

UNIT BYLAWS 2017

ARTICLE I – NAME

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

ARTICLE II – PURPOSE (AS GUIDED BY THE NPTA)

Section 1.

The purposes of this PTA are:

- To promote the welfare of children and youth in home, school, and community.
- To raise the standards of home life.
- To secure adequate laws for the care and protection of children and youth.
- To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth and
- To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social and spiritual education.

Section 2.

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

Section 3.

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

ARTICLE III – BASIC POLICIES (AS GUIDED BY THE NPTA)

The following are basic policies of this PTA:

- a. This PTA shall be noncommercial, nonsectarian, and nonpartisan.
- b. This PTA 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. This PTA 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 this PTA shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that this PTA 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 hereof.
- e. Notwithstanding any other provision of these articles, this PTA 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 PTA, after paying or adequately providing for the debts and

obligations of this PTA, the remaining assets shall be distributed to OPTA (See OPTA Article IV, Sec.2 & 5).

- g. This PTA 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 NPTA AND OPTA

Section 1.

This PTA shall be organized and chartered under the authority of the OPTA in the area in which this PTA functions, in conformity with such rules and regulations, as the OPTA may in its bylaws prescribe. The OPTA shall issue to this PTA an appropriate charter.

A PTA in good standing is one that:

- a. Adheres to the purposes and basic policies of the NPTA and OPTA.
- b. Remits the NPTA and OPTA portion of dues to the OPTA office by dates designated in Article V, Sec. 6 of these bylaws.
- c. Reviews their bylaws every three (3) years and submits them to the OPTA Bylaws Commissioner for further approval. Units shall submit amendments to their bylaws to the OPTA Bylaws Commissioner immediately upon their adoption. Submission may be made by email or U.S. mail to OPTA Bylaws Commissioner.

Section 2.

This PTA shall adopt such bylaws for the government of this PTA as may be approved by the OPTA. Such bylaws shall not be in conflict with NPTA and the OPTA bylaws.

Section 3.

Bylaws of this PTA shall include an article on amendments.

Section 4.

Bylaws of this PTA shall include a provision establishing a quorum.

Section 5.

Each officer or board member of this PTA shall be a member of this PTA.

Section 6.

The bylaws of this PTA shall prohibit voting by proxy.

Section 7.

This PTA shall keep such permanent books of account and records as shall be sufficient to establish the items of gross income, minutes, receipts and disbursements of this PTA, including, specifically the number of its members, the dues collected from its members and the amount of dues remitted to the OPTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the OPTA.

Section 8.

The charter of the PTA shall be subject to withdrawal and the status of such organization as a PTA unit shall be subject to termination, in the manner and under the circumstances provided in the bylaws of the

OPTA.

Section 9.

Any PTA disbanding or withdrawing from the OPTA shall notify its OPTA District Director or the OPTA office thirty (30) days before a disbanding vote is taken; and be governed by the procedure established by the Board of Managers of the OPTA.

Section 10.

Each PTA, in accordance with the January 1973 ruling by the Internal Revenue Service (IRS) shall:

- a. File an annual financial report with the OPTA office;
- b. File a form 990 or 990EZ with a Schedule A if gross receipts exceed \$25,000 annually; and
- c. Know that the OPTA office staff will apply for an Employer Identification Number (EIN) for each constituent PTA unit.

ARTICLE V- MEMBERSHIP AND DUES

Section 1.

Every individual who is a member of this PTA is, by virtue of the fact, a member of the NPTA and of the OPTA by which this PTA is chartered, and is entitled to all the benefits of such membership.

Section 2.

In order to be a member with voting privileges of this PTA, individuals shall pay dues in the amount of \$10.00. Such annual dues shall include the portion payable to the OPTA and the portion payable to the NPTA payable to the OPTA.

Section 3.

Only members in good standing of this PTA shall be eligible to participate in its business meetings or to serve in any of its elective or appointive positions. A membership card is not interchangeable between PTAs or schools and does not confer membership on more than one individual.

Section 4.

Dues from the PTA shall be submitted to the OPTA office monthly, accompanied by a list with members, with the initial payment due no later than October 31st. PTAs who have withheld the initial payment of dues later than November 30th shall be a PTA listed as not in good standing.

Section 5.

Members who are under 18 years of age are prohibited under Ohio law from signing contracts that bind the members of the OPTA, or its councils and units.

Section 6.

PTAs not in good standing as defined in Article IV Sec. 1.

- a. November 30
 1. Shall not be eligible for awards.
 2. Shall have their unit removed from the mailing list of the OPTA until dues are submitted.
 3. Shall not be eligible to participate in the Reflections Program.
- b. March 15:
 1. Shall be considered inactive.

Section 7.

To be reinstated, a local unit shall pay current dues and a \$20 reinstatement fee, which shall entitle the unit to send voting delegates to the OPTA Annual Convention.

ARTICLE VI – EXECUTIVE COMMITTEE - Elected Officers

Section 1.

There shall be an Executive Committee of this PTA, the members of which shall all be elected officers. The officers of this PTA shall be one president – as well as co-president, as needed, vice-presidents – as well as co-vice presidents, as needed, one secretary, one treasurer and two District Parent Council (DPC) representatives.

