

Bylaws of the

Tates Creek Elementary

Parent-Teacher (Student) Association

Kentucky Congress of Parents and Teachers, Inc. Required Local Unit Bylaws Format (Revised April 2014)

ARTICLE I: NAME

The name of this association is Tates Creek Elementary

X PTA, Parent-Teacher Association or
 PTSA, Parent-Teacher Student Association
of Lexington, Kentucky, in Fayette County
and 16 district. It is a local PTA/PTSA unit organized
under the authority of the Kentucky Congress of Parents and
Teachers (The Kentucky PTA), a branch of the National
Congress of Parents and Teachers (The National PTA). The
articles of association include (a) the bylaws and (b) the articles
of incorporation.

#ARTICLE II: PURPOSES

Section 1. The Purposes of this PTA/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 the 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/PTSA 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 association is organized exclusively for the charitable, scientific, literary or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future Federal tax code (hereinafter Internal Revenue Code).

#ARTICLE III: BASIC POLICIES

The following are basic policies of all PTAs/PTSAs in common with those of the National PTA.

- a. The association shall be non-commercial, non-sectarian and non-partisan.
- b. The association 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.
- c. The association 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 association shall inure to the benefit of, or be distributable to its members, directors, trustees, officers or other private persons except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof.
- e. Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on (i) by an association exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization/ association, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- f. Upon the dissolution of this association, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed to one or more non-profit funds, foundations or associations which have established their tax exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accord with the National PTA.
- g. The association 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: CONSTITUENT ASSOCIATIONS

(Local PTAs/PTSAs, District PTAs and State PTAs)

Section 1. The Purposes and basic policies of National PTA shall in every case also be the purposes and basic policies of each constituent association.

Section 2. Local PTAs/PTSAs shall be organized and chartered under the authority of the Kentucky PTA. The Kentucky PTA shall issue to each local PTA/PTSA in its area an appropriate charter evidencing the good standing of the local PTA/PTSA.

Section 3. A local unit in good standing is one which:

- a. Adheres to the Purposes and basic policies of the PTA;
- b. Remits the national and state portion of the dues to the Kentucky PTA office as required;
- c. Remits the district portion of the dues as required;
- d. Reviews the treasurer's books and submits the PTA/PTSA Financial Review Form to the Kentucky PTA office by August 15th;
- e. Submit a copy of the filed IRS Federal 990ez or 990n (e-postcard) form to the Kentucky PTA office by November 15th;
- f. Has bylaws approved by the Kentucky PTA every five (5) years;
- g. Has an IRS Employer Identification Number (EIN) on file in the Kentucky PTA office; and

Cont. #ARTICLE IV: CONSTITUENT ASSOCIATIONS

h. Maintains a minimum of ten (10) members.

Section 4. Each association in good standing as shown on the records in the Kentucky PTA office as of 30 days before the Convention/Leadership, shall be entitled to be represented at the annual Convention/Leadership of the Kentucky PTA by its president, or alternate; and one (1) additional accredited delegate for every twenty-five

(25) members, or a major fraction thereof.

Section 5. Each local PTA shall adopt such bylaws for the government of the association as may be approved by the Kentucky PTA. Such bylaws shall not be in conflict with the bylaws of the National PTA or the bylaws of the Kentucky PTA.

Section 6. Bylaws of each constituent association shall include an article on amendments.

Section 7. Bylaws of each constituent association shall include a provision establishing a quorum.

Section 8. Local PTAs'/PTSAs' bylaws shall be reviewed and approved by the Kentucky PTA every five (5) years.

- a. Bylaws shall be submitted with a copy of the minutes reflecting that 30 days prior notice was given,
- b. A quorum was present and,
- c. The bylaws were approved by the membership body.

Section 9. Local PTA/PTSA bylaws amendments become effective when reviewed and approved by the Kentucky PTA. Amendments shall be submitted with a copy of the minutes reflecting that 30 days prior notice was given, a quorum was present, and amendments were approved by the membership body.

Section 10. Each local PTA/PTSA shall include in its bylaws provisions corresponding to the provisions of Kentucky PTA bylaws as identified by a pound sign (#).

Section 11. Each officer or board member of a local PTA/PTSA shall be a member of such local PTA/PTSA.

Section 12. The members of the nominating committee for officers of a constituent association shall be elected by the

- 1. Membership, or the
- 2. PTA/PTSA Board. (Check #1 or #2)

Section 13. A PTA/PTSA member shall not serve as a voting member of a constituent association's board at the local or district level while serving as a paid employee of, or under contract to, that constituent association.

