PTA, and
- c. Perform duties prescribed by these bylaws, standing rules, and the parliamentary authority adopted by this PTA.

Article IX—Executive Committee

Section 1. There shall be an Executive Committee of this PTA, the members of which shall be all **elected** officers.

Section 2. Special meetings of the Executive Committee may be called by the president or upon written request of 3 members with 1 days' notice to each member of the Executive Committee. No other business than that which is stated in the call shall be transacted at this meeting.

***Section 3.** A majority of the Executive Committee shall constitute a quorum for the transaction of business.

Section 4. Duties of the Executive Committee shall be to:

- a. Transact business referred to it by the Board;
- b. Assist the president as requested;
- c. Make a report at each Board meeting.
- d. Ensure a budget is prepared and submitted to the PTA Board for approval for the fiscal year.

Section 5. The Executive Committee shall take no action in conflict with any action taken by the Board.

Article X—Board

Section 1. The members of the Board shall be:

- a. elected officers;
- b. Standing Committee Chairs and co-chairs;
- c. Principal and Assistant Principal.

Section 2. Duties of the Board shall be to:

- a. Transact necessary business in the intervals between regular association meetings and such other business as may be referred to it by the association;
- b. Create special committees as it may deem necessary to promote the purposes of PTA and carry on the work of this local PTA;
- c. Approve the plans of work of the standing committees;
- d. Report at the regular meetings of the association;
- e. Ensure a budget is prepared and submitted to the general association for approval for the fiscal year; and

Section 3. Regular meetings of the Board shall be held with the date and time to be fixed by the Board at its first meeting of the year.

Section 4. Special meetings of the Board may be called by the president or when requested by 3 members upon 1 days' notice to each member of the Board. No other business than that which is stated in the call shall be transacted at this meeting.

***Section 5.** At all meetings of the Board, 5 members of the Board, 3 of whom are officers, shall constitute a quorum for the transaction of business.

Section 6. Upon the expiration of the term of office or when an individual ceases to hold a Board position, that individual shall be relieved of all duties and responsibilities. All records, books, and other materials pertaining to the position shall be turned over to the president and all funds pertaining to the position shall be returned to the treasurer with 14 days after leaving the Board position.

Section 7. If any member of the Board shall at any time cease to meet the qualifications or fulfill the duties of the position, that person may be removed from the Board by resolution adopted by majority vote of members of this local PTA.

Article XI- Committees

Section 1. The standing committees of this local PTA shall be:

- a. Ways and Means
- b. Staff Appreciation
- c. Membership and Welcome

Section 2. The Board may create such special committees as it may deem necessary to promote the purposes of PTA and carry out the work of this local PTA.

Section 3. The term of office of a standing committee chair shall be 1 year or until the selection of a successor.

Section 4. The chair of each standing committee shall present a plan of work to the Board for approval. No committee work shall be undertaken without the consent of the Board.

Section 5. Audit/Financial Review Committee: An Audit/Financial Review Committee appointed by the President shall consist of at least three members without check signing privileges. The duties of this committee are to review the treasurer's accounts and sign an audit/financial review report.

Article XII—General Membership Meetings

***Section 1.** Regular meetings of this local PTA shall be held set by the board and communicated to the members. Notice shall be given to the membership of any change of date.

Section 2. Special meetings of this local PTA may be called by the President, by a majority of the Board, or a group of members equal to the quorum 7 days' notice having been given. No other business than that which is stated in the call shall be transacted at this meeting.

***Section 3.** Five members, 3 of whom are officers, shall constitute a quorum for the transaction of business in any meeting of this local PTA.

Article XIII—Lakota Parent Council Representatives

Section 1. This PTA shall attend Lakota District Parent Council (DPC) meetings as designated by the DPC bylaws. Per the DPC bylaws, this PTA shall send two representatives to the DPC meetings. If one of the representatives is not available or unable to uphold the obligation, the PTA President or an appointed alternate delegate shall attend the meetings.

Section 2. This local PTA shall pay annual dues to the DPC as specified in the DPC bylaws.

Section 3. This PTA shall also attend Lakota President Council meetings. The PTA President should attend, however, if not available, an appointed alternate delegate should attend the meetings.

***Article XIV—Ohio PTA Convention**

Members of this local PTA if in good standing may attend the Ohio PTA Convention.

***Article XV—Fiscal Year**

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

***Article XVI—Dissolution**

Section 1. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets will be distributed to the Ohio PTA or a non-profit organization, which is tax-exempt and meets the requirements of regulations under Section 501(c)(3) of the Internal Revenue Code.

Section 2. The procedure for dissolution is as follows:

- a. When a motion to disband is presented and seconded, at a regularly scheduled general membership meeting, it must be deferred for vote until the next regularly scheduled general membership meeting. All members must be notified by first class mail or email, along with the Ohio PTA District Advisor or the Ohio PTA office at least thirty (30) days prior to the meeting at which the vote will be taken on the motion to disband.
- b. At the next regularly scheduled general membership meeting the motion to disband is opened for discussion. A two-thirds (2/3) vote of members present and voting is required for the motion to be adopted.
- c. If the motion to disband passes, the IRS shall be notified by Ohio PTA that this local PTA is no longer a tax-exempt organization of the Ohio PTA and the books, records, charter of this PTA along with any remaining assets shall be returned to the Ohio PTA office by registered mail or given to the Ohio PTA Board of Directors representative.

***Article XVII—Parliamentary Authority**

The rules contained in the current edition of Robert’s Rules of Order, Newly Revised, Eleventh Edition shall govern this PTA in all cases in which they are applicable and in which they are not in conflict with these bylaws, unit standing rules, National PTA Bylaws, the Ohio PTA Bylaws, special rules of order, or Articles of Incorporation.

***Article XVIII— Electronic Technology/Procedure Integrity**

Section 1. The Cherokee PTA may place policy procedures, such as the Ohio PTA Bylaws, Cherokee PTA bylaws and standing rules on password protected areas of the Cherokee PTA website.

Section 2. The Cherokee PTA will make every effort to ensure the website information is free from outside tampering so as to protect the integrity of the information and will alert users when breaches of security are identified.

Section 3. Use of the National PTA and Ohio PTA trade name and seal on a website is prohibited without written permission from the Ohio PTA.

Section 4. The Cherokee PTA will make every effort to ensure web pages are accurate, but assumes no liability for errors or omissions.

Section 5. The Cherokee PTA may use social media to support the PTA mission.

***Article XIX-Amendments**

Section 1. These bylaws may be amended at any regular general meeting of this PTA by a two-thirds (2/3) vote of those present and voting. Notice of proposed amendments must have been provided to the membership 1 month prior to the meeting.

Section 2. This local PTA may appoint a committee to submit a revised set of bylaws as a substitute for the existing bylaws only by a majority vote at a meeting of the association or by a two-thirds (2/3) vote of

the Board. The requirement for adoption of a revised set of bylaws shall be the same as in the case of an amendment.

Section 3. All revisions and amendments by this PTA to these bylaws shall be submitted to the Ohio PTA Director of Bylaws and Standing Rules for approval.

Section 4. The adoption of an amendment to any provision of these bylaws by Ohio PTA shall serve automatically and without the requirement of any further action by this PTA to amend correspondingly these bylaws. This PTA shall promptly incorporate such amendments into these bylaws.

Cherokee Elementary PTA Bylaws Reviewed and Revised in 2018.

Approved by Cherokee PTA 05/16/2018.