



SOUTH CAROLINA PTA LOCAL UNIT BYLAWS

For SCPTA Use Only:

Approved _____ / _____ / _____

Signed _____

Name of Unit _____ ☐ PTA ☐ PTSA

School Address _____ City _____, SC ZIP _____

SCPTA District # ____ SCPTA Council Name _____ (if applicable) County _____

ARTICLE I: NAME

The name of this association is the _____

☐ Parent Teacher Association (PTA) / ☐ Parent Teacher Student Association (PTSA). It is a local PTA/PTSA unit organized and chartered under the authority of the South Carolina Congress of Parents and Teachers, Inc. (hereinafter referred to as SCPTA) in the area in which the local PTA functions. The structure and specific rules of the local unit are contained in these bylaws and shall not conflict with State or National PTA bylaws.

ARTICLE II: PURPOSES

Section 1. The Purposes of the SCPTA, in common with those of the National PTA, are:

- a. To promote the welfare of children and youth in home, school, places of worship, and throughout the community;
- b. To raise the standards of home life;
- c. To advocate for laws that further the education, physical and mental health, welfare, and safety of children and youth;
- d. To promote the collaboration and engagement of families and educators in the education of children and youth;
- e. To engage the public in united efforts to secure the physical, mental, emotional, spiritual, and social well-being of all children and youth; and
- f. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

Section 2. The Purposes of the National PTA and the SCPTA are promoted through advocacy and educational programs. They are directed toward parents, teachers, and the general public; are developed through conferences, committees, projects and programs; and are 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 referred to as "Internal Revenue Code").

ARTICLE III: BASIC POLICIES

The following are basic policies of the SCPTA, in common with those of the National 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, and 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 association, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- f. 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: LOCAL PTA/PTSA UNITS

Section 1. Local PTA units shall be organized and chartered under the authority of the SCPTA in the area in which the local PTA functions, in conformity with such rules and regulations, not in conflict with the National PTA Bylaws, as the SCPTA may in its bylaws prescribe. The SCPTA shall issue to each local PTA within the state an appropriate charter evidencing the due association and good standing of the local PTA.

A local PTA in good standing is one that:

- a. Adheres to the Purposes and basic policies of the PTA;
- b. Remits the national and state dues to the SCPTA in accordance with the procedures and deadlines outlined in Article V, Section 5 of these bylaws;
- c. Has uploaded to Memberhub local unit bylaws approved according to the procedures of SCPTA and deadlines outlined in Article XV of these bylaws;
- d. Has uploaded to Memberhub the updated local unit officers with names and contact information by July 1;
- e. Has uploaded to Memberhub by October 1 a copy of the financial review and final budget for the previous school year;
- f. Has uploaded to Memberhub by October 1 a copy of the current year's budget duly approved by the General Membership;
- g. Has uploaded to Memberhub the local unit membership list with contact information and paid dues through Memberhub for said members on October 1, December 1 and March 1 each year;
- h. Has filed the local PTA unit's federal tax return (IRS form 990, Form 990EZ, or Form 990N e-postcard), required to be filed annually with the IRS by November 15;
- i. Has uploaded to Memberhub by November 15 each year a copy of the federal tax return filed annually with the IRS;
- j. Has met other criteria as may be prescribed by the SCPTA.

Section 2. Each 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 amounts of dues remitted to the SCPTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the SCPTA.

Section 3. The charter of a local PTA shall be subject to withdrawal and the status of such association as a local PTA/PTSA shall be subject to termination, in the manner and under the circumstances provided by the bylaws of the SCPTA.

Section 4. Each local PTA is obligated, upon withdrawal of its charter by the SCPTA, to:

- a. Yield up and surrender all of its books and records;
- b. Cease and desist from the further use of any name that implies or connotes association with the National PTA or the SCPTA;
- c. Carry out promptly, under the supervision and direction of the SCPTA, the following actions:
 1. Close the local unit bank account and provide final bank statement to SCPTA;
 2. File last tax return with IRS and provide a copy to SCPTA;
 3. SCPTA will contact the IRS and South Carolina Secretary of State to revoke EIN;
 4. SCPTA will provide a letter to school district, bank, IRS, South Carolina Secretary of State, and any other entity that the Board of SCPTA and/or President deems necessary to notify of dissolution of local PTA.