Section 14. There shall be no proxy voting by any constituent association of National PTA.

Section 15. This PTA/PTSA 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 association, including specifically, the number of its members, the dues collected from its members and the amount of dues remitted to its District PTA and the Kentucky PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the Kentucky PTA or, the National PTA.

Section 16. The charter of this PTA/PTSA shall be subject to withdrawal and the status of such association as a PTA/PTSA unit shall be subject to termination, in the manner and under the

circumstances provided in the bylaws of the Kentucky PTA.

Section 17. This local PTA/PTSA is obligated upon withdrawal of its charter by the Kentucky PTA:

- a. To yield up and surrender all its books and records and all of its assets and property to the Kentucky PTA or such agency as may be designated by the Kentucky PTA, or to another local PTA/PTSA organized under the authority of the Kentucky PTA;
- b. To cease and desist from the further use of any name that implies or connotes association with the National PTA or the Kentucky PTA or status as a constituent association of the National PTA;
- c. To carry out promptly, under the supervision and direction of the Kentucky PTA, all proceedings necessary or desirable for the purpose of dissolving this PTA/PTSA; and
- d. To file with the IRS a Federal 990ez or 990n (e-postcard) form and submit a copy to the Kentucky PTA office.

Section 18. In order for this PTA/PTSA to dissolve, the unit shall complete the following procedures.

- a. The PTA/PTSA Board (or body that under its bylaws manages the affairs of the association) shall adopt by a two-thirds (2/3) vote, a resolution recommending dissolution be submitted to a vote at a special meeting of members having voting rights. Written or printed notice that the purpose of such meeting is to consider advisability of dissolving the association shall be given to each member entitled to vote at such meeting at least forty-five (45) days prior to the date of such meeting.
- b. Written notice of the adoption of such resolution, accompanied by a copy of the notice of the special meeting of members, shall be given to the president of the Kentucky PTA at least thirty (30) days before the date fixed for such special meeting of the members;
- c. Only those persons who were members in good standing on the date of the special meeting shall be entitled to vote on the question of dissolution; and
- d. Approval of dissolution of the association shall require the affirmative vote of two-thirds (2/3) of the total membership.

Section 19. In the event of the dissolution or withdrawal of the charter of this PTA/PTSA for any reason, its assets shall be distributed for one (1) or more of the exempt purposes specified in Section 501(c)(3) of the Internal Revenue Code of 1954 as from time to time amended. Upon request of notice of dissolution or withdrawal of charter, notice by mail shall be sent by the Kentucky PTA office to the PTA/PTSA that the Internal Revenue has been notified that the PTA/PTSA is no longer a tax-exempt association of the Kentucky PTA.

Section 20. This PTA shall collect dues from its members and shall remit a portion of such dues to the Kentucky PTA as provided in Article V hereof.

Section 21. Only members of a local PTA/PTSA who have paid dues for the current membership year may participate in the business of that association.

Section 22. The association or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the Purposes of the association.

Cont. #ARTICLE IV: CONSTITUENT ASSOCIATIONS

Section 23. The Kentucky PTA or any of its divisions may cooperate with other associations and agencies concerned with child welfare, but PTA/PTSA representatives shall make no commitments that bind the group they represent.

ARTICLE V: MEMBERSHIP AND DUES

#Section 1. Every individual who is a member of a local PTA/PTSA organized by Kentucky PTA is also a member of National PTA and of the Kentucky PTA by which such local PTA/PTSA is organized and, as such, is entitled to all the benefits of such membership.

#Section 2. Membership in PTA/PTSA shall be made available without discrimination.

#Section 3. Each local PTA/PTSA shall conduct an annual enrollment of members, but shall admit individuals to membership at any time.

#Section 4. Each member of a local PTA/PTSA shall pay such annual dues as determined by the local PTA/PTSA. The amount of such dues shall include the portion payable to the Kentucky PTA, the portion payable to the National PTA and the portion payable to the District PTA.

#Section 5. The National portion of each member's dues shall be two dollars and twenty-five cents (\$2.25) per annum.

#Section 6. The Kentucky PTA portion of each member's dues shall be one dollar and twenty-five cents (\$1.25) per annum.

#Section 7. Each member of this PTA/PTSA shall pay annual dues of \$ 5.00 to the PTA/PTSA. The amount of such dues shall include the portion payable to the Kentucky PTA, the portion payable to the National PTA and the portion payable to the District PTA.

