

**BYLAWS,
STANDING RULES AND
ARTICLES OF
INCORPORATION**

2019 – 2020

Section 11

BYLAWS

Bylaws are the fundamental governing rules of a PTA. They contain the basic rules related to conducting the unit's business and governing its affairs. The bylaws define the primary characteristics of the organization, prescribe how the association functions and include all rules considered important to the rights and responsibilities of membership.

HOW TO UPDATE BYLAWS

- **Form a committee** consisting of at least three (3) members. The bylaws committee must be approved as stated in your current bylaws in the Article on Amendments.
- The committee should include experienced and knowledgeable PTA members. A copy of the current bylaws should be provided for each member of the committee to review **BEFORE** the meeting. Your local unit president should have a copy of the current approved bylaws. If not, you can get them from the LAPTA Bylaws chair, State Office or your District president.
- The official bylaws template of the fill-in-the-blank bylaws may be obtained from the Bylaws chair of LAPTA at laptabylaws@gmail.com or from the Louisiana PTA Website, lapta.org.
- Consider recommendations submitted by your board of directors and general membership.
- As amendments are proposed, make sure the changes meet the needs of your unit, the intent is clear, and are not in conflict with the Louisiana and National PTA bylaws.
- If you have questions, you should contact the LAPTA Bylaws chair to review amendments **BEFORE** they are presented to the general membership.
- **Notify the membership in writing at least 30 days prior to the meeting** at which the vote will be taken to amend the bylaws: notes home, newsletters, membership e-briefs, etc., are all acceptable forms of notice.
- All proposed bylaws changes, even a proposal that the bylaws be submitted for approval **WITHOUT CHANGE** must be presented at a general membership meeting.
- To be adopted, bylaws and amendments require a two-thirds rising vote of those members present and voting.

LAPTA BYLAWS APPROVAL IS REQUIRED

Once amendments/updates to the bylaws have been approved by the general membership, you still need the approval of the LAPTA.

- Using the most recent template, please prepare a **complete** set of bylaws showing the recent amendments and **submit them by email** to laptabylaws@gmail.com
- **YOU MUST SUBMIT A COMPLETE SET OF BYLAWS.** This means the entire template/form must be filled in. Incomplete or partial bylaws submitted for approval will not be approved and will be returned to the local unit. This applies even for those units making a "required" update.
- You must also submit a completed **BYLAWS APPROVAL FORM** -- this form is not a template and requires signatures. You may mail it to the State Office or scan it and send it as an attachment when you submit your bylaws.
- The official bylaws template (a fill-in-the-blank form) and the Bylaws Approval form may be obtained from the Bylaws chair of LAPTA at laptabylaws@gmail.com or from the State Office la_office@bellsouth.net

- Complete the Template by filling in the blanks or drop-downs provided. If the amendment exceeds the space allotted, please type the word ADDENDUM in the blank and then type the amendment out in its entirety in the section marked ADDENDUM. Make sure you show the Article heading and number as well as any section number.
- Bylaws are reviewed by the LAPTA Bylaws chair. If approved, they will be stamped “APPROVED” and signed by the state bylaws chair. If the chair has questions, they will contact you.
- The Date of Approval by the Louisiana PTA will be the date the chair approves them, not the date they were received or the date the local unit approved the bylaws.
- THE “APPROVED” STAMPED COPY IS THE OFFICIAL COPY. No matter how many copies you retype yourself, they are not official copies of your bylaws.
- Approved bylaws will be returned to you by PDF and the “hard” copy is maintained by Louisiana PTA at the State Office in Baton Rouge. A copy will also be forwarded to your District president. Paper copies are no longer provided.
- If your unit cannot submit required forms electronically, you may mail them to the State Office at the address below; however, this will cause a delay in getting them approved.

LOUISIANA PTA
P.O. Box 4420
Covington, LA 70435
Attention: Bylaws Chair

- LAPTA requires that local units update their bylaws at least once every three (3) years from the date on file with LAPTA. Local units can amend bylaws as often as needed as long as the amendments are approved by the general membership and submitted for approval by the state bylaws chair.

2019-2020 Bylaws Approval Form



The submission of this form and use of LAPTA bylaws template is required. Bylaws not in compliance will be returned to local unit.