Section 5. A local PTA may dissolve and terminate its affairs in the following manner:

- a. The local Board of Directors shall adopt a resolution recommending that the local PTA be dissolved and directing that the question of such dissolution be submitted to a vote at a regular/special general meeting of members having voting rights. Written or printed notice stating the purpose of such special meeting at least thirty (30) 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 SCPTA at least twenty (20) days prior to such meeting.
- c. Only those persons who are members in good standing of the local PTA/PTSA on the date of adoption of the resolution and who continue to be members in good standing on the date of the special meeting shall be entitled to vote on the question of dissolution.
- d. Approval of dissolution of the local PTA/PTSA shall require the affirmative vote of at least two-thirds (2/3) of the members present and entitled to vote at the special meeting, a quorum being present. Membership is comprised of board members, parents, and teachers. All members must be provided the opportunity to vote.

ARTICLE V: MEMBERSHIP AND DUES

Section 1. Every individual who is a member of a local PTA, organized by the SCPTA, is a member of both the National and the State 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 missions and purposes of PTA.

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

Section 4. Each member of a local PTA shall pay such annual dues up to \$ _____ (*dollar amount*) per person to the local PTA. Family memberships and/or other discounted memberships up to \$ _____ (*dollar amount*) are allowed as long as the local unit pays SCPTA and National PTA dues for each individual covered under said membership. The name and contact information of each member must be entered into Memberhub.

Section 5. The State and National portion of dues paid by each member shall be set aside by this association and remitted to the State PTA through Memberhub on October 1, December 1 and March 1 each year in accordance with the State bylaws. No separate membership reports are due to SCPTA.

Section 6. A new PTA unit may be chartered if the unit has at least ten (10) members at the time of association. To continue as a PTA in good standing, a unit must maintain at least twenty-five (25) members per year, except those organized at pre-schools or schools at whose enrollment is fewer than two hundred (200) students. Those PTAs must maintain at least ten (10) members per year. In special circumstances, these requirements may be waived by the SCPTA President. A document waiver, for the period of one year, signed by the SCPTA President, must be kept on file with SCPTA and in Memberhub.

ARTICLE VI: OFFICERS – ELECTION, QUALIFICATIONS, AND VACANCIES

Section 1. The elected officers of this association shall be president(s); _____ (*number*) vice-president(s), one of whom may be a president-elect; a secretary; and a treasurer (treasurer-elect); and shall be hereafter referred to as the Executive Committee. Note: Co-presidents and other co-elected officers are allowed; however, only one vote is allowed per office including president. The officer who is allowed to vote must be designated in the minutes. A treasurer-elect is allowed and may serve on the Board of Directors with full Board privileges including a vote but does **not** serve on the Executive Committee.

Section 2. Executive Committee officers shall be elected in the month of _____ by a vote of the General Membership.

Section 3. Elections shall be conducted according to the following procedures:

- a. The election meeting must be publicized to the general voting membership in accordance with Article XI of these bylaws.
- b. Voting for officers shall be under the supervision of an elections committee.
- c. The election shall be by ballot. When there is but one candidate for a vacancy, the ballot may be held by voice vote.
- d. A simple majority vote shall be required for the election to prevail providing the quorum has been met.
- e. Voting by proxy and/or absentee ballot is prohibited.
- f. Online voting may occur but must be done through a secure link provided by SCPTA. Voting results must be added to the General Membership meeting minutes.

Section 4. All local PTA officers shall meet the following qualifications:

- a. Each officer shall be a member of the local PTA chartered by the SCPTA.
- b. The term of each officer shall be for _____ (*number*) year(s), or until the election of a qualified successor.
- c. No officer may be eligible to serve more than _____ (*number*) consecutive term(s) per office. If the unit has elected a president-elect, the president may only serve one term.
- d. An officer who has served for more than one-half (½) of a full term shall be deemed to have served a full term in such office.
- e. Only those persons who have given their verbal or written consent to serve if elected shall be nominated for, or elected to, office.
- f. Each officer elected shall take office on July 1 and shall serve from July 1 through June 30 of each term year.

Section 5. A vacancy in any office, except the office of president, shall be filled by the Board of Directors for the un-expired term. A vote must occur at the next General Membership meeting. The election shall be by ballot. When there is but one candidate for the vacancy, the election may be held by voice vote. A vacancy in the office of president shall be filled by the first vice president, or the president-elect, for the remainder of the un-expired term.

