

Bylaws Approved By Order of the  
Texas PTA Board of Directors



10/17/2011  
Texas PTA President

## **CLEAR CREEK INTERMEDIATE PARENT TEACHER ASSOCIATION BYLAWS**

### **ARTICLE I: Name**

The name of this association is the Clear Creek Intermediate Parent Teacher Association (PTA), Area 10 PTA, League City, Texas. It is a Local PTA organized under the authority of the Texas Congress of Parents and Teachers (Texas PTA), a branch of the National Congress of Parents and Teachers (National PTA).

### **ARTICLE II: Articles of Organization**

The articles of organization of this Local PTA include (a) the bylaws of such association and (b) the certificate of incorporation or articles of incorporation of such association (in cases in which the association is a corporation) or the articles of association by whatever name (in cases in which the association exists as an unincorporated association).

### **ARTICLE III: Purposes**

Section 1. The Purposes of the Clear Creek Intermediate PTA, in common with those of the National PTA and the Texas 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.
- 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 National PTA, the Texas PTA and this Local 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 IV.

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 referred to as "Internal Revenue Code").

## ARTICLE IV: Basic Policies

The following are basic policies of this Local PTA in common with those of the National PTA and the Texas PTA:

- a. The association shall be noncommercial, nonsectarian and nonpartisan.
- b. The association shall work with the schools and community to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities and local education authorities.
- c. The association shall work to promote the health and welfare of children and youth and shall seek to promote collaboration among parent, 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 III 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 organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170 (c)(2) of the Internal Revenue Code.
- f. Upon the dissolution of this association, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed to one (1) or more nonprofit funds, foundations or organizations which have established their tax exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of 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 V: Relationship with Texas PTA

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

A Local PTA in good standing shall:

- a. adhere to the Purposes and basic policies of the PTA;
- b. have a minimum of twenty (20) members to retain membership in the Texas PTA;

- c. remits the national and state portions of dues for all dues received to the Texas PTA Office postmarked on or before October 15;
- d. have bylaws that conform to and are approved according to Texas PTA policies and procedures; and
- e. meet other criteria as may be prescribed by the Texas PTA.

Section 2. Local PTAs whose national and state portions of dues and names of all members enrolled shall be in the Texas PTA Office postmarked on or before October 15 to be considered a Local PTA in good standing and eligible for voting representation at state convention. Local PTAs whose national and state portions of dues are not paid by March 15 shall be dropped from the state roster.

Section 3. This Local 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 association including, specifically, the number of its members, the dues collected from its members and the amount of dues remitted to the Texas PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the Texas PTA or the National PTA.

Section 4. The charter of this Local PTA shall be subject to withdrawal and the status as a Local PTA shall be subject to termination, in the manner and under the circumstances provided in the bylaws of the Texas PTA.

Section 5. This Local PTA is obligated, upon withdrawal of its charter by the Texas PTA:

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

Section 6. A Local PTA considering dissolving its relationship with Texas PTA (and thereby National PTA) shall follow the procedures for dissolution as adopted by the Texas PTA Board of Directors. These procedures include but are not limited to:

- a. notifying Texas PTA of the Local PTA's intent to dissolve;
- b. a meeting with the Local PTA executive board members, including the principal, and a representative of Texas PTA to discuss the ramifications of dissolution and procedures;
- c. a regular or special meeting of the membership with proper notice after meeting with Texas PTA;
- d. a two-thirds (2/3) vote of the membership, a quorum having been established.

Any Local PTA failing to follow the procedures shall forfeit all Local PTA books, records and assets to Texas PTA.

## **ARTICLE VI: Members and Dues**

Section 1. Every individual who is a member of this Local PTA is a member of the National PTA and the Texas PTA 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. To be a member of Texas PTA, a student must be in the 9th grade or above.

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

Section 4. Only members of a Local PTA who have paid dues for the current membership year may participate in the business of that association. The member term begins March 16 with Membership expiring October 14 of the following year.

Section 5. Only members of the association shall be eligible to serve in any elective or appointive position.

Section 6. Each member of this Local PTA shall pay annual dues that equal the total of the national dues as determined by National PTA, state dues as determined by Texas PTA, and the local portion of four dollars (\$4.00).

