

# BYLAWS

of

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(Name of Unit)

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(School Address)

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(SCPTA District)

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(School District)



*Approved by SCPTA Board of Directors  
January 19, 2025*

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## **ARTICLE I: NAME**

The name of this association is: \_\_\_\_\_

## **ARTICLE II: PURPOSES**

### **Section 1: Organization**

This association is organized as a constituent association of the South Carolina Congress of Parents and Teachers (SCPTA) and the National PTA and operates 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").

### **Section 2: Objectives**

The Purposes of this association, in common with those of SCPTA and 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 3: Awareness**

The purposes of this association are promoted through advocacy and education in collaboration with parents, families, teachers, educators, students, and the public; developed through conferences, committees, projects, and programs; and governed and qualified by the basic principles set forth in Article III.

## **ARTICLE III: PRINCIPLES**

The following are basic principles of this association, in common with those of SCPTA and National PTA:

- A. The association shall be noncommercial, nonsectarian, and nonpartisan.
- B. The association shall work to engage and empower all children, families, and educators within schools and communities to provide quality education for all children and youth, and shall seek to participate in the decision-making process by influencing school policy and advocating for children's issues, 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 families, schools, and the community at large.
- D. Commitment to inclusiveness and equity, knowledge of the PTA, and professional expertise shall be guiding principles for service in this association.

## **ARTICLE IV: RELATIONSHIP WITH SCPTA AND NATIONAL PTA**

### **Section 1: Charter**

- A.** This association is organized and chartered under the authority of SCPTA and National PTA.
- B.** The charter may be suspended for failure to comply with requirements listed in Section 2 of this Article.
  - 1.** In the event the charter is suspended, this association shall not:
    - a.** Use SCPTA 501(c)(3) designation;
    - b.** Utilize PTA funds for student or staff events;
    - c.** Conduct fundraisers;
    - d.** Receive SCPTA awards;
    - e.** Participate in SCPTA or National PTA programs; or,
    - f.** Receive SCPTA or National PTA grants.
  - 2.** Units will be permitted to continue the following:
    - a.** Maintain bank account access;
    - b.** Pay debts; and,
    - c.** Recruit members.
- C.** After suspension, if steps are not taken to comply with requirements listed in Section 2 of this Article, the charter may be revoked by a vote of the SCPTA Board of Directors. Once a charter has been revoked, the unit will be terminated (see Article XV, Section 8).

### **Section 2: Qualifications**

To be in good standing with SCPTA, this association must annually:

- A.** Adhere to the purposes and principles outlined in Articles II and III;
- B.** Maintain current bylaws that are:
  - 1.** Updated as stipulated by the SCPTA Board of Directors;
  - 2.** Approved by the Board of Directors;
  - 3.** Approved by the General Membership; and,
  - 4.** Approved by SCPTA;
- C.** Maintain at least fifteen (15) members and submit names and contact information of all members to SCPTA;
- D.** Submit names and contact information of officers and Principal(s) to SCPTA by July 1<sup>st</sup> or within fifteen (15) days of elections if held after July 1<sup>st</sup>;
- E.** Maintain liability (minimum \$2 million) and bond (minimum \$10 thousand) insurance and submit proof of coverage to SCPTA by October 1<sup>st</sup>;
- F.** Conduct an annual financial review and submit the review and year-end financial report to SCPTA by November 15<sup>th</sup>;
- G.** File a federal tax return (990, 990EZ, or 990N) for the previous year and submit proof of submission or extension by the Internal Revenue Service to SCPTA by November 15<sup>th</sup>;
- H.** Submit an annual budget and minutes from a General Membership meeting approving the budget to SCPTA by November 15<sup>th</sup>;
- I.** Register and file any required documents with the South Carolina Secretary of State by November 15<sup>th</sup>;
- J.** Set aside the SCPTA and National PTA portion of dues paid by each member and remit the dues in accordance with Article V, Section 5; and,
- K.** Meet other criteria as may be prescribed by SCPTA.

### **Section 3: Intervention**

In the event that fraudulent or other illegal activity is suspected, the SCPTA Board of Directors has the authority to intervene in the affairs of this association, including the removal of members of the Board of Directors.

## **ARTICLE V: MEMBERSHIP**

### **Section 1: Non-discrimination**

Membership in PTA at all levels shall be open, without discrimination, to anyone who believes in and supports the mission, purposes, and principles of SCPTA and meets other qualifications for membership as prescribed in these bylaws and pays dues as described in these bylaws.

### **Section 2: Enrollment**

This association shall conduct an annual membership enrollment but may admit individuals at any time.

### **Section 3: Membership Year**

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

### **Section 4: Rights and Privileges**

Every individual who is a member of this association is also a member of SCPTA and National PTA. PTA members shall be entitled to all the benefits of such membership.

### **Section 5: Dues**

- A.** Members shall pay annual dues, as determined by this association. The annual dues shall include, at a minimum, the amounts due to SCPTA and National PTA. The amount of dues is recommended by the Board of Directors and approved by two-thirds of the votes cast by General Membership in accordance with voting procedures outlined in either Article XII or XIII.
- B.** The total amount of dues paid annually by each member shall include local, state, and national dues. The amount of the state portion of each member's dues shall be determined by SCPTA. The amount of the national portion of each member's dues shall be as determined by National PTA.
- C.** This association shall remit the state and national portion of the dues collected from members to SCPTA by
  - 1.** October 1;
  - 2.** December 1;
  - 3.** March 1; and,
  - 4.** June 30.

## **ARTICLE VI: GOVERNANCE STRUCTURE**

### **Section 1: Structure**

The governance structure of this association shall include the elected officers, members of the Board of Directors, standing committee members, and special committee members.

### **Section 2: Eligibility to Serve**

In order to be eligible to serve in the governance structure, an individual shall:

- A.** Be a current member of this association during the term of service (not required for nomination);
- B.** Consent to uphold and adhere to the policies and principles of this association as outlined in Article III; and,

- C. Meet other qualifications as prescribed in these bylaws.

### **Section 3: Ineligibility to Serve**

Any person previously removed from any PTA Board of Directors for cause shall be ineligible to serve in the governance structure.

## **ARTICLE VII: OFFICERS**

### **Section 1: Elected Officers**

- A. The officers of this association shall be, at minimum:
  - 1. President
  - 2. Treasurer
  - 3. Vice President and/or Secretary.
- B. Additional elected officer positions such as President-Elect, additional Vice Presidents, or Treasurer-Elect shall be established based on the needs of this association through a majority vote of the Board of Directors. These positions will be included until a vote to change the officer positions is adopted.
- C. Co-presidents or other co-elected officers are allowed.
  - 1. Co-elected officers must share a single vote in all meetings of the Executive Committee or Board of Directors. Each member may vote individually in general membership votes.
  - 2. The officer who is designated to vote in Executive Committee or Board of Directors meetings must be recorded in the minutes.
- D. All officers, including additional officer positions added by the Board of Directors, are elected according to procedures outlined in Article VIII.

### **Section 2: Eligibility**

In addition to the general provisions prescribed in Article VI, Section 2, the following shall apply:

- A. No officer may serve simultaneously in more than one elected position on the Board of Directors.
- B. Members of the Nominating Committee shall be eligible to be nominated for election to an officer position.

### **Section 3: Term of Office**

- A. All officers serve a term of one (1) year beginning July 1.
- B. Officers shall not serve more than three (3) consecutive full terms in the same office.
- C. All officers shall serve until successors have been elected.

### **Section 4: Resignation**

An officer may resign by giving written notice to the President, who shall notify the Board of Directors within five (5) days. The notice shall specify the effective date of resignation.

### **Section 5: Removal from Office**

An officer may be removed by the Board of Directors for not performing duties or no longer meeting eligibility requirements outlined in these bylaws. The motion must be approved by two-thirds (2/3) of the votes cast by the members of the Board of Directors.

### **Section 6: Vacancy in Officer Positions**

- A. A vacancy occurring in the office of President shall be filled for the remainder of the unexpired term, as applicable, according to the following order of succession:
  - 1. Co-President

2. President-Elect
  3. Vice President
  4. In the event that none of these officers are available, a special election shall be held to fill the President position.
- B.** A vacancy occurring in any other elected position shall be appointed by the Board of Directors for the unexpired term.
- C.** If a vacancy cannot be filled, the President, with approval of the Board of Directors, has the authority to assign the duties of the vacant officer's position until an officer can be duly elected or appointed.

