

Bylaws of the Oakland Elementary PTA

Michigan ID #411012

Region: D

Date of Adoption: August 13, 2014

City: Royal Oak

County: Oakland

Council: Royal Oak

Article I: Name

The name of this organization is the Oakland Elementary Parent-Teacher Association (PTA) Royal Oak, Michigan. It is a local PTA unit organized under the authority of the Michigan congress of Parents, Teachers and Students, (Michigan PTSA), a branch of the National congress of Parents and Teachers (National PTA).

#Article II: Articles of Organization

The articles of organization of a constituent organization 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 exists as an unincorporated association).

#Article III: Purposes

Section 1. The objects of the Oakland Elementary PTA, in common with those of the National PTA and the Michigan PTSA are:

- a. To promote the welfare of children and youth in home, school, community and place of worship.
- b. To raise the standards of home life.
- c. To secure adequate laws for the care and protection of children and youth.
- d. To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth.
- e. 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 objects of the National PTA, the Michigan PTSA and the Oakland Elementary PTA are promoted through an 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 "International Revenue Code").

#Article IV: Basic Policies

The following are basic policies of the Oakland Elementary PTA in common with those of the National PTA and the Michigan PTSA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the Objects of the organization.
- c. 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.
- 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 Michigan PTSA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but a PTA representative shall make no commitments that bind the group he represents.
- 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 persons except that the organization shall be authorized and empowered to pay reasonable 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 this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more non-profit funds, foundations, or organizations which have established their tax exempt status under Section 501(c)(3) of the Internal Revenue Code.

Article V: Relationship with National PTA and State PTSA

#Section 1. This PTA shall be organized and chartered under the authority of the Michigan PTSA in the area in which this PTA functions, in conformity with such rules and regulations, not in conflict with the National PTA Bylaws, as the Michigan PTSA may in its bylaws prescribe. The Michigan PTSA shall issue to the PTA an appropriate charter evidencing the due organization and good standing of this PTA.

A local PTA in good standing is one which:

- a. Adheres to the Objects and basic policies of the PTA;
 - b. Remits the national portion of the dues through the state PTA to reach the national office by dates designated by the National PTA;
 - c. Has bylaws approved according to the procedures of each state; and
 - d. Meets other criteria as may be prescribed by the individual state PTA.
- #e. Operates under bylaws which have been reviewed/revised and approved every three (3) years by the Michigan PTSA Committee on Bylaws.
- #f. Has paid per capita dues of its members and local unit dues to the Michigan PTSA by the dates required in these bylaws.

#Section 2. This PTA shall adopt such bylaws for the government of the organization as may be approved by the Michigan PTSA. Such bylaws shall not be in conflict with the bylaws of the National PTA or the Bylaws of the Michigan PTSA.

#Section 3. Bylaws of each constituent organization shall include an article on amendments.

#Section 4. Each officer or board member of a constituent organization shall be a member of a local PTA within its area.

#Section 5. Each officer or board member of a local PTA shall be a member of such local PTA.

#Section 6. This 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 amount of dues remitted to the Michigan PTSA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the Michigan PTSA or, where directed by the Committee on State and National Relationships, by duly authorized representative of the National PTA.

Section 7. This PTA shall keep a permanent Procedure Book. A Procedure Book is necessary to assist in the planning of all events and/or programs the local unit provides and sponsors. The Procedure Book will include Post Event/Program forms completed by the Chairperson of each event and/or program. This information will also include pertinent details and timelines of events and/or programs. Records are to be obtained concurrently throughout the school year and maintained for the duration of five years, at which time records can be expired.

#Section 8. The charter of this PTA shall be subject to withdrawal 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 Michigan PTSA.

#Section 9. This local PTA is obligated, upon withdrawal of its charter by the Michigan PTSA:

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

#Section 10. This PTA shall collect dues from its members and shall remit a portion of such dues to the Michigan PTSA as provided in Article VI hereof.

#Section 11. Only members of a local PTA who have paid dues for the current membership year may participate in the business of that association.

#Section 12. Bylaws of each constituent organization shall include a provision establishing a quorum.

#Section 13. The members of the nominating committee for officers of a constituent organization shall be elected by the membership, board of Directors/Managers, Executive Board, or Executive Committee.

#Section 14. Voting by proxy shall be prohibited.

#Section 15. Each local PTA shall include in its bylaws provisions corresponding to the provisions of such of the Bylaws of the National PTA as are identified herein by a number sign (#)

#Section 16. The adoption of an amendment to any provision of the Bylaws of the National PTA identified by a number sign (#) shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the amending process, the local PTAs shall promptly incorporate such amendments in their respective bylaws.