#Section 8. The Kentucky and National portions of the dues paid by each member of a local PTA/PTSA shall be set aside by the local PTA/PTSA and sent every thirty (30) days to the Kentucky PTA. Kentucky PTA shall pay to National PTA the amount of the national portion of dues paid by all members of local PTAs/PTSAs in its area.

#Section 9. The District portion of the dues paid by each member of a local PTA/PTSA shall be sent to the District as required. If there is no District leadership, dues shall be sent to the Kentucky PTA office.

#Section 10. Only members of a local PTA/PTSA who have paid dues for the current membership year may participate in the business of that association.

#Section 11. Only members of a local PTA/PTSA of the Kentucky PTA shall be eligible to hold office in the Kentucky PTA or any of its divisions.

#Section 12. Payment of dues

a. The treasurer of each local PTA/PTSA shall forward the National and Kentucky portions of membership dues to the Kentucky PTA office by October 15th. Additional dues collected after October 15th should be forwarded to the Kentucky PTA office every thirty (30) days.

b. The treasurer of each local PTA/PTSA shall keep the record of the National PTA, the Kentucky PTA and the District PTA's portions of membership dues separate from the record of general funds of the local PTA/PTSA.

- c. All dues shall be accompanied by a numbered list of the members showing the name of each individual member of the local PTA/PTSA from which dues were received.
- d. Local PTAs/PTSAs whose dues have not been received by February 15th shall be notified by the Kentucky PTA office.
- e. A membership card shall be valid for one (1) year, which is August 1st thru July 31st

Section 13. Kentucky PTA Honorary Life Recognition and Student Leadership Recognition.

- a. A Kentucky PTA Honorary Life Recognition or Student Leadership Recognition, upon payment of twenty-five (\$25.00) dollars to the Kentucky PTA Scholarship Fund, may be conferred upon any person for distinguished service to children and youth.
- b. An Honorary Life Recognition recipient may be an active member upon payment of dues in a local PTA/PTSA.

ARTICLE VI: OFFICERS - ELECTION AND VACANCIES

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

Section 2. Officers and their election.

- a. The officers of this PTA/PTSA shall consist of a president, 2 (number) vice president(s), a secretary and a treasurer.
- b. Officers shall be elected by ballot in the month of April. However, if there is but one (1) nominee for any office, election for that office may be by voice vote.
- c. Officers, except the treasurer, shall assume their official duties following;
 - 1. Close of the meeting in June (month) or,
 - 2. The beginning of the fiscal year **July1 (Check #1 or #2)**
- d. The treasurer shall assume office at the beginning of the fiscal year (**July 1**). (Books must be reviewed before the treasurer takes office.)
- e. Officers shall serve for a term of 1 (number) year(s) or until their successors are elected.
- f. A person shall not be eligible to serve more than 4 (number) consecutive terms in the same office.

#Section 3. Nominating Committee.

- a. The members of the nominating committee for officers of a constituent association shall be elected by:
 - 1. Membership, or the
 - 2. PTA/PTSA Board. (Check #1 or #2: should be the same response as on page 2)
- b. There shall be a nominating committee composed of 3 members(at least three(3) and always an uneven number) who shall be elected by the selected body of this association
- c. This shall be done at least one (1) month prior to the election of officers.
- d. The committee shall elect its own chairman.
- e. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the general PTA/PTSA membership meeting in April (month), at which time additional nominations may be made from the floor.
- f. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.

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Cont. ARTICLE VI: OFFICERS - ELECTION AND VACANCIES

Section 4. Vacancies:

- a. A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the PTA/PTSA Board, 7 days notice of such election having been given.
- b. In case a vacancy occurs in the office of the president, the first (1st) vice president shall serve notice of the election.
- c. If any member of the PTA/PTSA Board is absent for more than two regularly scheduled meetings without a reasonable excuse, their office/chairmanship may be declared vacant by a majority vote of the PTA/PTSA Board and the vacancy shall be filled in accordance with Article VI, Section 4.a ,4.b.

ARTICLE VII: DUTIES OF OFFICERS

Section 1. The president shall:

- a. Preside at all meetings of the PTA/PTSA.
- b. Perform such other duties as may be prescribed in these bylaws or assigned to him/her, or the PTA/PTSA;
- c. Be a member ex-officio of all committees, except the nominating committee; and
- d. Coordinate the work of the officers and committees of the association in order that the Purposes may be promoted.
- e. Appoint the committee, before the last general meeting of the PTA/PTSA, to review the financial records.

