

Comments on Specific Sections of the MD PTA By-Laws Template for Local PTAs/PTSAs

This document highlights specific content in the bylaws that is often the subject of questions from local PTAs. It refers to the July 2018 local PTA bylaws template from MD PTA. PTA board members should be familiar with their entire bylaws.

#Article III (Basic Policies) lists basic policies of the local PTA which are common with those of National PTA and Maryland PTA.

Item b- The association shall work with the schools and communities 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 the board of education, state education authorities, and local education authorities.

This item is highlighted because some PTAs have disagreements regarding whether it is appropriate for a PTA to participate in discussions related to curriculum and education. This item indicates the answer is yes.

Item g- The association or members in their official capacities shall not, directly or indirectly, participate or intervene 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.

PTA members, as individuals, can support candidates and their campaigns. However, they cannot use or display their PTA affiliation. If PTAs want to invite candidates to speak at a meeting or forum, they need to invite all candidates for the specific office.

#Article IV (Relationship with National PTA and Maryland PTA)

Section 1 lists all the standards of affiliation (required filings, such as taxes)

Section 2 indicates at least 2 board members, one of which is treasurer, must take financial training within 180 days of taking office.

Section 8- no voting by proxy, mail, or email

Section 10- Only individuals who paid dues can participate in PTA business

Section 15- Describes the processes and consequences if a PTA does not follow their bylaws.

Article VI (Officers and Their Election)

Section 2, a- If there are more than one VP, Article VII needs to include a section for each VP.

Section 2, d and e- These items address the length of a term and the max number of terms. If the PTA chooses, this information can differ for various positions. When determining the length of a term, consider- will a term greater than a year make it difficult to recruit officers (bigger commitment) or reduce the ability to attract new officers (previous officers stay in place longer).

Section 3- Nominating Committee- Note that the process needs to start at least 2 months before the election. Although not stated in this section, the president cannot be involved with the nominating committee.

#3a- indicates who elects the nominating committee (general membership, exec committee, board of directors)

Section 4- Vacancies- Read this section carefully. Note that MD PTA template language indicates vacancies that exist because a position was not filled are treated the same way as vacancies due to resignation. For vacancies in president position- make sure the order of succession is the same in Article VI, Section 4 and in Article VII (VP listed 1st succeeds president in the case of a vacancy.)

Article VII (Duties of Officers)

PTAs can make changes in bylaws language, except for a few items marked with a #. If there are extensive additions, you can type an attachment and refer to it on this page.

Articles VIII and IX explain the difference between the Board of Directors and Executive Committee.

Board of Directors- all officers, chairs of standing committees, MCCPTA delegates. Some PTAs add other members, such as the cluster representative, NAACP rep, other parent group reps. If those groups and positions exist in a PTA, the bylaws revision process is a good time to consider whether to add the positions to the board.

Note- Make sure it is clear which committees are standing committees. Otherwise, there will be a question about who is on the board. Standing committees can be listed in an attachment to the bylaws, in standing rules, on the website. However, make sure full membership is aware of the list.

Duties of the Board are listed. Some include:

- Create committees

- Approve plan of work for committees (what do the committees plan to do, how much money do they need)

- Approve the annual budget to present to general membership for final approval

The Executive Committee only includes officers- (Pres, VPs, Treasurer, Secretary). Some PTAs have a president elect. Duties of the executive committee are listed. One duty- elect committee chairs.

Article X (Committees)

Note that only members of the PTA can serve in elected or appointed positions. (#Section 1)

The president is a member *ex officio* (by virtue of Pres position) of all committees, except nominating.

Article XI (Electronic Communications)

BOD, committees, subcommittees can meet by phone or other electronic media, if all can simultaneously communicate.

Note- this does not include e-mail votes, which are not allowed.

Article XII (General Membership Meetings)

Section 1- set the minimum number of general membership meetings per year. You can set the number low (for example- 3) to allow for weather and other conflict related cancellations.

Section 4- set the quorum (number of members required at a general membership meeting) at a reasonable number.

Many PTAs have quorum set at 10-15. If a quorum is not present, you cannot have an official meeting or vote.

Article XIII (Council Membership)

b. Select month that delegates are elected (often the same month as officers). Indicate whether the general membership or board of directors elects the delegates.

Article XVII (Amendments)

Process for amending bylaws.

Board selects the bylaws committee. The bylaws committee needs adequate time to do their work, present to the board, and make bylaws available to general membership 30 days prior to the vote.