#Section 17. Each local PTA shall include in its bylaws provisions corresponding to the provisions of such of these bylaws as are identified by the state symbol #.

#Section 18. A local PTA shall be organized and chartered under the authority of the Michigan PTSA in any geographical area within the State where no local unit for the college, high school, junior high/middle school, elementary school, preschool or special education group exists.

The PTA shall be known as Oakland Elementary Parent, Teacher Association (PTA), in membership with the Michigan PTSA and National PTA and conform with such rules and regulations, not in conflict with the bylaws of the National PTA as the Michigan PTSA may in its bylaws prescribe. The PTA shall be organized by the Michigan PTSA President, President Elect, a Region Vice President, Field Service Representative or any qualified member of the Board of Managers, as appointed by the Region Vice President, and shall be self-governing in accordance with the Bylaws of the Michigan PTSA and the National PTA.

Local PTAs become Michigan PTSA units upon adoption of bylaws which have been approved by the Michigan PTSA Committee on Bylaws and payment of Michigan PTSA and National PTA dues. Ten (10) or more members are required to organize a local unit and twenty-five (25) or more to sustain the charter. Any unit found to be in violation of this section shall be able to appeal the withdrawing of their charter through the Committee on Local PTA and Council Relationships.

- a. The bylaws of a local PTA shall be deemed to be part of its articles of organization and its bylaws shall so provide. Upon approval of bylaws a charter shall be issued.

- b. Local PTAs shall review/revise their bylaws every three (3) years and submit three (3) copies to the Michigan PTSA Committee on Bylaws for approval.

#Section 19. The name and address of the president of each local PTA shall be sent to the Michigan PTSA Office immediately following election.

#Section 20. There shall be but one person serving in any elected office.

Article VI: Membership and Dues

#Section 1. Every individual who is a member of this PTA is, by virtue of that fact, a member of the National PTA and of the Michigan PTSA by which such 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, under such rules and regulations, not in conflict with the provisions of the Bylaws of the National PTA, as may be prescribed in the bylaws of this PTA.

#Section 3. This PTA shall conduct an annual enrollment of members, but may admit persons to membership at any time.

#Section 4. Each member of this PTA shall pay such annual dues to said organization as may be prescribed by the organization. The amount of such dues shall include the portion payable to the Michigan PTSA (the "state portion") and the portion payable to the National PTA (the "national portion").

#Section 5. The amount of the state portion of each member's dues shall be determined by the Michigan PTSA. The national portion of each member's dues shall be one dollar seventy-five cents (\$1.75) per annum.

#Section 6. The Michigan portion of each members dues shall be three dollar twenty-five cents (\$3.75) per annum.

Section 7. Each member of this PTA shall pay annual dues of \$ *an amount to be determined by the board at its April meeting, to be effective for the following fiscal year.* The amount of such annual dues shall include the portion payable to the Michigan PTSA and the portion payable to the National PTA.

#Section 8. The State and National PTA portions of the dues paid by each member of this PTA shall be set aside by this PTA and remitted to the Michigan PTSA through such channels and at such times as the state 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 9. The membership year to the Michigan PTSA shall be from the first day of October through the thirtieth (30) day of September of the following year.

#Section 10. The local PTA treasurer shall keep the record of the National PTA and the Michigan PTSA portions of the membership dues separate from the record of the general funds of the local PTA.

#Section 11. The Michigan PTSA and the National PTA dues shall be remitted by the treasurer of the local PTA to the Michigan PTSA State Office on a monthly basis by the 28th of each month. The remittance to the Michigan PTSA shall be accompanied by a Treasurer's Remittance Report, showing the name and address of the president and treasurer of the association, the amount of dues collected during the period covered by the report, and the number of the members of the association.

#Section 12. All unsold membership cards shall be returned to the State PTA Office by June 1 of each year. A local unit shall be billed for any unaccounted for membership cards.

#Section 13. Each local PTA shall pay \$25.00 annual unit dues to the Michigan PTSA on or before June 1 of each fiscal year. This payment will constitute payment for the following fiscal year. No unit packet shall be distributed until payment of unit dues to Michigan PTSA is received.

#Section 14. Privileges of making motion, debating, voting, holding office, serving as chairmen of standing or special committees or serving on committees shall be reserved for members whose dues are paid and who has been a member for at least thirty (30) days previous.

#Section 15. Each local PTA shall submit a copy of their annual audit and budget to the MPTSA state office by February 28th of each year.

Article VII: Officers and Their Election

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

Section 2.

- a. The officers of this organization shall consist of a president, a vice president, a secretary a treasurer a historian and a member-at-large.
- #b. There shall be but one person serving in any elected office.
- c. 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.
- d. Officers shall assume their official duties as of July 1st, and shall serve for a term of one year and shall remain in office until their successors assume office.
- e. A person shall not be eligible to serve more than two consecutive terms in the same office.