Section 2. The vice president(s) shall:

- a. Act as aides to the president;
- b. Perform the duties of the president, in their designated order, in the absence or inability of that officer to serve; and
- c. Perform such other duties as may be prescribed to him/her.

Section 3. The secretary shall:

- a. Record the minutes of all meetings of the PTA/PTSA,
- b. Have a current copy of the bylaws;
- c. Maintain a membership list; and
- d. Perform such other duties as may be prescribed to him/her.

#Section 4. The treasurer shall:

- a. Have responsibility for all of the funds of the association;
- b. Keep a full and accurate account of receipts and expenditures;
- c. Make disbursements as authorized by the president, or the PTA/PTSA Board, in accordance with the budget adopted by the PTA/PTSA;
- d. Have checks or vouchers signed by two (2) persons, the treasurer and one (1) other authorized person;
- e. Present a financial statement at every PTA/PTSA meeting, and at other times when requested;
- f. Make a full report at the meeting at which new officers officially assume their duties; and
- g. Be responsible for the maintenance of such books of account and records as conform to the requirements of Article IV, Section 15 of these bylaws.
- h. The treasurer's accounts shall be reviewed annually by a committee of not less than three (3) members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.

- i. The Financial Review Form must be submitted to the Kentucky PTA office by August 15th

j **Must file with the IRS 990 or 990n (e-postcard) and send to state office a copy of this filing By November 15th each year.**

Section 5. All officers shall perform the duties outlined in these bylaws and those assigned from time to time. Upon the expiration of the term of office or in case of resignation, each officer shall turn over to the president, without delay, all records, books and other materials pertaining to the office, and shall return to the treasurer, without delay, all funds pertaining to the office.

ARTICLE VIII: EXECUTIVE COMMITTEE

Section 1. The membership of the executive committee shall consist of the elected officers of the PTA/PTSA and the principal of the school or a representative appointed by him/her.

Section 2. The duties of the executive committee shall be to approve chairmen and members of standing committees and act in an emergency situation.

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

ARTICLE IX: PTA/PTSA BOARD

Section 1. a. The Board shall consist of the elected officers of the PTA/PTSA, the chairmen of standing committees, and the principal of the school or a representative appointed by him/her.

Section 1.b. The chairmen of standing committees shall be selected by the officers of the PTA/PTSAs.

Section 1. c. The president may appoint a parliamentarian, subject to the approval of the officers of the PTA/PTSA.

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

Section 3. The duties of the board shall be:

- a. To transact business in the intervals between PTA/PTSA general meetings and such other business as may be referred to it by the PTA/PTSA;
- 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 scheduled general meetings of the PTA/PTSA;
- e. To prepare and submit to the PTA/PTSA a budget for adoption for the year; and
- f. To approve routine bills within the limits of the budget.

Section 4. Meetings of the Board:

- a. PTA/PTSA Board meetings to be held during the school year,
- b. Meeting times to be fixed by the board at its first meeting of the year.
- c. A majority of the board members shall constitute a quorum.
- d. Special meetings of the board may be called by the president or by a majority of the members of the board 7 (number) day's notice being given.

ARTICLE X: COMMITTEES

Section 1. Committees may be created or dispensed with by the president, executive committee, the PTA/PTSA Board or as specified in the standing rules to promote the Purposes and carry on the work of the PTA/PTSA.

Section 2. Only members of the PTA/PTSA shall be eligible to serve in any elective or appointed positions.

Section 3. Chairman shall serve for a term of 1 (number) year(s) or until their successors are elected.

Section 4. A person shall not be eligible to serve more than 3 (number) consecutive terms in the same chairmanship.

Section 5. The chairman of each standing committee shall present a plan of work to the PTA/PTSA Board for approval. No committee work shall be undertaken without the consent of the PTA/PTSA Board.

Section 6. The power to form special committees and appoint their members rests with the association and the PTA/PTSA Board.

Section 7. The president shall be a member ex-officio of all committees, except the nominating committee.

ARTICLE XI: GENERAL MEMBERSHIP MEETINGS

Section 1.

#a. At least 3 (number a minimum of 3) general membership meetings of this association shall be held during the school year.

b. Dates of these meetings shall be determined by the PTA/PTSA Board and announced at the first general membership meeting of the year.

c. Seven (7) days notice shall be given of a change of date.

Section 2. Special meetings of the PTA/PTSA may be called by the president or by a majority of the PTA/PTSA Board seven (7) days notice having been given.

Section 3. The election meeting shall be held in April (month).

#Section 4. Each local PTA/PTSA must maintain a minimum of ten (10) members to remain a PTA/PTSA in good standing.

#Section 5. Bylaws of each constituent association shall include a provision establishing a quorum.

Section 6. 10 (Number) members (a minimum of 10 or more) shall constitute a quorum for the transaction of business in any general membership meeting of this PTA/PTSA.

ARTICLE XII: DISTRICT MEMBERSHIP

Section 1. The PTA/PTSA shall be represented in meetings of the 16 District PTA of the Kentucky PTA, by the president of the PTA/PTSA or his/her alternate, and by the number of delegates or their alternates as provided in the district bylaws.

Section 2. This PTA/PTSA shall pay annual dues of \$0.25 per member to the district treasurer, as provided in the district bylaws. If there is no District Leadership, dues shall be sent to the Kentucky PTA office.

#ARTICLE XIII: FISCALYEAR

Section 1. The fiscal year of this association shall begin July 1 and end June 30.

#ARTICLE XIV: PARLIAMENTARY AUTHORITY

Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the association in all cases in which they are applicable and in which they are not in conflict with these bylaws and those of the Kentucky PTA and the National PTA.

ARTICLE XV: SBDM COUNCIL PARENT REPRESENTATIVE ELECTIONS

Section 1. Election of Parent Representatives to the School Based Decision Making (SBDM) Council shall be conducted by this PTA/PTSA as authorized under the Kentucky Education Reform Act (KERA) of 1990, as specified in KRS 160.345.

Section 2. Each PTA/PTSA Board must develop procedures on the SBDM Parent election process to be included in their Standing Rules.

Section 3. A copy of the procedure should to be sent to the Kentucky PTA Office.

#ARTICLE XVI: KENTUCKY PTA POSITIONS

Section 1. The Kentucky PTA opposes involvement of children in door-to-door sales or solicitations.

Section 2. The Kentucky PTA believes that PTA funds should always be used to further the PTA Mission and Purposes. The Kentucky PTA also believes:

- a. Federal, state and local public funds should be used to purchase textbooks and equipment, pay for regular telephone lines, and pay for certified and classified staff salaries;
- b. Paying for such items with PTA funds may contribute to inequities in local school districts; and
- c. PTA's role is to advocate for adequate funding for public education. PTAs/PTSAs should allocate their funds to projects such as leadership development, parent involvement and education, child health and safety projects, and other educational programs that would enhance the curriculum.

Section 3. Kentucky PTA does not permit fifth grade children and younger to be PTA or PTSA members.

ARTICLE XVII: AMENDMENTS

Section 1. These bylaws may be amended at any general membership meeting of the PTA/PTSA provided that notice of the proposed amendment shall have been given at least thirty (30) days prior to the meeting at which the amendment is voted upon; that a quorum has been established; and that the amendment shall be subject to approval of the Kentucky PTA. Bylaws amendments require a two-thirds (2/3) vote of the members present and voting.

- a. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws only by a majority vote at a meeting of the PTA/PTSA, or by a two-thirds vote of the PTA/PTSA board. The requirements for adoption of a revised set of bylaws shall be the same as in the case of an amendment.
- b. Submission of amendments or revised bylaws for approval by the Kentucky PTA shall be in accordance with the bylaws or regulations of the Kentucky PTA.

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Cont. ARTICLE XVII: AMENDMENTS

#Section 2. The adoption of an amendment to any provision of the bylaws of the Kentucky PTA identified by a pound (#) symbol shall serve automatically and without requirement of further action by the local PTA/PTSA to amend correspondingly the bylaws of each local PTA/PTSA.

For office use only:

<p>Approved by: _____</p> <p>Date approved: _____</p> <p>Renewal date: _____</p>

ARTICLE XVIII: ADDITIONAL BYLAWS (Include here or on attached to this page)

SIGNATURES

Chris Medley Digitally signed by Chris Medley
DN: cn=Chris Medley, c=US, o=Tates Creek Elementary PTA,
e=cm@tates.org _____ **President**

_____ **Secretary**

DATE: _____

NOTE: Bylaws shall be submitted with a copy of the minutes reflecting that 30 days prior notice was given, that the Bylaws were approved and a quorum was present .

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ARTICLES and SECTIONS with a POUND (#) SIGN MUST be included in each PTA’s/PTSA’s BYLAWS.