Section 7. This Local PTA shall remit the national and state portions of the dues paid by each member of this Local PTA to the Texas PTA with such reports as required by Texas PTA.

Section 8. Names of members and national and state portions of dues received shall be sent to the Texas PTA Office whenever members are enrolled in the association.

Section 9. Honorary Life Members

- a. An Honorary Life Membership in the Texas PTA may be awarded to any deserving person by a Local, Council, Area or the Texas PTA upon submission of name of honoree and payment of a fee. Such fees shall be made a part of the Texas PTA extension fund.
- b. Life membership shall be honorary and shall not grant the right to vote or hold office unless the appropriate national and local portions of the dues have been paid to the Local PTA.
- c. A Texas Honorary Life Member may receive exemption from state portion of dues through one (1) Local PTA only. The member shall be designated as a Texas Life Member when the Local PTA annual membership list is sent to the Texas PTA Office.

## **ARTICLE VII: Officers and Their Election**

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

Section 2. Officers and their election

- a. The officers of this Local PTA shall be a president, three (3) vice presidents, a secretary, a treasurer, a historian and a parliamentarian.



- b. Officers, with the exception of the historian and parliamentarian, shall be elected by ballot in the month of April. However, if there is but one (1) nominee for an office, election for that office may be by voice vote. The historian and parliamentarian shall be appointed by the newly-elected president, subject to the approval of the newly-elected officers.
- c. Only one (1) nominee shall be elected to serve in any one (1) office.
- d. An individual shall be a member of the Local PTA prior to taking office.
- e. Officers shall assume their official duties following the close of the school year and shall serve a term of one (1) year. PTAs that do not follow a traditional school year schedule shall designate a calendar year in standing rules. All officer positions not filled by election become vacant at the close of the school year.
- f. No officer shall serve in the same office for more than two (2) consecutive terms. One who has served more than one-half (1/2) of a term shall be credited with having served that term.

### Section 3. Nominating Committee

- a. There shall be a nominating committee elected by the membership at a regular meeting prior to the election meeting. Elections shall be by plurality. The committee shall be composed of three (3) members. One (1) alternate shall be elected to serve in the event a member is unable to serve. The committee shall elect its own chair immediately following the meeting.
- b. No person shall serve two (2) consecutive years on the nominating committee.
- c. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the election meeting in April at which time additional nominations may be made from the floor. The report shall be publicized to the Local PTA membership through regular publicity channels at least seven (7) days before the election meeting.
- d. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.
- e. No member shall automatically serve on this committee because of his office in the Local PTA or position in the school system.
- f. The president shall neither serve as a member nor appoint any member of this committee.

### Section 4. Vacancies

- a. A vacancy occurring in any elected office shall be filled for the unexpired term by a person elected by a majority vote of the executive board, at least three (3) days notice of such election having been given.
- b. In the event a vacancy occurs in the office of president, the first vice president shall serve notice to the executive board of the election and conduct the election.

## ARTICLE VIII: Duties of Officers

### Section 1. The president shall:

- a. coordinate the work of the officers and committees of the association in order that the Purposes may be promoted;
- b. confirm that a quorum is present before conducting any business at any meeting of the association;
- c. preside at all meetings of the association;
- d. appoint chairs of special committees, subject to approval of executive board;
- e. be authorized to sign on bank accounts as one of two required signatures on all checks;
- f. be authorized to sign contracts that have been approved by the executive board;
- g. be listed as the principal officer and be authorized to sign tax documents;
- h. confirm the executive board has reviewed and the membership has adopted the Texas PTA PTA/PTSA Records Retention Policy annually;
- i. appoint a member, subject to the approval of the executive board, who is not authorized to sign on the bank account to open, review, initial and date each bank statement;
- j. represent the Local PTA as a delegate to Council PTA (when the Local PTA is in membership with Council PTA);
- k. file with the Council PTA secretary the names of delegates and alternates from this Local PTA by the first regular Council PTA meeting and no later than October 1. A Local PTA joining or making changes after October 1 shall submit any changes in writing prior to any regular meeting in order to be eligible to vote;
- l. confirm that all executive board members are graduates of the current Texas PTA Leader Orientation or have completed the course by October 15 after the election;
- m. send the names and addresses of the officers and chairs to the Texas PTA office by May 1 each year;
- n. appoint the financial reconciliation committee, subject to the approval of the executive board; and
- o. serve as an ex-officio member of all committees except the nominating and financial reconciliation committees.