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. In the case of an immediate email decision, a majority of the Executive Committee shall constitute a quorum but must report their decision via email to all Executive Committee members.

Section 4.

Duties of the Executive Committee shall be:

- a. Transact business referred to it by the Board.
- b. Approve the work of the committees.
- c. Make a report at each Board meeting.
- d. Take no action in conflict with any action taken by the Board.
- e. Create special committees.
- f. Ensure a budget is prepared and submitted to the PTA Board for approval for the fiscal year.

ARTICLE VII – PTA BOARD (Board) – Elected and Non-Elected members

Section 1.

The members of the Board shall be:

- a. Elected officers.
- b. Standing committee chairs and co-chairs.
- c. Principal and Vice-Principal.

All members of the Board will hold voting rights.

Section 2.

Duties of the Board shall be:

- a. Transact the necessary business during the intervals between regular Board meetings and other business as may be referred to it by the Board and or the Executive Committee.
- b. Approve plans of work of the standing committees.
- c. Report at the regular meetings of the Board and General Membership meetings as needed.
- d. Fill vacancies in elective and appointive positions.
- e. Appoint an auditor or an auditing committee at least one month prior to the end of the fiscal year to audit the treasurer's accounts in order to submit in a timely matter.

Section 3.

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 a majority vote of the Board.

Section 4.

The Board shall set the dates and times of the regularly held monthly meetings.

Section 5.

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

Section 6.

At meetings of the Board, five members of the Board shall constitute a quorum for the transaction of business.

Section 7.

Upon the expiration of the term of office or when individuals cease to hold a Board position, they 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 within 14 days.

ARTICLE VIII – NOMINATIONS & ELECTIONS

Section 1.

There shall be a nominating committee composed of 3 members (excluding the President) who shall be elected by the Board at a Board meeting at least 2 months prior to the election of officers.

- a. The Board shall elect the chair.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees to the General Membership in May. Additional nominations may be made from the floor at the election meeting.
- c. Only those individuals who are current members of this PTA and who have signified their consent to serve if elected shall be nominated for, or elected to, such 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.
- d. Only a current member of the Executive Committee can be nominated for President, unless extenuating circumstances exist.
- e. The member who is nominated for 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.

Section 2.

The following provisions shall govern the eligibility of individuals to be officers of the Cherokee Elementary PTA:

- a. No officer may be eligible to serve more than 3 consecutive terms in the same office.
- b. 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.

Section 3.

Officers shall be elected at the General Membership meeting in the month of May.

Section 4.

The vote may 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 at the close of the General Membership meeting in May and shall serve for a term of 1 year, unless otherwise noted in the bylaws, or until a successor is elected.

Section 6.

A vacancy occurring in any elective position shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Executive Committee, notice of such election having been given. In case a vacancy occurs in the office of president, the Secretary shall serve notice of the election.

ARTICLE IX – DUTIES OF EXECUTIVE COMMITTEE MEMBERS

Section 1.

The president and/or co-president shall:

- a. Preside at all meeting of this PTA.
- b. Serve as an ex-officio member of all committees except for the nominating and audit committees.
- c. Coordinate the work of the officers and committees of this PTA in order that the purposes may be promoted.
- d. Appoint committee chairman with the exception to nominating committee.
- e. Perform duties prescribed by these bylaws, standing rules, and by the parliamentary authority adopted by the OPTA.

Section 2.

The vice-president(s) and/or co-vice-presidents shall:

- a. Act as aides to the president.
- b. Appoint a treasurer pro-tem in the absence of the current treasurer.
- c. 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 or until the President's role is fulfilled.
- d. Perform duties prescribed by these bylaws, standing rules, and by the parliamentary authority adopted by the OPTA.

Section 3.

The secretary shall:

- a. Keep a record of all meetings of the association, and shall be custodian of the permanent file (which includes a complete membership list).
- b. Have a current copy of the bylaws and standing rules and ensure Article XVII – Parliamentary Authority is upheld.
- c. Perform duties prescribed by these bylaws, standing rules and by the parliamentary authority adopted by the OPTA.

Section 4.

The treasurer shall:

- a. Provide an annual budget to be adopted no later than the September Board Meeting and presented to the general membership at the first general meeting after adopted.
- b. Present proposals regarding budget changes as they arise to the Board to be voted upon at the Board Meeting or tabled for further discussion.
- c. Have custody of the funds and maintain a full and accurate account of the receipts and disbursements belonging to this PTA
- d. Make disbursements as authorized by the president, Board, or this PTA in accordance with the budget.
- e. Provide a financial statement at every meeting.
- f. Present an annual report of the financial condition of this PTA.
- g. Submit the books annually or upon change of officer for an audit by an auditor or an auditing committee of no fewer than three members, who, satisfied that the treasurer's annual report is correct, should sign a statement of that fact at the end of the report.
- h. Report the findings of the annual audit to the Board.
- i. Be bonded for a sufficient sum to protect the unit from loss (suggested sum can be average amount of funds needed during the year).
- j. Perform duties prescribed by these bylaws, standing rules, and by the parliamentary authority adopted by the OPTA.