Unit Name _____

LUR _____

District _____

Check the box that applies to your unit status.

Existing Unit

Re-instated Unit

New Unit

The PTA's bylaws/amendments were approved at the general membership meeting held on:

(Day, Month, Year) _____

Article/sections amended _____

President _____

(Signature)

Secretary _____

(Signature)

Email bylaws and approval forms in PDF format to: laptabylaws@gmail.com (Recommended)

OR

If you cannot scan and send this form electronically, mail it with your completed bylaws to:

LOUISIANA PTA
P. O. Box 4420
Covington, LA 70435
Attention: Bylaws Chair

However, by mailing your bylaws to the State Office, approval could take longer.

Unit President's Contact Information:

Name _____

Home Phone _____

Cell Phone _____

E-mail Address _____

*****bylaws will be returned via email – please print legibly and provide a working email account**

COMPLETING FILL-IN-THE-BLANK BYLAWS

The official fill-in-the-blank bylaws were developed to simplify the amendment process and to expedite approval. The instructions for completing them are below.

FILL-IN-THE-BLANK BYLAWS

- When completing the official fill-in-the-blank bylaws, all blank spaces must be completed.
- Articles or sections marked with a double star (**) are required and cannot be altered in any way, therefore, they must be included exactly as written.
- Changes can be made to sections of the bylaws that do not have a double star (**).
- Additional changes to these sections should be listed in the addendum.

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- Fill in your unit's district, local unit registration number (LUR #) and Tax ID # at top of page. If you are a new or re-activating unit and do not have a LUR # or Tax ID #, but have applied for either of them, please send them to the bylaws chair upon receipt.
- Fill in your school name and address Below "Local Unit

Bylaws" Article I: Name

- Fill in the local unit name in the blank. Select either PTA or PTSA as applies to your unit.
- Fill in name of the city or town where your unit is located.

** Article II: Purposes -- Because this is a double starred article, no wording can be added or deleted.

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** Article III: Basic Policies -- Because this is a double starred article, no wording can be added or deleted.

** Article IV: Relationship with National PTA and State PTA

- This article is required by the IRS in order for PTA to maintain its non-profit status.
- As a double starred article, no wording can be added or deleted.

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Article V: Members and Dues, Section 6.

- Fill in the amount of your annual membership dues.
- The amount of dues each member pays his local unit is arrived at by adding the \$2.25 per member National PTA portion, the \$1.75 per member LAPTA portion, and amount the local unit wishes to keep.
- If your unit offers a family, student or corporate membership, include the dues for each

and the number of membership cards issued for each. For example, \$5 for a single membership, \$8 for a family membership (2 membership cards), \$50 for a corporate membership (5 membership cards).

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Article VI: Officers, Section 1.

- Fill in the number of vice presidents and secretaries.
- List any additional officers in the addendum.
- Parliamentarian is not an elected position.

Article VI: Officers, Section 2.

- Fill in the month officers are to be elected.
- This must be a month that a regular meeting is scheduled as specified in Article XI: General Membership Meetings, Section 1. Elections take place at your annual meeting.

Article VI: Officers, Section 5.

- Fill in when officers are to take office. Examples include July 1 or the beginning date of the fiscal year.
- Fill in the number of years making up an officer's term.

Article VI: Officers, Section 7.

- Fill in the number of members on the nominating committee.

Article VI: Officers, Section 7, b.

- Fill in the month the nominating committee reports at the general membership meeting.
- This must be a month that a regular meeting is scheduled as specified in Article XI: General Membership Meetings, Section 1.

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**Article VII: Duties of Officers, Section 2, b.

- As a double starred article, no wording can be added or deleted.
- Additional duties may be listed in a unit's standing rules.

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Article VIII: Board of Directors, Section 7.

- Fill in the number of days' notice required to notify members of a special meeting.

Article VIII: Board of Directors, Section 8.

- Fill in the number of board members necessary to constitute a quorum.
- This should be at least two times the number of officers plus one.

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Article IX: Executive Committee, Section 2.

- Fill in the number of days' notice required to notify members of a special meeting.

Article X: Committees, Section 3.

- Fill in the number of years a chairman can remain in that position.

Article XI: General Membership Meetings, Section 1.

- Fill in the months you will have general meetings. Be sure to include the months that officers are elected, the nominating committee reports, and the annual meeting is held.
- Fill in number of days' notice required to notify members of change of meeting date.

Article XI: General Membership Meetings, Section 2.

- Fill in the number of days' notice required to notify members of a special meeting.

Article XI: General Membership Meetings, Section 3.

- Fill in the month of the annual meeting. (The annual meeting is normally the election meeting.)

Article XI: General Membership Meetings, Section 4.

- Fill in a quorum at least twice the number of officers listed in Article VI: Officers, Section 1, plus one.
- This is to prevent the perception that officers could conduct the business of the association by themselves.

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Article XII: District Membership

- Select the district your unit is affiliated with.

Article XIII: Fiscal Year

- Fill in month and day, but not a year.
- The fiscal year must cover a twelve month period; for example, July 1 - June 30.

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Addendum page

- List any changes made to the bylaws other than the information inserted in the blanks, provided it is not a double star (**) item.
- Please include the page plus article and section number when listing the change.
- Example of changes:
 - If your unit would like the principal to be a part of the executive committee, insert this in Article IX: Executive Committee, Section 1.

STANDING RULES

Standing rules outline the process for implementing the policies and procedures found in the bylaws and are related to the details of the administration of an association rather than to parliamentary procedure.

Standing rules provide the specific/additional details concerning the day to day running of the association, the duties of committee chairs; detail the additional duties of any officer and anything else not covered by the bylaws.

A well-organized and efficient PTA will have a written set of standing rules based on the bylaws and rules and regulations otherwise adopted by the members.

- Standing rules may be changed without prior notice to the general membership. They can be changed from president to president or even meeting to meeting. You can change the standing rules by a majority vote of those present at ANY business meeting.
- Unlike bylaws, the majority of the members at a meeting may vote to temporarily suspend the standing rules for that particular meeting
- Additional standing rules may be adopted at any meeting by a majority vote.
- If you want to get specific about the way your unit does things and who is responsible for certain activities/duties, put those details in your standing rules.
- Well written standing rules are one of the most valuable tools for the orientation of new board members and the orderly transfer of duties from one administration to another.
- Bylaws may be silent with regard to the duties of standing committees and their chairs, BUT you can use standing rules to specify what those duties are -- this is preferable to simply passing a "notebook" on to the next chair.
- **Standing rules can NEVER override your bylaws.** If there is a conflict between the two, bylaws will control.

SAMPLE STANDING RULES

This sample is intended to be a guide only.

Units should tailor their standing rules to reflect their needs.

I. Board of Directors

A. The major duties of the officers and standing committee chairs are set forth in the bylaws, these standing rules, the procedure book, the Louisiana PTA Resource Guide and PTA publications.

B. All members of the board of directors shall:

1. attend all board and general membership meetings. If a member misses more than three consecutive meetings during the school year, he/she may be asked to resign unless excused by the President.
2. receive a copy of the bylaws, the budget, the standing rules, a procedure book and a list of all board members.
3. be responsible for all expenditures of their committee.
4. receive approval from the board for any non-budgeted expenditure. If this is not done in advance, the expenditure will be considered a donation to the PTA.
5. submit a plan of work with estimated expenditures.
6. maintain a procedure book detailing the work of the committee in order to have a guide for the next chair to follow. The procedure book will be given to the president when the committee has completed its work.
7. keep accurate records of the money collected by your committee.
8. complete an income summary and expense statement/check request form when collecting funds or requesting reimbursement.
9. notify the treasurer of any deposit and arrange to transfer the deposit to her/him.
10. write newsletter articles for PTA newsletter when needed.
11. have one vote only, regardless of the number of committees he or she chairs.

II. Responsibilities of Officers [Job descriptions can be added or deleted depending on how your unit conducts business.]

A. In addition to duties outlined in Article VII, Section 1 of the bylaws the president /co-presidents shall:

1. prepare agendas for each meeting.
2. write newsletter articles for PTA newsletters.
3. approve expenditures.
4. sign contracts and grants on behalf of the [name] PTA/PTSA.
5. identify individuals to serve in board positions, and explain jobs as needed.
6. assure the unit bylaws are approved by the state at least every five years.
7. apply for yearly renewal of unit insurance and incorporation.