### Section 2. Newly-Elected President

The newly-elected president, within thirty (30) days after the election meeting, shall call a meeting of the newly-elected officers to:

- a. appoint a historian and a parliamentarian, subject to the approval of the executive board;

- b. appoint standing committee chairs, subject to the approval of the executive board; and
- c. conduct any other business as shall become necessary.

Section 3. Vice Presidents:

- a. First Vice President shall:
  1. be the aide-to-the-president [and be in charge of membership]; and
  2. preside in the absence of the president (in their designated order).
- b. Second Vice President shall:
  1. be in charge of programs; and
  2. preside in the absence of the president (in their designated order).
- c. Third Vice President shall:
  1. be in charge of ways and means; and
  2. preside in the absence of the president (in their designated order).

Section 4. The secretary shall:

- a. record the minutes of all meetings of the association;
- b. keep an accurate record of attendance at executive board meetings;
- c. be responsible for correspondence;
- d. have a current copy of the bylaws;
- e. maintain a list of the names of those who have completed the Texas PTA Leader Orientation, with the dates each course was completed;
- f. maintain the records retention policy;
- g. maintain the adopted ethics/conflict of interest policy as signed by the current executive board members; and
- h. maintain a membership list, which shall not be released to outside interests.

Section 5. The treasurer shall:

- a. have custody of all the funds of the association;
- b. keep books of account and records including bank statements, receipts, budgets, invoices, paid receipts and canceled checks in accordance with the records retention policy;

- e. make disbursements in accordance with the budget adopted by the association;
- d. sign on bank accounts as one of two required signatures on all checks;
- e. present a financial report, both written and verbal, at every meeting of the Local PTA and as requested by the executive board or the association;
- f. make a full report at the annual meeting;
- g. be responsible for the maintenance of such books of account and records as conform to the requirements of Article V, Section 3 of these bylaws;
- h. complete and file all necessary tax documents; and
- i. present books to the financial reconciliation committee as requested.

Section 6. The parliamentarian shall:

- a. advise the presiding officer on questions of parliamentary procedure; and
- b. vote only when the vote is by ballot.

Section 7: The historian shall:

- a. collect and preserve documents relating the history of the association; and
- b. present a written report to the association as the official history to be adopted at the annual meeting.

## **ARTICLE IX: Meetings**

Section 1. This association shall hold a minimum of three (3) meetings a year.

- a. Regular meetings of the association shall be held in the months of September, November, April, and May, time and date to be established by executive board at its first meeting of the year. Five (5) days notice shall be given if change of date is needed. The membership shall be notified through regular publicity channels of the date and time of all regular meetings following the first meeting of the executive board at which time this schedule is determined.
- b. The regular meeting held in April shall be the election meeting.
- c. The annual meeting in May shall be for the purpose of receiving reports of officers and chairs and for any other necessary business.

Section 2. Special meetings of the Local PTA may be called by the president or by a majority of the executive board, at least three (3) days notice having been given.

Section 3. Ten (10) members shall constitute a quorum for the transaction of business in any meeting of this association.

Section 4. There shall be no proxy voting.



## ARTICLE X: Executive Board

Section 1. The executive board shall consist of:

- a. the officers of the association;
- b. the principal of the school or the principal's representative appointed by the principal;
- c. the chairs of standing committees.

Section 2. A Local PTA member shall not serve as a voting member of this executive board while employed by, or under contract to this Local PTA.

Section 3. Executive board members shall serve in only one (1) capacity.

Section 4. The duties of the executive board shall be to:

- a. transact necessary business in the intervals between association meetings and such other business as may be referred to it by the association;
- b. present a report at the regular meetings of the association;
- c. approve the Plans of Work of all officers and committee chairs;
- d. create standing and special committees;
- e. adopt the Texas PTA Council/Local PTA/PTSA Ethics/Conflict of Interest Policy annually;
- f. review the records retention policy annually;
- g. prepare an annual budget for the upcoming fiscal year and submit to the association for adoption at the annual meeting;
- h. approve routine bills within the limits of the budget; and
- i. fill vacancies of officers and chairs.