Section 5.

DPC Representatives shall:

- a. Attend Scheduled DPC meetings.
- b. Report the information presented at the DPC meeting to the Board.
- c. Perform duties prescribed by these bylaws, standing rules, and by the parliamentary authority adopted by the OPTA.

ARTICLE X – STANDING COMMITTEE DUTIES

Section 1.

The standing committees of this PTA shall be those committees the Executive Committee deems necessary to promote the objectives and carry on the work of this PTA.

Section 2.

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

Section 3.

No committee work shall be undertaken without the consent of the Board nor will money reimbursement be sent without the consent of the Board.

ARTICLE XI – FINANCES

Section 1.

The Treasurer shall present a tentative annual budget at the September Board Meeting to be approved by a majority vote of the Board members present. The approved budget will be presented to the general membership at the first General Membership meeting of the fiscal year.

Section 2.

Expenditure proposals for the annual budget shall be presented to the Treasurer by June 1 of the

preceding school year to be reviewed by the budget committee. The budget committee will include the President, Treasurer and at least one other member of the Executive Committee. This committee shall meet prior to September 1 to review all proposals submitted to the Treasurer and shall determine which proposals are to be included in the tentative annual budget.

Section 3.

Expenditure proposals awarded, but not used prior to June 30 of the current school year are therefore forfeited and become part of the funds available for new expenditure proposals for the following year.

Section 4.

Expenditure proposals submitted after the annual budget has been approved will be reviewed by the Executive Committee and approved by a majority vote at the next Board meeting. Upon approval, the expenditure proposal will be incorporated into the annual budget.

Section 5.

This PTA has no employees and any payment made to individual PTA members is strictly for the reimbursement of approved expenses of the PTA.

ARTICLE XII – GENERAL MEMBERSHIP MEETINGS

Section 1.

Regular meetings of this PTA shall be held at least three during the school year. Seven days' notice shall be given to the membership of any change of date or time.

Section 2.

Special meetings of this PTA may be called by the president or by a majority of the Board, with a seven days' notice having been given to the general membership. No other business than that which is stated in the agenda shall be transacted at this meeting.

Section 3.

Six members present shall constitute a general meeting of this PTA. If a vote for approval is necessary, ten members shall constitute a quorum for the transaction of business in any General Membership meeting of this PTA.

ARTICLE XIII – COUNCIL MEMBERSHIP

Section 1.

This PTA shall attend Lakota 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 president or appointed alternative delegate shall attend the meetings. This PTA shall also attend Lakota President Council meetings. The President should attend, however, if not available, an appointed alternative delegate shall attend the meetings.

Section 2.

This PTA shall pay annual dues to the DPC as provided in the DPC bylaws.

Section 3.

A council may be organized for the purpose of conference and cooperation in matters of common interest, and shall admit only PTA/PTSAs in membership with the NPTA and the OPTA.

Section 4.

If a council is organized or if the Valley Area Council PTA is reorganized, this PTA shall attend these council meetings when they convene. The representative shall be either the president or an appointed alternative delegate.

- a. All representatives to the council PTA must be members of this PTA.
- b. Delegates and their alternates shall be elected.

Section 5.

If said council requires dues, this PTA shall pay annual dues as provided in the said council PTA Bylaws.

ARTICLE XIV – OPTA CONVENTION

Section 1.

This PTA shall be represented at the annual meeting of the OPTA by:

- a. Elected officers from each PTA unit or council or their representatives.
- b. Accredited delegates from PTAs - PTA units may send five delegates up to the first one hundred members and three delegates for each additional one hundred members as shown on the books of the OPTA Treasurer.

ARTICLE XV – FISCAL YEAR

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

ARTICLE XVI – DISSOLUTION

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

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 NPTA Bylaws, the OPTA Bylaws, and special rules of order or Articles of Incorporation.

ARTICLE XVIII – RULES GOVERNING AMENDMENTS

Section 1.

These bylaws may be amended at any regular general membership meeting of the PTA by a two-thirds (2/3) vote provided a ten member quorum is present and proposed amendments have been made available to the membership twenty-eight (28) days prior to the meeting.

Section 2.

As required by Article IV – Relationship With the NPTA an OPTA, Section 1(c), every three (3) years, this PTA shall appoint a committee to submit a revised set of bylaws to be reviewed by the Executive Committee and to be presented for approval at a general membership meeting. The requirement for adoption of a revised set of bylaws shall be the same as in the case of an amendment. The revised bylaws

will be voted upon at the general membership meeting and adopted by a two-thirds (2/3) vote provided a ten member quorum is present and notice of revised bylaws has been made available to the membership twenty-eight (28) days prior to the meeting.

Section 3.

All revisions and amendments to the PTA's Bylaws shall be submitted for approval to the OPTA Bylaws Commissioner. The adoption of an amendment to any provision of these bylaws identified shall serve automatically and without the requirement of any further action by the PTA to amend correspondingly the bylaws of each PTA. The PTA shall promptly incorporate such amendments into their respective bylaws.

Cherokee Elementary PTA Bylaws Reviewed and Revised 04/25/2017