## **Section 7: Duties of Officers**

The elected officers shall perform the duties provided in this section and such other duties as prescribed for the office in these bylaws, by the Board of Directors, by the President, or in the adopted parliamentary authority.

### **A. Duties of the President**

The president shall:

1. Preside at all meetings of the association, the Board of Directors and the Executive Committee;
2. Serve as chair of the Board of Directors and Executive Committee;
3. Serve as an ex-officio member of all committees except the Nominating Committee and Financial Review Committee;
4. Appoint committee chairs for approval by the Board of Directors as provided in these bylaws;
5. Sign all contracts of this association after approval by the Board of Directors; and,
6. Coordinate the work of all officers and committee chairs.

### **B. Duties of the Vice President**

The Vice President shall:

1. Act as an aide to the president;
2. Perform the duties of the president in their absence or inability to act;
3. Perform other duties as determined by the Board of Directors.

### **C. Duties of the Secretary**

The Secretary shall:

1. Attend all meetings of the general membership of this association, the Board of Directors, and Executive Committee to record minutes of the proceedings including documentation of attendance and verification that quorum is met;
2. Send a copy of minutes to all members of the appropriate voting body within seven (7) days of each meeting;
3. Ensure Board of Directors contact information is distributed to the Board of Directors each time a change occurs;
4. Maintain records of:
  - a. Bylaws of this association;
  - b. Standing Rules; and
  - c. minutes of official meetings of general membership, Board of Directors, and Executive Committee.
5. Transfer to the successor all books, records, and documents no later than ten (10) days following the completion of their term or assumption of office by their successors.

### **D. Duties of the Treasurer**

The Treasurer shall:

1. Serve as the financial officer and maintain an accurate account of the funds of this association;



2. Report the financial status of this association to the Board of Directors monthly and at all general membership meetings and along with all general membership votes;
3. Ensure appropriate tax and reporting forms are filed and all financial policies outlined in Article XIV are followed;
4. Serve as chair of the Budget Committee;
5. Transfer to the successor all books, records, and documents no later than ten (10) days following the completion of their term or assumption of office by their successors.

## **ARTICLE VIII: ELECTIONS AND APPOINTMENTS**

### **Section 1: Nominating Committee**

#### **A. Composition**

1. The Nominating Committee shall consist of three (3) members.
2. If a member of the committee is nominated for an officer position, the Board of Directors must appoint an alternate to participate only during the discussion of that officer position.

#### **B. Eligibility to Serve**

1. The President and immediate past President shall be ineligible to serve on this committee.
2. Candidates for officer positions shall not be excluded from serving on the committee.

#### **C. Election of Committee Members**

1. The committee members shall be elected by the general membership in accordance with voting procedures outlined in either Article XII or XIII no later than January 31.
2. All interested individuals shall be placed on the ballot.
3. Each member of the general membership will vote for three (3) candidates.
4. The three (3) candidates with the most votes will be elected to the committee.
5. In the case of a tie, a runoff election shall be held.

#### **D. Chair**

Following the formation of the committee, the committee shall elect its own chair.

#### **E. Term**

Elected committee members and alternates shall assume their duties immediately following the formation of the committee and shall serve until their duties are complete.

#### **F. Duties**

1. Identify individuals who have the characteristics and skill sets needed in the leadership of this association through the use of nomination forms, applications, or other communication deemed appropriate by the committee;
2. Screen and evaluate candidates; and,
3. Nominate one (1) eligible candidate for each elected officer position.
  - a. Officer positions will be defined by the Board of Directors and provided to the Nominating Committee.
  - b. In the event that a President-Elect is in place, no candidate will be slated for the office of President as the President-Elect shall succeed automatically to the office of President.

#### **G. Committee Report**

The committee shall provide a report to the Board of Directors that includes a slate of officer nominations for each elected officer position.

### **Section 2: Election of Officers**

- A. The slate of officers as presented in the Nominating Committee report shall be sent to general membership at least fifteen (15) days prior to the election. The communication will also include a nomination form for any additional candidates seeking election.

- B.** After fifteen (15) days, eligibility will be verified for any additional nominations received. All eligible candidates, including the slate of officers from the Nominating Committee, will be sent to general membership following the voting procedures outlined in either Article XII or XIII.

### **Section 3: Standing Committee Chairs**

**A. Term**

1. Standing committee chairs shall serve a term of one (1) year beginning July 1.
2. Standing committee chairs shall not serve more than three (3) consecutive full terms as chair of the same committee.

**B. Appointment**

Unless otherwise specified in these bylaws, standing committee chairs shall be appointed by the Board of Directors.

**C. Resignation**

A standing committee chair may resign by giving written notice to the President. The President shall notify the Board of Directors within five (5) days. The notice shall specify the effective date of resignation.

**D. Removal from Office**

A standing committee chair may be removed by the Board of Directors for not performing duties or no longer meeting eligibility requirements outlined in these bylaws. The motion must be approved by two-thirds (2/3) of the votes cast by the members of the Board of Directors.

## **ARTICLE IX: BOARD OF DIRECTORS**

### **Section 1: Composition**

The voting members of the Board of Directors shall be:

- A.** Elected Officers (see Article VII, Section 1);
- B.** Standing committee chairs (see Article X, Section 2);
- C.** Special committee chairs (see Article X, Section 3); and,
- D.** The principal of the school or their designee.
  1. In the event multiple administrators attend meetings of the Board of Directors, they must share a single vote.
  2. The administrator who is designated to vote in the Board of Directors meeting must be recorded in the minutes.

### **Section 2: Duties**

**A. Power and Authority**

1. The Board of Directors shall have full power and authority over the affairs of this association between meetings except as otherwise provided in these bylaws.
2. The Board of Directors shall govern this association in accordance with the requirements of federal and South Carolina laws, SCPTA, these Bylaws, the Standing Rules and Procedures, and the current approved budget.

**B. Duties of the Board of Directors**

The duties of the Board of Directors shall include but not be limited to:

1. Establishing annual goals for this association;
2. Appoint standing and special committee chairs;
3. Reviewing and acting on reports and recommendations of committees; and,
4. Approving the budget before sending it to the General Membership for adoption.

### **Section 3: Meetings**

#### **A. Regular Meetings**

1. The Board of Directors shall have at least four (4) regularly scheduled meetings during each membership year.
2. Additional meetings may be held prior to the membership year to allow the incoming Board of Directors to prepare for the upcoming year, including appointing a financial review committee, appointing committee chairs, and approving a budget.
3. The time and place of all regular meetings shall be mutually agreed upon by the Board of Directors. Meetings may be rescheduled to accommodate unforeseen circumstances.

#### **B. Special Meetings**

1. Special meetings of the Board of Directors may be called by the President, with five (5) days written notice to each member of the Board of Directors. Notice may be waived by members of the Board of Directors.
2. Special meetings may be called by any elected Officer in like manner and with like notice on the written request of an additional member of the Board of Directors.

#### **C. Electronic Votes Between Meetings**

1. In the event a vote is necessary between meetings of the Board of Directors, the use of electronic voting is authorized.
2. The vote should be called by the President and conducted by secret ballot.
3. All votes taken outside of regular meetings shall be ratified by the Board of Directors at the next regular meeting.

### **Section 4: Quorum**

A quorum of the Board of Directors shall be a majority of the members of the Board of Directors currently in office.

## **ARTICLE X: COMMITTEES**

### **Section 1: Executive Committee**

#### **A. Composition**

The Executive Committee shall be comprised of the elected officers.

#### **B. Duties**

The Executive Committee shall transact all business referred to it by the Board of Directors and shall act on behalf of this association in periods between meetings of the Board of Directors and in emergencies. No action of the Executive Committee shall conflict with any action taken by the Board of Directors.

### **Section 2: Standing Committees**

- A. A standing committee is a committee that performs a continuing function and is considered a permanent part of this association. The purposes, functions, and duties remain the same while the members change.
- B. The Board of Directors may create such standing committees as it may deem necessary to promote the purposes and carry on the work of the association.
- C. Standing committee chairs shall submit a Plan of Work for approval by the Board of Directors. A Plan of Work is an agreement between the committee and the Board of Directors that outlines the goals and expectations of the committee, including specific action steps and the allocated budget for the committee.
- D. Standing committees do not have the authority to act for the Board of Directors and may not circulate material to the general membership without the approval of the President or officer designated by the President.

### **Section 3: Special Committees**

**A.** A special committee is a committee that is created to complete a specific task and is dissolved once the task is finished and a final report is presented.

**B.** Certain special committees are expected to be created each year. They are:

1. Nominating Committee (see Article VIII, Section 1).

2. Budget Committee

**a.** Composition

The Budget Committee shall be composed of:

i. Treasurer

ii. President

iii. Additional members at the discretion of the chair.

**b.** Chair

The chair of the Budget Committee will be the Treasurer.

**c.** Duties

i. Solicit budget requests from each member of the Board of Directors for consideration by the committee.

ii. Create a draft budget that considers the budget requests submitted by Board of Directors members.

iii. Submit the draft budget to the Board of Directors for approval.

#### **4. Financial Review Committee**

This committee will not be created if this association elects to utilize a Certified Public Accountant to perform its annual financial review.

**a.** Appointment

Financial Review Committee shall be appointed annually to review the financial records of this association from the previous fiscal year. A Financial Review Committee may also be created in the event of a change in President or Treasurer.

**b.** Composition

The Financial Review Committee shall consist of three (3) members.

**c.** Eligibility to Serve

i. Committee members shall be current members of this association.

ii. Individuals listed on the signature card of the bank account during the period being reviewed shall be ineligible to serve on this committee.

iii. Family members of individuals listed on the signature card of the bank account during the period being reviewed shall be ineligible to serve on this committee.

iv. Current individuals listed on the signature card of the bank account shall be eligible to serve on this committee provided they were not on the account during the period reviewed.

**d.** Duties

For the period being reviewed:

i. Examine each transaction to verify the transaction register corresponds with the bank statement and includes supporting documentation;

ii. Complete the Financial Review Checklist and Financial Review Report Form;

iii. Document recommendations based on any discrepancies identified during the review; and,

iv. Submit forms and recommendations to the Board of Directors for adoption.

**C.** The Board of Directors may establish other special committees as needed. The members of the special committees shall be appointed by the President and approved by the Board of Directors. The committees may select their own Chairs.

- D. Special committees do not have the authority to act for the Board of Directors and, with the exception of the Nominating Committee, may not circulate material to the general membership without the approval of the President or officer designated by the President.

## **ARTICLE XI: DISTRICTS**

### **Section 1: PTA Districts**

- A. This association is a member of a PTA District organized by the SCPTA Board of Directors.
- B. The President or their designee shall represent this association at any meeting held by the District PTA.
- C. No actions may be imposed on this association by the District PTA. However, dues may be assessed by the District PTA as outlined in the District's bylaws.

### **Section 2: Representation**

This association shall be represented by the District President at all meetings of the SCPTA Board of Directors.

## **ARTICLE XII: GENERAL MEMBERSHIP**

### **Section 1: Composition**

The general membership of this association includes all individuals who have paid dues for the current membership year.

### **Section 2: Required Votes of General Membership**

- A. *At a minimum*, the following votes are required of general membership annually:
  - 1. Elect a nominating committee (see Article VIII, Section 1);
  - 2. Elect officers (see Article VIII, Section 2); and,
  - 3. Adopt a budget (see Article XIV, Section 4).
- B. Other votes may be necessary to conduct the business of the association.
- C. Votes may be conducted during a meeting of the general membership (see Section 3 of this Article) or through electronic voting (see Article XIII, Section 1).
- D. Unless otherwise stated in these bylaws, all votes must be approved by a majority of the votes cast, quorum having been met.

### **Section 3: Meetings**

#### **A. Frequency and Notice**

Meetings of the general membership may be held as determined by the Board of Directors with at least seven (7) days notice.

#### **B. Quorum**

Quorum must be calculated before each meeting and is ten (10) percent of the number of members at the time the vote is initiated.

#### **C. Minutes**

Within fifteen (15) days following the meeting, the Secretary will generate minutes for the permanent records of this association and will send them to all members.

## **ARTICLE XIII: ELECTRONIC VOTING, MEETINGS, AND COMMUNICATION**

## **Section 1: Electronic Voting for General Membership Votes**

All General Membership votes may be conducted electronically as outlined below.

### **A. Voting Body**

1. The voting body shall consist of all members of this association who have paid dues for the current membership year.
2. No individual may vote more than once.

### **B. Quorum**

1. Quorum must be calculated before each electronic vote and is ten (10) percent of the number of members at the time the vote is initiated.
2. In the absence of a quorum responding, the voting period may be extended to allow for a quorum to be obtained.

### **C. Procedures**

1. The President or Secretary will send details of the proposed vote to the voting body at least 15 days prior to the electronic voting period to allow for amendments and discussion.
2. The President or Secretary will send a link for voting to the voting body and will include a summary of discussion and all amendments proposed.
3. After 15 days, the voting period will close and the votes will be totaled.
4. The President will inform the Board of Directors of the vote results.
5. The Secretary will generate minutes of the vote for this association's permanent records.
6. The President or Secretary will send the outcome of the vote to the general membership within 15 days of the close of the voting period.

## **Section 2: Electronic Meetings**

The general membership, Board of Directors, all committees, and all subcommittees shall be authorized to meet through electronic communications so long as all the attendees can simultaneously hear each other and participate during the meeting.

## **Section 3: Electronic Communication**

All communication required by these bylaws may be sent electronically.

# **ARTICLE XIV: FINANCIAL POLICIES**

## **Section 1: Accounts**

- A. All funds of this association shall be deposited into accounts approved by the Board of Directors and disbursed under the supervision and control of the Treasurer as provided in these Bylaws.
- B. All accounts must have at least three (3) officers listed as authorized signers.
- C. **Checks**
  1. All checks issued by this association must be signed by two authorized officers.
  2. No checks may be written to either of the officers signing the check.
  3. No checks may be written to "Cash".
- D. This association is authorized to maintain a savings account if approved by the Board of Directors.
- E. Credit or debit cards are only authorized with written approval by SCPTA.

## **Section 2: Financial Records**

This association shall maintain permanent records of account required to establish the items of gross income, receipts, and disbursements of the association including, specifically:

- A. the number of members;
- B. the dues collected from members; and,

- C. the amounts of dues remitted to SCPTA.

### **Section 3: Fiscal Year**

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

### **Section 4: Budget**

#### **A. Approval Process**

1. A budget shall be developed annually by the Budget Committee and presented to the Board of Directors.
2. The Board of Directors provides initial approval before sending the budget to General Membership for adoption.
3. General Membership votes to adopt the budget in accordance with voting procedures outlined in either Article XII or Article XIII.

#### **B. Authorized Disbursements**

1. Funds may only be disbursed in accordance with a budget adopted by the General Membership.
2. Individual expenditures require approval from the President and Treasurer. In the event that a reimbursement is requested to either the President or Treasurer, another elected officer should approve the expenditure.

#### **C. Amendments**

1. An amendment to the adopted budget is required in the following circumstances:
  - a. additional budget line items are needed; or,
  - b. an expected increase to an individual expenditure budget line item of larger than ten percent (10%).
2. The Board of Directors may vote to authorize expenditures up to ten percent (10%) over an individual expenditure budget line item without requiring General Membership approval.
3. The adopted budget may be amended by the following process:
  - a. The Board of Directors provides initial approval before sending the budget amendment to General Membership for adoption.
  - b. General Membership votes to adopt the budget amendment in accordance with voting procedures outlined in either Article XII or Article XIII.

### **Section 5: Monthly Reconciliation**

- A. Each month, the Treasurer must reconcile the transactions recorded in the financial records of this association to the bank statement and explain any discrepancies.
- B. Monthly bank statements and bank reconciliations are to be reviewed and signed by someone who does not have access to the bank account or authority to sign checks.

### **Section 6: Financial Review**

- A. All financial records and accounts shall be reviewed each year by a Financial Review Committee (see Article X, Section 3) or certified public accountant approved by the Board of Directors.
- B. The Financial Review report must be presented for adoption by the Board of Directors and added to the permanent records of this association.

### **Section 7: Use of Funds**

The funds of this association shall not be used to apply for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code for any organization (including parent teacher organizations) other than this association.

## **ARTICLE XV: OPERATIONAL REQUIREMENTS AND DISSOLUTION**

### **Section 1: Compensation**

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 this 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 2 hereof.

### **Section 2: Impermissible Activities**

Notwithstanding any other provision of these articles, this association shall not carry on any activities not permitted to be carried on:

- A. By an association exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or
- B. By an association, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

### **Section 3: Political Participation**

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.

### **Section 4: Standing Rules and Procedures**

The Board of Directors shall have the responsibility to adopt and revise rules, policies, and procedures related to the organization, governance, management, meetings, public policy positions, and overall work of this association and its committees.

### **Section 5: Records**

All records, documents, funds, and other belongings of this association are the property of this association. Such materials may be inspected at any time by any member of this association with fifteen (15) days' notice to any officer. All such materials that may be in the possession of any officer shall be returned to this association within ten (10) days after vacating such office.

### **Section 6: Property Purchased for School Use**

- A. Purchases made by this association for long-term school use may be made with approval of the Principal and in accordance with the budget approved by general membership.
- B. Ownership of major purchases (e.g. playground equipment, electronic signs) must be transferred to the school after purchase. The transfer of ownership must be in writing, must release this association of liability related to the purchase, and be retained in the permanent records of this association.

### **Section 7: Dissolution**

This association may dissolve and terminate its affairs in the following manner, provided this association is in good standing (see Article IV, Section 2). The Board of Directors will:

- A. Notify the SCPTA at [office@scpta.org](mailto:office@scpta.org) of the association's intent to dissolve at least thirty (30) days prior to holding a general membership dissolution meeting;
- B. Notify the general membership at least thirty (30) days prior to the general membership dissolution meeting;



- C. Convene a meeting (see Article VII, Section 3) with the general membership to discuss and vote to dissolve. Dissolution of this association shall require an approval vote of at least two-thirds (2/3) of the members present and voting, a quorum being present;
- D. Submit minutes of the general membership dissolution meeting to SCPTA; and,
- E. Complete termination procedures outlined in Section 8 of this article.

## **Section 8: Termination**

Upon termination:

- A. This association, under the supervision and direction of the SCPTA, shall:
  - 1. Ensure all debts and obligations of the association have been paid;
  - 2. Distribute all remaining assets to SCPTA, to be held for three (3) years in the event the association is re-established.
    - a. After three (3) years, the funds will be used to promote the purposes of PTA outlined in Article II.
    - b. Alternatively, if this association is being dissolved under Section 7 of this article, the general membership may vote to distribute funds to one or more nonprofit funds, foundations, or associations that 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,
  - 3. Discontinue use of the PTA name and other trademarks;
  - 4. Submit to SCPTA documentation of the following:
    - a. the association's bank account has been closed;
    - b. the school district has been notified of the termination;
    - c. a final return has been filed with the IRS;
    - d. the Secretary of State has been notified of the termination;
  - 5. Surrender all records of the association to SCPTA.
- B. SCPTA shall notify the following entities of the termination of this association:
  - 1. the Internal Revenue Service to discontinue the 501(c)(3) status of this association under the SCPTA group exemption;
  - 2. National PTA; and,
  - 3. any other entity that the Board of SCPTA and/or President deems necessary.
- C. Access to SCPTA benefits shall be discontinued.

## **ARTICLE XVI: PARLIAMENTARY AUTHORITY**

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

## **ARTICLE XVII: AMENDMENTS**

### **Section 1: Amendments**

These bylaws may be amended as follows:

- A. The amendment must be approved by two-thirds (2/3) of the votes cast by the Board of Directors with fifteen (15) days notice.
- B. The amendment must be approved by two-thirds (2/3) of the votes cast by the General Membership in accordance with voting procedures outlined in either Article XII or Article XIII.

**Section 2: Action**

Updated bylaws shall be submitted to the SCPTA within fifteen (15) days following the vote by which the Bylaws are amended.

**Approved by Board of Directors:** \_\_\_\_\_

**Approved by General Membership:** \_\_\_\_\_

**Signed:**

\_\_\_\_\_  
*President*  
Date: \_\_\_\_\_

\_\_\_\_\_  
*Secretary*  
Date: \_\_\_\_\_