B. In addition to duties outlined in Article VII, Section 1 of the bylaws the vice president(s) shall:

1. act as/handle [special projects coordinator, fundraisers, membership, legislation, cultural arts contests, newsletter, volunteer coordinator, etc.]
2. handle other duties as assigned by the president.

[This section can be divided and the responsibilities for each vice president listed separately.]

C. In addition to duties outlined in Article VII, Section 1 of the bylaws the secretary(s) shall:

1. record attendance of all meetings of the board.
2. have the minutes reviewed by the PTA president. [If this is not how your unit normally handles minutes, describe the process and include the time limit.]
3. post, distribute or read the minutes. [Describe to whom the minutes are distributed or where they are to be posted.]

4. notify board members [indicate number of] days prior to all meetings and when deemed necessary by the president.
5. handle all correspondence and acknowledgments as deemed necessary by the president, executive committee, board of directors or association.

D. In addition to duties outlined in Article VII, Section 1 of the bylaws the treasurer shall:

1. chair the budget committee.
2. prepare and present the budget and budget revisions for general membership approval.
3. establish an account at a local bank.
4. obtain two (2) signatures on all checks. [Include a list of those who will have signing authority.]
5. make financial records available to the board of directors when requested and at each board meeting.
6. make deposits within [indicate number of] business days of receipt of income summary form and funds.
7. issue checks within [indicate number of] days.
8. keep a full and accurate account of receipts and expenditures.
9. work with the president to prepare and submit all tax documents.

III. Standing Committees

A. Responsibilities

1. Committee chairs (and co-chairs) shall have full voting power.
2. Standing committee chairs shall submit a written plan of work including expenditures for board approval at the beginning of the school year.

B. Committees [List your standing committees with a job description.]

1. Programs
 - a. Art Fiesta (Reflections)
 - b. Cultural Arts
 - c. Dad's Club
 - d. Directory-types and distributes the directory (example)
 - e. Family concerns
 - f. Family picnic
 - g. Food Drive
 - h. Grandparents Day
 - i. Health & Safety
2. Ways and Means/Fundraising
 - a. Book Fair
 - b. Carnival
 - c. Walk-a-thon
 - d. Soup labels/Box Tops/Coffee coupons
3. School Support
 - a. Computer Lab Coordinator
 - b. Grounds/Landscape
 - c. Honor Roll Activity
 - d. Office Volunteers
 - e. Playground/Murals
 - f. Library
 - g. Room Parent/Representative Coordinator
 - h. Red Ribbon/Drug Free Week
 - i. Volunteer Coordinator
 - j. Technology

4. PTA

- a. Hospitality
- b. Parent Education
- c. Newsletter
- d. Publicity
- e. Legislation
- f. Volunteer Coordinator
- g. Teacher Representative
- h. Newcomers
- i. Teacher Appreciation
- j. Membership [One chair or grade level chairs.]

IV. Special Committees [A special committee is created and approved for a specific purpose.]

A. Responsibilities. The special committee chairperson shall have full voting power until their assignment has been completed.

B. Committees

1. Budget committee

- a. shall consist of at least the incoming and outgoing presidents, treasurers and ways and means chairs.
- b. shall meet prior to the first PTA board meeting of the school year.
- c. shall meet to review past expenditures and revenues and to prepare a budget that will be submitted for consideration at a board of directors meeting prior to the first general membership meeting.
- d. shall meet in January [or another month at the first of the calendar year], prior to the general membership meeting to review the budget and revise, if necessary.

2. Nominating Committee:

- a. shall not serve on the nominating committee for more than [number] consecutive years.
- b. shall be comprised of a returning board member and [number of] other members.

3. Life Service Award Committee

- a. shall meet to decide on a recommendation prior to the third general meeting.
- b. shall be comprised of [number of] members. [Some or all can be Life Service Award recipients.]

V. Responsibilities of Chairs

- A.** Receive a budget from the budget committee.
- B.** Be responsible for all expenditures for their committee and sign expense requests.
- C.** Must receive approval from the board of directors if there is a need to go over budget. If this is not done in advance, consider the over budget amounts spent a donation to the PTA.
- D.** Maintain a procedure book detailing the work of the committee in order to have a guide for the next chair to follow. The procedure book will be given to the president when the committee has completed its work.
- E.** Be responsible for the collection of money. (If the committee performs such a function.)
- F.** Prepare money for deposits according to the following: [Describe how deposits are handled in your PTA.]

VI. General Expenditures

- A.** The Board is authorized to approve non-arbitrary expenditures, not to exceed the amount in the start-up line item, until a budget is approved by the general membership. [Describe customary

expenditures such as hospitality expenses for teachers' luncheon and purchase of membership cards.]

B. Board members and committee members may only make expenditures consistent with the budget approved by the general membership and must get approval of the president and treasurer prior to making expenditures.

C. If the amount sought for expenditure is budgeted and does not exceed \$ [amount], it may be spent with the approval of two of the officers.

D. Whenever the amount sought for expenditure is not budgeted or exceeds \$ [amount], the approval of the general membership (or majority of the board) is required.

E. Each expenditure must be consistent with the budget approved by the general membership.

F. A board member requests funds or reimbursements by submitting a completed check request form.

1. Forms should include signature of board member, date requested, amount of money requested, the budget line item to be charged, and to whom and where the check is to be delivered.
2. All invoices/receipts should be attached.
3. Requests for reimbursements must be made within [number] days of expenditure.
4. Expenses that exceed the budgeted amount risk non-payment.

VII. Leadership Expenditures

A. District Conference Expenses

1. Reimbursement for registration fee for all those interested.
2. Funds will be disbursed from start-up.

B. Louisiana PTA Convention Expenses -- Describe number and selection of delegates plus what expenses will be paid. [For example, reimbursement will be paid for all related activities, not to exceed \$ [amount] per delegate plus ½ of a room rate for a maximum of two nights.]

C. National PTA Convention Expenses -- Describe number and selection of delegates plus what expenses will be paid. [For example, the president-elect and a board member, selected by a secret ballot will have their expenses reimbursed for registration, room and transportation.]

D. District Banquet

1. PTA will pay for each contest winner and [number] guest(s) to attend the district banquet.
2. PTA will pay for the (president, principal, contest winners, educators, etc.)
3. If a board member does not attend the banquet after a fee has been paid on his/her behalf, he/she must reimburse the PTA.

VIII. Evaluation of Standing Rules

A. The standing rules can be amended or rescinded by a majority vote if prior notice was given or two-thirds vote without notice.

B. Standing rules may be suspended for the duration of a particular business session by a majority vote.

C. Standing rules may not be in conflict with this PTA's bylaws.

D. The standing rules shall be reviewed by the Board at the end (or beginning) of each school year and amended as needed after review.

ARTICLES OF INCORPORATION

If your PTA should be sued for any reason, you as an individual can also be sued. When your PTA is incorporated, then only the corporation can be sued.

There is a \$75 fee to file Articles of Incorporation with the Secretary of State and a nominal fee to file with the Bureau of Records at your local courthouse. This could be money well spent.

A copy of Form SS395A and general instructions are included following this page or the Articles of Incorporation can be printed from the Secretary of State's website, www.sos.louisiana.gov. Listed below are specific instructions for completing the Articles of Incorporation. **Remember your Articles of Incorporation should be maintained as part of your PTA's permanent record.**

Each year, an annual report must be filed. The Secretary of State no longer mails reminder postcards. Email reminders are sent instead. Visit <https://geauxbiz.sos.la.gov/> for detailed instructions. There is a renewal/filing fee. An updated list of board members must be included with this report. The annual report also becomes part of your unit's permanent record. There is also a nominal fee for your yearly renewal.

Louisiana law requires that all non-profits be registered with the Louisiana Secretary of State's office.

Articles of Incorporation Instructions for Completing

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Parish of (unit's parish)

1. Your official PTA name
2. Check the top ()
3. Perpetual
5. School address
6. President and 1st VP's name and address
7. Secretary and treasurer's name and address
8. Attach a list of your board of directors.
9. Term of office is specified in your bylaws.
10. Leave blank

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After completing, the form must be notarized. All four officers listed on lines six and seven need to be present when the notary signs.

Business filing forms can be found on our Louisiana PTA website at louisianpta.org.