Section 3. Nominating committee:

- a. There shall be a nominating committee consisting of three to five members, one of who shall be the current vice president, and the balance elected by the association at the regular meeting in January. This nominating committee shall select its own chairman immediately following the election.
- b. The nominating committee shall nominate one or more eligible persons for each office to be filled and report its nominees at the regular meeting in March, 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 remaining members of the executive board, notice of such election having been given. In case a vacancy occurs in the office of president, the vice president shall serve notice of the election.

Article VIII: Duties of Officers

Section 1. The president shall:

- a. Preside at all meetings of the association;
- b. Perform such other duties as may be prescribed in these bylaws or assigned by the association;
- c. Be a member ex officio of all committees except the nominating committee;
- d. Coordinate the work of the officers and committees of the association in order that the Objects may be promoted.
- e. Attend meetings called by the Council, when in membership with Council, or arrange for his duly elected alternate to attend.
- f. Appoint and approve an auditor or auditing committee to audit the Treasurers' accounts and ensure the completed audit is given at the regular September meeting.
- g. In the event of consolidation, change of name, or disbandment of this unit, notify the Michigan PTSA.

Section 2. The vice president(s) shall:

- a. Act as aide(s) to the president;
- b. (In their designated order) perform the duties of the president in the absence or inability of that officer to serve.
- c. Organize the nominating committee.

Section 3. The secretary shall:

- a. Keep an accurate record of the minutes of all meetings of the association and of the executive board;
- b. Have a current copy of the bylaws;
- c. Maintain a membership list;
- d. Perform other delegated duties as assigned;
- e. Conduct the correspondence delegated to him/her.
- f. Immediately following the election, send the name and address of the newly elected President to the Michigan PTA Office along with \$25.00 unit dues on or before June 1st of each fiscal year.

Section 4. The treasurer shall:

- a. Keep a full and accurate account of receipts and expenditures;
- b. Make the disbursements as authorized by the president, executive board, or association in accordance with the budget adopted by the association;
- c. Have checks or vouchers signed by two persons, the treasurer and one other person, with the exception of when checks are made payable to the treasurer at which time the other two signers must sign the check;
- d. Present a financial statement at every meeting of the association and at other times when requested by the executive board;
- e. Keep the record of the National and State portions of the membership dues separate from the record of the general funds of the local unit, as provided in these Bylaws Article V, Section 6,
- f. Submit the books annually for an audit to auditor and/or auditing committee as appointed by the president immediately upon receipt of the June bank statement.
- g. Forward National and State monies to the Michigan PTSA office on a monthly basis by the 28th of each month.
- h. Submit copies of the annual audit and budget to the MPTSA state office by February 28th.

Section 5. The Historian shall:

- a. Collect and preserve the history of the organization.
- b. Create a scrapbook of mementos, photographs, press clippings, etc.

Section 6. All officers shall:

- a. Perform the duties prescribed in the parliamentary authority, in addition to those outlined in these Bylaws and those assigned from time to time.
- b. Deliver to their successor all official material not later than then (10) days following the expiration of their term of office.

Section 7. The Auditing Committee shall (if used in lieu of licensed auditor):

- a. Consist of not less than three members, as appointed by the president.
- b. Who, satisfied that the Treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.

Article IX: Executive Board

Section 1.

- a. The executive board shall consist of the officers of the association, the chair of the membership committee, the chair of the fundraiser committee, and the principal of the school or a representative appointed by them.
- b. The president may appoint a parliamentarian, subject to the approval of the officers of the association.
- c. The members of this board shall not be eligible to serve in the same position more than two (2) consecutive one (1) year terms.

Section 2. All of the executive board members shall be members of this PTA.

#Section 3. A PTA member shall not serve as a voting member of a constituent organization's board on the local, council, district, region, state or national level while serving as a paid employee of, or under contract to, that constituent organization.

Section 4. The duties of the executive board 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 and special 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 adoption two separate budgets:
 - a. a fall budget for the school calendar year (September to June)
 - b. A summer budget for the interim (July to August)
- f. To approve routine bills within the limits of the budget;
- g. To uphold all policies and procedures as specified in Unit's Standing Rules
- h. To procure and maintain Procedure Books. Such Procedure Books will be kept secure by PTA Volunteer Coordinator and used for successional planning.
- i. To determine the method of selecting delegates and alternates to represent the unit at council meetings, if unit is in membership with a council;
- j. To obtain a fidelity bond for the treasurer and all persons authorized to handle funds and securities;
- k. Register the signature of the Treasurer, the President and the Secretary for all accounts at the bank. All checks shall bear two (2) of the three (3) signatures registered with the bank.
- l. To determine the method of selecting delegates and alternates to represent the unit at the convention of Michigan and National PTA.