ARTICLE VII: DUTIES OF EXECUTIVE COMMITTEE

Section 1. The president shall:

- a. Preside at all meetings of the association, the Board of Directors and the Executive Committee;
- b. Serve as an ex-officio member of all committees except the Nominating, Financial Review, and Elections Committees;
- c. Coordinate the work of the officers and appoint chairmen of Standing and Special Committees;
- d. Appoint a Parliamentarian;
- e. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or assigned to him/her by the association or by the Board of Directors.

Section 2. The vice president(s) and/or president-elect shall:

- a. Act as an aide(s) to the president;
- b. In their designated order, perform the duties of the president in his/her absence or inability to act;
- c. Perform other such duties as determined by the Board of Directors.

Section 3. The secretary shall:

- a. Attend all meetings of the association, including meetings of the General Membership, the Board of Directors, and the Executive Committee, keeping an accurate account of the business transacted at such meetings;
- b. Act as clerk there of and record all votes;
- c. Perform such other duties as provided for by these bylaws, or directed by the president, or the Board of Directors;
- d. Deliver to the successor all books, records, and documents held in their possession no later than ten (10) days following the completion of their term or assumption of office by their successors.

Section 4. The treasurer shall:

- a. Maintain a full account of the funds of the PTA;
- b. Keep a full and accurate account of the receipts and disbursements in books belonging to the PTA; deposit or cause to be deposited all monies in the name and to the credit of the association; disburse funds in accordance with the budget adopted by the association, taking proper vouchers for such disbursements; and make a report of income and expenditures with current account balances at all regular meetings;
- c. Present an annual financial review to the association and to the SCPTA office no later than October 1;
- d. Ensure all checks shall be signed by two persons;
- e. Ensure that the local PTA unit's annual tax return (IRS Form 990, Form 990EZ, or Form 990N e-postcard), is filed by the November 15 deadline;
- f. Perform other duties as provided for by these bylaws, or directed by the president, or the Board of Directors;
- g. Deliver to the successor all books, records, and documents held in their possession no later than ten (10) days following the completion of their term or assumption of office by their successors.

ARTICLE VIII: BOARD OF DIRECTORS

Section 1. The affairs of the PTA shall be managed by the Board of Directors.

Section 2. Each board member of a local PTA unit shall be a member of such local PTA unit.

Section 3. The members of the board shall be:

- a. Elected officers (co-positions share one vote, must be determined in minutes at the beginning of meeting);
- b. Chairmen of Standing and Special Committees;
- c. The principal of the school or a representative appointed by the principal (one vote);

Section 4. The Board of Directors shall:

- a. Have the authority over the affairs of the PTA unit;
- b. Transact necessary business, and other business referred to it by the association, in the intervals between general meetings;
- c. Ensure that the budget committee prepares and submits an annual budget to the association for adoption;
- d. Incur no debt or liability except that which is approved by the PTA membership;
- e. Approve routine bills within the limits of the approved budget;
- f. Appoint members to the Financial Review Committee in accordance with Article XIII of these bylaws, no later than May 1;
- g. Appoint Special Committees.

Section 5. If any member of the Board of Directors ceases to meet the qualifications or ceases to fulfill the duties of the position, that person may be removed from the board by a two-thirds ($\frac{2}{3}$) vote of the Board of Directors present, a quorum having been met.

ARTICLE IX: COMMITTEES

Section 1. To facilitate the ongoing work of the PTA, standing committees shall include, but not be limited to (*please list committees*): _____

- a. Chairmen of these committees shall be elected by the Board of Directors for a term of _____ (*number*) year(s).
- b. Committee members shall be nominated by the president and approved by the Board of Directors, or as provided for in these bylaws.

Section 2. Each committee member shall be a member of the local PTA unit.

Section 3. Chairmen of standing and special committees shall:

- a. Be members of the Board of Directors;
- b. Submit a plan of work and shall undertake no work without board approval;
- c. Circulate no material or form letters to the general membership without the approval of the president or officer designated by the president and the principal or a representative appointed by the principal.

Section 4. The Nominating Committee, responsible for overseeing the nominations for the Executive Committee elections, shall consist of _____ (*odd number*) members. Committee members shall be elected at any general meeting prior to January 31. The committee shall elect its own chairman at the time the committee is formed. The president and immediate past president shall be ineligible to serve on this committee.

Section 5. The Financial Review Committee shall consist of at least three (3) members selected by the board. The committee shall examine the treasurer's accounts at the close of the fiscal year, shall complete the Financial Review Checklist and Financial Review Report Form, and shall upload them to Memberhub no later than October 1. A financial review shall be performed annually, regardless of any change in officers or account signers. Current check signers and family members of current check signers are ineligible to serve on this committee.

ARTICLE X: MEETINGS OF THE BOARD OF DIRECTORS

- Section 1.** Regular board meetings shall be held at times to be fixed by the president and approved by the Board of Directors prior to the first general membership meeting. At least _____ (number) board meetings shall be held during the school year. In the event of a change of meeting date, at least _____ (number) days' notice shall be given to all board members of said change.
- Section 2.** Special meetings of the board may be called by the president, or by a simple majority of the Board of Directors, with at least _____ (number) days' notice given to all board members.
- Section 3.** A simple majority of the members of the Board of Directors shall constitute a quorum.

ARTICLE XI: MEETINGS OF THE GENERAL MEMBERSHIP

- Section 1.** At least _____ (number) regular meetings of this association shall be held during the school year. Meeting dates shall be determined by the Board of Directors and announced at the first regular meeting of the year. _____ (number) days' notice shall be given of a change of date.
- Section 2.** Special meetings of this association may be called by the president or by a simple majority of the Board of Directors with at least _____ (number) days' notice to the membership.
- Section 3.** The election meeting date shall be the date established in ARTICLE VI, Section 2.
- Section 4.** Before each General Membership meeting, quorum must be calculated based on current membership numbers. The quorum must be stated in the meeting minutes. It is required that this number be at least equal to the number of officers and committee chairs, plus 5% of the total membership or 10 members, whichever is higher.
- Section 5.** Only members of a local PTA who have paid dues for the current membership year may participate in the business of that association.

ARTICLE XII: DISTRICT/REGION PTA

- Section 1. District PTA**
- The local PTA unit shall be represented at conferences and other general meetings of District _____ PTA by the president or alternate, the principal or alternate, and by any delegate(s) or alternates, as determined by the district's bylaws. All local unit representatives attending district functions must be members of this local PTA unit.
 - Districts may not legislate for local PTA units.
 - Delegates and their alternates shall be elected in accordance with the district's bylaws.
 - The local PTA unit shall pay annual dues to the district PTA as provided in the bylaws of the district.
- Section 2. Region PTA (PTA District 9 only at this time)**
- The local PTA unit shall be represented at conferences and other general meetings of the _____ Region PTA by the president or alternate, the principal or alternate, and by any delegate(s) or alternates, as determined by the region's bylaws. All local unit representatives attending region functions must be members of this local PTA unit.
 - Regions may not legislate for local PTA units.
 - Delegates and their alternates shall be elected in accordance with the region's bylaws.
 - The local PTA unit shall pay annual dues to the region PTA as provided in the bylaws of the region.

ARTICLE XIII: FISCAL YEAR

THE FISCAL YEAR SHALL BEGIN ON JULY 1 OF EACH YEAR AND END ON THE FOLLOWING JUNE 30.

ARTICLE XIV: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the SCPTA and its constituent associations in all cases in which they are applicable and in which they are not in conflict with these bylaws, the SCPTA Bylaws, the National PTA Bylaws, special rules or the Articles of Incorporation.

ARTICLE XV: AMENDMENTS

These PTA bylaws may be amended by a two-thirds ($\frac{2}{3}$) vote of the members present and voting, a quorum having been met, at any general membership meeting, provided that these requirements have been complied with:

- The proposed amendment has been submitted for approval by a Bylaws Committee or the Board of Directors;
- A copy of the proposed amendment has been made available to the general membership at least thirty (30) days prior to the meeting at which the proposed amendment is voted upon;
- The amended bylaws are submitted to, and subject to approval by, the SCPTA.

These bylaws were approved by the membership of _____

☐ Parent Teacher Association (PTA) / ☐ Parent Teacher Student Association (PTSA) at a General Membership meeting held on _____, 20____.

Signature of President

Name (please print)

Cell Number:

Email Address:

Date:

Signature of Secretary

Name (please print)

Cell Number:

Email Address:

Date: