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**John R Downes PTA Bylaws
Updated June 2014**

Article I—Name

The name of this organization is the John R. Downes Parents and Teacher Association (PTA), Newark, Delaware. It is a local PTA organized under the authority of Delaware Congress of Parents and Teachers, Inc. (Delaware PTA), a branch of National Congress of Parents and Teachers (National PTA).

Article II—Purposes

Section 1. The purposes of the PTA 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, and
- 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 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”).

Article III—Basic Policies

The following are basic policies of the John R. Downes PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. 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.
- 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. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private individuals except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof.
- f. 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.
- g. Upon the dissolution of the organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more nonprofit funds, foundations, or organizations that have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

Article IV—Relationship with National PTA and Delaware PTA

Section 1. This local PTA shall be organized and chartered under the authority of the Delaware PTA in the area in which this local PTA functions, in conformity with such rules and regulations, as the Delaware PTA may in its bylaws prescribe. The Delaware PTA shall issue to this local PTA an appropriate charter evidencing the due organization and good standing of this local PTA. **(State may establish their own “good standing” policy)**

A local PTA in good standing is one that

- a. Adheres to the purposes and basic policies of the PTA;
- b. Remits the state and_national portion of the dues through the Delaware PTA by scheduled deadlines;
- c. Reports officers and contact information by deadline set and advertised by Delaware PTA;
- d. Annually files a copy of the IRS reporting form; audit report, final budget for the most recently completed school year, and a copy of the annual financial report to the Delaware PTA;
- e. Local unit officers participate in training offered by Delaware PTA or Councils;
- f. Sends delegates to the Delaware Annual Convention;
- g. Has bylaws approved according to the procedures of Delaware PTA; and
- h. Meets other criteria as may be prescribed by the Delaware PTA.

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

Section 3. Bylaws of this local PTA shall include an article on amendments.

Section 4. Bylaws of this local PTA shall include a provision establishing a quorum.

Section 5. Each officer or executive committee member of this local PTA shall be a member of this local PTA.

Section 6. The bylaws of this local PTA shall prohibit voting by proxy.

Section 7. Only members of this local PTA who have paid dues for the current membership year may participate in the business of this local PTA.

Section 8. The charter of this local PTA shall be subject to withdrawal and the status of such organization as a local PTA shall be subject to termination, in the manner and under the circumstances provided in the bylaws of the Delaware PTA.

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

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

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 Delaware PTA by which this local PTA is chartered, and is entitled to all the benefits of such membership.

Section 2. Each member of this local PTA shall pay annual dues to said organization. The amount of such annual dues shall include the portion payable to the Delaware PTA and the portion payable to National PTA.

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

Article VI—Officers

Section 1. The officers of this local PTA shall be a president, 1st and 2nd vice president(s), a secretary, and a treasurer.

Section 2. Officers shall be elected in the month of May.

Section 3. 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 4. The following provisions shall govern the eligibility of individuals to be officers of the John R. Downes PTA:

- a. Each officer shall be a member of this local PTA.
- b. No officer may be eligible to serve more than one consecutive term in the same office.
- c. 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.
- d. An officer's term may be extended by one year if approved by majority vote.

Section 5. Officers shall assume their official duties following the last day of the school year in which they were elected and shall serve for a term of two years or until their successors are elected.

Section 6. A vacancy occurring in the office of president shall be filled for the remainder of the unexpired term by the co-president if one exists or by the 1st vice president. A vacancy in any office other than president shall be filled by a majority vote of the executive committee.

Section 7. There shall be a nominating committee composed of three members who shall be elected by this local PTA at a regular general membership meeting at least four months prior to the election of officers, as outlined in Article VI, Section 2.

- a. The committee shall elect its chair.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular general membership meeting in April, at which time additional nominations may be made from the floor.
- c. Only those individuals who are current members of this local PTA and who have signified their consent to serve if elected shall be nominated for, or elected to, such office.

Article VII—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 committee;
- c. Coordinate the work of the officers and committees of this local PTA in order that the purposes may be promoted;
- d. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the executive committee.

Section 2. The vice president(s) shall

- a. Act as aide(s) to the president;
- b. In their designated order, 1st then 2nd vice presidents, perform the duties of the president in the president's absence or inability to serve;
- c. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, or the executive committee.

Section 3. The secretary shall

- a. Record the minutes of all meetings of the John R. Downes PTA;
- b. Be prepared to read the records of any previous meetings;
- c. File all records;
- d. Have a current copy of the bylaws;
- e. Maintain a membership list;
- f. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, or the executive committee.

Section 4. The treasurer shall

- a. Have custody of the funds of this local PTA
- b. Maintain a full account of the funds of this local PTA;
- c. Make disbursements as authorized by the president, executive committee, or this local PTA in accordance with the budget adopted by this local PTA;
- d. Have checks or vouchers signed by two people: the treasurer and one other person;
- e. Cause to be kept a full and accurate account of the receipts and disbursements in the books belonging to the John R. Downes PTA;
- f. Provide a written financial statement to the executive committee at each meeting;
- g. Present an annual report of the financial condition of the organization;
- h. Submit the books annually for an audit by an auditing committee selected by the executive committee at least one month before the meeting at which new officers assume duties;
- i. Report the findings of the annual audit to the executive committee;
- j. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, or the executive committee;
- k. Annually files a copy of the IRS reporting form; audit report, final budget for the most recently completed school year, and a copy of the annual financial report to the Delaware PTA.

Article VIII—Executive Committee

Section 1. The affairs of the John R. Downes PTA shall be managed by the executive committee in the intervals between local PTA general membership meetings.

Section 2. Each executive committee member shall be a member of this local PTA.

Section 3. The members of the executive committee shall be

- a. elected officers;
- b. teacher representatives, principal and vice principal
- c. The president may appoint a parliamentarian, subject to approval of the executive committee of this local PTA.

Section 4. Duties of the executive committee shall be to

- a. Carry out such business as may be referred to it by the membership of the association;
- b. Appoint standing committee chairs
- c. Approve the work of the committees
- d. Create special committees;
- e. Create a report of the regular general membership meetings of this local PTA;
- f. Select an auditor or an auditing committee to audit the treasurer's accounts;
- g. Prepare and submit an annual budget to this local PTA's general membership for adoption;
- h. Approve payment of routine bills within the limits of the approved budget;

Section 5. If any member of the executive committee shall at any time cease to meet the qualifications or fulfill the duties of the position, that person may be removed by resolution adopted by a majority vote of the executive committee.

Section 6. Regular meetings of the executive committee shall be held with the date and time to be fixed by the executive committee at its first meeting of the year.

Section 7. Special meetings of the executive committee may be called by the president or when requested by two members upon five days' written notice to each member of the executive committee.

Section 8. At all meetings of the executive committee, a majority of the members of the executive committee shall constitute a quorum for the transaction of business.

Section 9. Upon the expiration of the term of office or when individuals cease to hold the position that entitles them to be a member of the executive committee, they shall automatically cease to be a member of the executive committee and shall be relieved of all duties and responsibilities

incident to such membership. 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 IX—Committees

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

Section 2. The standing committees of this local PTA shall be

- a. By-laws
- b. Audit

Section 3. The executive committee may create such special committees, as it may deem necessary to promote the purposes of PTA and carry on the work of this local PTA.

Section 4. The term of office of a committee chair shall be one year or until the selection of a successor.

Section 5. The chair of each committee shall present a plan of work to the executive committee for approval. No committee work shall be undertaken without the consent of the executive committee.

Article X—General Membership Meetings

Section 1. Regular meetings of this local PTA shall be held during the first week of each month, unless otherwise provided by this local PTA, or the executive committee. Five days' 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 or by a majority of the executive committee, five days' notice having been given.

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

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

Article XI—Council Membership

This article applies only to those local PTAs holding membership in a council PTA. The following sections **must** correspond to the council PTA bylaws, and are provided as a guideline to local PTAs.]

Section 1. This local PTA shall be represented in meetings of the Region III Council PTA by the president, or appointed alternate.

- a. All representatives to the council PTA must be members of this local PTA.
- b. The alternates shall be chosen by the executive committee in June.
- c. Delegates to the Region III Council PTA shall serve for a term of one year.

Section 2. This local PTA shall pay annual dues of \$45 to the Region III Council PTA as provided in the Region III Council PTA bylaws.

Article XII—Delaware PTA Convention

[The following sections **must** correspond to the state PTA bylaws, and are provided as a guideline to local PTAs.]

Section 1. This local PTA shall be represented at the annual meeting of the Delaware PTA by the president, or appointed alternate.

- a. All representatives to the Delaware PTA convention must be members of this local PTA.
- b. The alternates shall be chosen by the executive committee in June.

Article XIII—Fiscal Year (If required by state PTA)

The fiscal year of the John R. Downes 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 [local PTA name] in all cases in which they are applicable and in which they are not in conflict with National PTA Bylaws, the Delaware PTA Bylaws, special rules of order or Articles of Incorporation.

Article XV—Amendments

Section 1. These bylaws may be amended at any regular general membership meeting of the John R. Downes by a two-thirds vote of those present and voting, provided the amendments have been approved by the executive committee and notice of proposed amendments has been provided to the membership ten days prior to the meeting.

Section 2. The executive committee, by a majority vote, may authorize the Committee on Bylaws to submit a revised set of bylaws as a substitute for the existing bylaws.

Section 3. Submission of amendments or revised bylaws for approval by the Delaware PTA shall be in accordance with the bylaws or regulations of the Delaware PTA.

Approved by Delaware PTA 6/19/2014 JS