Section 5. The duties of each executive board member shall be to:

- a. be a graduate of the Texas PTA Leader Orientation or complete the course by October 15 after their election or appointment;
- b. submit a written Plan of Work to the executive board for approval;
- c. have a current copy of the Local PTA bylaws;
- d. deliver to their successors or the president all official materials within fifteen (15) days following the date at which their successors assume their duties;
- e. attend all meetings of the association;
- f. sign the ethics/conflict of interest policy, as adopted;

- g. abide by the policies and procedures as set forth by Texas PTA; and
- h. perform the duties outlined in these bylaws and those assigned by the president or membership from time to time.

#### Section 6. Meetings

- a. Regular meetings of the executive board shall be held prior to each regular meeting of the association, the time to be determined by the executive board at its first meeting of the year.
- b. A majority of the executive board members shall constitute a quorum.
- c. Special meetings of the executive board may be called by the president or by a majority of the members of the executive board, at least three (3) days notice being given.
- d. There shall be no proxy voting.

#### Section 7. Emergency Voting

In an emergency situation, the executive board may vote by phone, email, or other electronic means if authorized by the president. Members shall have at least twenty-four (24) hours to cast their votes. A two-thirds (2/3) vote of the entire executive board is required for adoption, and the vote shall be recorded in the minutes of the next regular meeting of the executive board.

#### Section 8. Reason to remove

By two-thirds (2/3) vote of the executive board, an officer or chair may be removed from office and from the executive board for failure to attend three (3) consecutive meetings, failure to perform duties, failure to sign the adopted ethics/conflict of interest policy, or criminal misconduct or unethical behavior in PTA business.

### **ARTICLE XI: Standing and Special Committees**

Section 1. The executive board may create such standing and special committees as it may deem necessary to promote the Purposes and carry on the work of the association.

Section 2. Chairs shall assume their official duties following the close of the school year and shall serve a term of one (1) year. PTAs that do not follow a traditional school-year schedule shall designate a calendar year in standing rules. All chair positions not filled by appointment become vacant at the close of the school year.

Section 3. Only one (1) person shall be appointed to serve in any one (1) chair position.

Section 4. No chair shall serve in the same office for more than two (2) consecutive terms. One who has served more than one-half (1/2) of a term shall be credited with having served that term.

Section 5. All standing committee chairs shall:

- a. deliver to their successors or the president all official materials within fifteen (15) days following the date at which their successors assume their duties;
- b. present a written Plan of Work to the executive board for approval. No committee work shall be undertaken without this approval;

- c. perform the duties outlined in these bylaws and those assigned by the president or membership from time to time; and
- d. have a current copy of the Local PTA bylaws.

Section 6. The president shall be a member ex-officio of all committees except the nominating and financial reconciliation committees.

Section 7. The quorum of any committee shall be a majority of its members.

## **ARTICLE XII: Council Membership**

Section 1. (Applies only to Local PTAs holding membership in a Council of PTAs, and shall correspond to Council PTA bylaws. If the Local PTA is in Council PTA membership, this Article XII is necessary in the Local PTA bylaws. If the Local PTA is not in Council PTA membership, indicate "not applicable" and do not fill in the blanks.)

- a. The association shall be represented in meetings of the Clear Creek Community Council of PTAs by the president or alternate, the principal or alternate and by delegate(s) or alternate(s). The number of delegates shall correspond with the number as stated in the Council PTA bylaws. All representatives to the Council PTA shall be members of the Local PTA they represent.
- b. Delegates and their alternates shall be appointed, subject to the approval of the executive board by August.
- c. Delegates to the Clear Creek Community Council of PTAs shall serve for a term of one (1) year.

Section 2. This association shall pay annual dues to the Clear Creek Community Council of PTAs no later than October 15. The amount of dues shall correspond with the amount as stated in the Council PTA bylaws.

## **ARTICLE XIII: State Convention**

This Local PTA shall be represented at the annual meeting of the Texas PTA by the president or appointed alternate and additional accredited delegates.

- a. All delegates from this Local PTA to the Texas PTA Annual Convention shall be members of this Local PTA.
- b. Voting delegates and their alternates shall be appointed, subject to the approval of the executive board.

## **ARTICLE XIV: Fiscal Accountability**

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