Section 5. Regular meetings of the executive board should be held during the school year. With an executive board meeting in August then every other month following for the rest of the school year. A majority of the executive board members shall constitute a quorum. Missing two consecutive board meetings will revoke executive board member status. Special meetings of the executive board maybe called by the president or by a majority of members of the board.

Article X: Meetings

Section 1. Regular meetings of the association shall be held on 2nd Monday of each month during the school year, unless otherwise provided by the association or by the executive board, 5 (five) days' notice having been given of change of date.

Section 2. Special meetings of the association may be called by the president or by a majority of the executive board, 5 (five) days' notice having been given.

Section 3. The annual meeting shall be held in June.

Section 4. 12 (twelve) members shall constitute a quorum for the transaction of business in any general, annual or special meeting of this association.

Article XI: Standing and Special Committees

Section 1. Only members of the association 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 Objects and carry on the work of the association. The term of each chair shall be one year. No member shall serve as chairman of the same committee for more than two consecutive terms. The only exception would be should the position remain vacant, at which time the current chair may continue to serve until a replacement is found. The membership and fundraiser chairs are exempt from this exception due to being a part of the executive board.

Section 3. The chair 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 the association (unless the bylaws delegate this power to the president or the executive board).

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 Royal Oak PTA Council by its president or alternate, the principal or alternate, and by 1 (one) delegate or their alternates. All representatives to a council must be members of a local unit.
- b. Delegates and their alternates shall be chosen by selection in a June meeting.
- c. Delegates to Royal Oak PTA Council shall serve for a term of 1 (one) year(s).

Section 2. This association shall pay annual dues of \$200.00 to the Royal Oak PTA Council as provided in the council bylaws.

#Article XIII: Fiscal Year

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

#Article XIV: Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the National PTA and its constituent organizations in all cases in which they are applicable and in which they are not in conflict with these bylaws, the Bylaws of the Michigan PTSA, and the Bylaws of the National PTA, or the *Articles of Incorporation*.

#Article XV: Disbandment

Section 1. If a local PTA unit is considering disbandment, the local unit executive committee shall meet with the Field Service Representative or the Region Vice President, prior to formal action.

Section 2. After meeting with the Field Service Representative or Region Vice President, the written notice stating the recommendation of the executive board shall be given to each member entitled to vote at such meeting and to the President of the Michigan PTSA, to the appropriate Field Service Representative and council at least thirty (30) days prior to the date of such a meeting.

Section 3. Only those persons who were members in good standing thirty (30) days prior to date of the vote of disbandment shall be entitled to vote. Membership enrollment shall be available at any time. (See Article VI – Membership, #Section 3.)

Section 4. Approval of disbandment of a local unit shall require the affirmative vote of at least two-thirds (2/3) of the members present and entitled to vote at the meeting, a quorum being present. The secretary shall notify their council president, if part of a council, Field Service Representative and the Michigan PTSA Office of the decision.

Section 5. Should a local unit fail to:

1.
 - a. elect officers and
 - b. hold at least one (1) meeting and
 - c. enroll at least twenty-five (25) members and
 - d. pay the \$25.00 unit dues by February 28, the immediate past treasurer or the principal shall notify their council president, if part of a council, the Field Service Representative and the Michigan PTSA Office.
2. Activate itself before the end of the school year, its assets, funds and records shall be turned over to the Michigan PTSA to be held in escrow until the unit reactivates itself, a period not to exceed two (2) years.
3. Reactivate itself during this two (2) year period, its funds and assets shall become the property of the Michigan PTSA

Article XVI: Amendments

Section 1.

- a. These bylaws may be amended at any regular meeting of the association by two-thirds (2/3) vote of the members present and voting, provided that notice of the amendment has been given at the previous regular meeting and that the proposed amendment shall be subject to approval of the Michigan PTSA.
- 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 the association. The requirements for 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 State PTA shall be in accordance with the bylaws or regulations of the Michigan PTSA.
- #d. After adoption of these bylaws three (3) copies of the bylaws shall be sent for approval to the Michigan PTSA.
- #e. After approval of any amendments three (3) copies of all approved amendments together with one (1) copy of current bylaws, shall be sent for approval to the Michigan PTSA.

#Section 2. The adoption of an amendment to any provision of the Bylaws of the National PTA identified by a number sign (#) shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the amending process, the local PTAs shall promptly incorporate such amendments in their respective bylaws.

#Section 3. The adoption of an amendment to any provision of the bylaws of the Michigan PTSA identified by a number (#) symbol shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA.