

UNIT BYLAWS

- (1) Red Hook Parent Teacher Student Association
- (2) Linden Avenue School
65 West Market St, Red Hook, New York 12571
- (3) NYS PTA Region Taconic NYS PTA Code # 17-304
- (4) National PTA Code # 00164699
- (5) Grade Level G-12
- (6) Federal ID Number 14-1822097
- (7) New York State Sales Tax Exempt Number EX - 222578
- (8) Membership Adoption Date 10/21/09
- (9) President's Signature Edith Gelardi
- (10) Secretary's Signature Angela M. Fay

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Region Reviewed	State Approved
<u>M. Betty</u> <u>Taconic Region Bylaws Chair</u> <u>Oct 27, 09</u>	Bylaws Approved <u>DEC 10 2009</u> <u>Nancy Cummings</u> State Chairman of Bylaws NYS Congress of Parents and Teachers, Inc
Bylaws valid as of state approval date. Date of Expiration <u>Jan 01, 2013</u>	
Bylaws, whether revised or not, must be adopted by the association and submitted to Region Bylaws Chairman at least 90 days prior to date of expiration.	

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#ARTICLE I – NAME

- (1) The name of the organization is the Red Hook
Parent Teacher Student Association. It is a local PTA unit organized under the authority
of the New York State Congress of Parents and Teachers, Inc. (the New York State PTA) a
branch of the National Congress of Parents and Teachers (the National PTA).

#ARTICLE II – ARTICLES OF ORGANIZATION

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

#ARTICLE III – PURPOSES

- (1) **Section 1.** The Purposes of the Red Hook
Parent Teacher Student Association, in common with those of the National PTA
and the New York State 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 New York State PTA, and this organization
are promoted through an educational program 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 IV.

Section 3. The organization 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 "Internal Revenue Code").

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#ARTICLE IV – BASIC POLICIES

The following are basic policies of this PTA in common with those of the National PTA and the New York State PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The name of the organization or the names of any members in their official capacities shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the Purposes of the organization.
- c. The organization 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
- d. The organization 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.
- e. The organization shall not enter into membership with other organizations except as such international or national organizations as may be approved by the National Board of Directors. The New York State PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but a PTA/PTSA representative shall make no commitments that bind the group he represents.
- f. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the organization 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
- g. Notwithstanding any other provision of these articles, the organization 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.
- h. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more non-profit 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 the National PTA.

**#ARTICLE V – RELATIONSHIP WITH THE NATIONAL PTA
AND THE NEW YORK STATE PTA**

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

A local PTA in good standing is one which:

- a. Adheres to the Purposes and basic policies of the PTA.
- b. Remits the national portion of the dues through the New York State PTA to reach the National Office by dates designated by the National PTA.
- c. Has bylaws approved according to the procedures of the New York State PTA.
- d. Meets other criteria as may be prescribed by the New York State PTA.

Section 2. This PTA shall adopt such bylaws for the government of the organization as may be approved by the New York State PTA. Such bylaws shall not be in conflict with the Bylaws of the National PTA or the bylaws of the New York State PTA.

Section 3. Bylaws of each constituent organization shall include an article on amendments.

Section 4. Each officer or board member of a constituent organization shall be a member of a local PTA within its area.

Section 5. Each officer or board member of a local PTA shall be a member of such local PTA.

Section 6. This 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 organization, including, specifically, the number of its members, the dues collected from its members, and the amount of dues remitted to the New York State PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the New York State PTA or, where directed by the committee on state and national relationships, by a duly authorized representative of the National PTA.

Section 7. The charter of this PTA shall be subject to withdrawal and the status of such organization as a PTA unit shall be subject to termination, in the manner and under the circumstances provided in the bylaws of the New York State PTA.

Section 8. This local PTA is obligated, upon withdrawal of its charter by the New York State PTA:

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

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Section 9. This PTA shall collect dues from its members and shall remit a portion of such dues to the New York State PTA as provided in Article VI hereof.

Section 10. Only members of a local PTA who have paid dues for the current membership year may participate in the business of that association.

Section 11. Bylaws of each constituent organization shall include a provision establishing a quorum.

Section 12. The members of the nominating committee for officers of a constituent organization shall be elected by membership and Executive Board.

Section 13. The bylaws of all constituent organizations shall prohibit voting by proxy.

Section 14. Each local PTA shall include in its bylaws provisions corresponding to the provisions of such bylaws as are identified by the state symbol (#).

Section 15. The adoption of an amendment to any provision of the Bylaws of the National PTA and the New York State PTA shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the amending process, the local PTAs shall promptly incorporate such amendments in their respective bylaws.

Section 16. This local PTA may dissolve and terminate its organization in either of the following manners:

- a. If dissolution of the association is considered because the school is being closed, the unit shall hold a meeting for the purpose of dissolution. Written notice indicating the purpose of this meeting shall be sent to the region director at least thirty (30) days prior to this meeting, and the region director shall be invited to this meeting. After the meeting the unit shall send written notice to the New York State PTA Office stating that the PTA has been dissolved, giving the date of dissolution. Units dissolved under this paragraph are obligated to further comply with all the provisions contained in Article VI, Section 6 of the New York State PTA Bylaws.
- b. Upon receipt of a petition recommending dissolution of the association signed (including their addresses) by ten members or ten percent (10%) of the membership of the association, whichever is larger (exclusive of the members of the executive board) the executive board shall submit the question of dissolution to a vote at a special meeting of the members. All monies shall be frozen, except for those already budgeted or approved until the question of dissolution has been decided. If dissolution is approved, disposition of funds shall be in accordance with Article VI, Section 6 of the New York State PTA Bylaws.
 - (1) Written notice stating the question of such dissolution shall be given to each member entitled to vote at such meeting, to the president of the New York State PTA, and to the region director at least thirty (30) days prior to the date of such meeting. The list of the names and addresses of the petitioners shall be given to the region director. The region director shall be invited to the meeting.
 - (2) Only those persons who were members of the association on the date of submission of the question of dissolution and who continue to be members on the date of the special meeting shall be entitled to vote on the question.

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- (3) Approval of dissolution of this local PTA shall require the affirmative vote of at least two-thirds (2/3) of the members present and voting at the special meeting, a quorum being present.

ARTICLE VI – MEMBERS AND DUES

Section 1. Every individual who is a member of this PTA is, by virtue of that fact, a member of the National PTA and of the New York State PTA by which this local PTA is chartered, and is entitled to all 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.

Section 3. This PTA shall conduct an annual enrollment of members. Membership is to be available throughout the year.

Section 4. Each member of this PTA shall pay such annual dues to said organization as may be prescribed by the organization. The amount of such dues shall include the portion payable to the New York State PTA (the “state portion”) and the portion payable to the National PTA (the “national portion”). The National portion of each member's dues shall be one dollar and seventy-five cents (\$1.75) per annum. The New York State PTA portion of each member's dues shall be one dollar and seventy-five cents (\$1.75) per annum.

(11) **Section 5.** Each member of this PTA shall pay annual dues of \$6.00 to the organization. The amount of such annual dues shall include the portion payable to the state PTA and the portion payable to the National PTA.

Students shall pay annual dues of \$3.50 to the association

(12) # **Section 6.** The state and national portions of the dues paid by each member of this PTA shall be set aside by this PTA and remitted to the New York State PTA through such channels and at such times as the state bylaws may provide.

Section 7. The membership year shall be from October 1 to September 30 inclusive. Dues shall be remitted to the New York State PTA Office immediately following the membership enrollment and before November 1. All dues shall be forwarded to the State PTA Office by March 31, and any additional dues shall be sent to the State PTA Office by the end of the school year.

Section 8. Only members of this PTA who have paid dues for the current membership year shall be eligible to participate in the meetings of the PTA or to serve in any of its elective or appointive positions.

Section 9. Honorary Life Membership.

- a. An Honorary Life Membership in the New York State PTA in recognition of distinguished service to children and youth may be conferred by the New York State PTA or any of its constituent organizations in good standing upon payment of a fee established by the Board of Managers of the New York State PTA. An Honorary Life Member must pay dues to a local PTA to be entitled to all the rights and privileges of active status.

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- b. All contributions made in recognition of the selection of persons to Honorary Life Membership in the New York State PTA shall be paid to the New York State PTA Jenkins Memorial Scholarship Fund for Teacher Education or to the New York State PTA Richard Gazzola Teacher Fellowship Fund as designated by the contributor.

ARTICLE VII – OFFICERS AND THEIR ELECTION

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

Section 2. Officers and their election:

- (13) a. The officers of the association shall consist of ^{a president}~~a president~~, ^{co-presidents}~~one~~ (1) vice president(s), a recording secretary, ~~a corresponding secretary~~, and a treasurer.

Co-Presidents (2) may be used in lieu of a president

- (14) b. Officers shall be elected by ballot annually at a regular meeting of the association in the month of April. However, if there is only one nominee for any office, election for that office may be by voice vote.

- (15) c. Officers shall assume their official duties on July 1st and shall serve for a term of ~~one year~~ or until a successor is elected.

two years

- (16) d. A person shall not be eligible to serve more than 2 consecutive term(s) in the same office. An officer who has served more than one-half of a term shall be credited with having served that term.

#e. No person shall hold more than one office at the same time.

- (17) #f. No person under the age of 18 shall be eligible to serve in the office of president, recording secretary (or secretary), or treasurer.

Section 3. Nominating Committee

- (18) a. There shall be a nominating committee consisting of 3 members, 1 of whom shall be elected by the executive board from its body, and 2 who shall not be members of the executive board, elected by the association at a regular meeting of the association at least sixty (60) days prior to the election meeting. From this elected group, the chairman of the nominating committee shall be elected by the Nominating Committee.

#b. The nominating committee shall nominate one person for each office to be filled.

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- #c. Members of the nominating committee may be nominees for office without resigning from the committee.
- #d. Only those persons who have consented to serve if elected shall be nominated for or elected to such office.
- (14) #e. The nominating committee shall present its report at the regular meeting of the association in (month election held) April at which time additional nominations may be made from the floor.

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(20) **Section 4. Vacancies**

A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the executive board, notice of such election having been given to the executive board. In case a vacancy occurs in the office of the ~~president~~, the ~~first~~ vice president shall serve notice of the election to the executive board. *co-presidents*

ARTICLE VIII – DUTIES OF OFFICERS

Section 1. The president shall:

- # a. Have general charge and supervision of the business and affairs of the association and perform the duties usually incident to the office of president of a not-for-profit association chartered by the New York State PTA and organized under the laws of New York State.
- # b. Sign and execute all contracts, agreements, or other obligations in the name of the association.
- c. When present, preside at all meetings of the association, the executive board, and the executive committee.
- # d. Be a member ex-officio of all committees except of the nominating committee or the audit committee. The president may not be an ex-officio, elected, or appointed member of these two committees.
- e. In cooperation with the executive committee, appoint the committee chairmen including all special committee chairmen, except those for which other provision is made, and fill vacancies in chairmen of all committees, except those for which other provision is made.
- f. Coordinate the work of the officers and committees of the association in order that the Purposes may be promoted.

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g. Keep a current copy of the association's state-approved bylaws.

(21) h. The Co-presidents shall determine the specific duties of each with the approval of the executive board

Section 2. The vice president(s) shall:

(22) a. Act as aide(s) to the ~~president~~ co-presidents.

b. Perform the duties of the president in the absence or inability of that officer to act. In order to perform the duties of the president, a person must be at least 18 years of age.

(23) Section 3. The ~~recording~~ secretary shall:

a. Record and maintain a permanent file of the minutes of all meetings of the association, executive board, and the executive committee.

b. Send the names and addresses of the elected officers to the region director immediately following their election.

c. Maintain a permanent file of the committee reports, membership lists, and records pertaining to the work of the association.

d. Keep a current copy of the association's state-approved bylaws.

~~Section 4. The corresponding secretary shall:~~

e ~~x~~. Conduct the correspondence of the association under the direction of the president.

f ~~y~~. Maintain a file of all correspondence pertaining to the work of the unit.

g ~~z~~. Send notices of meetings as required.

(24)

~~Section 5.~~ ⁴ The treasurer shall:

a. Have custody of all of the funds of the association.

b. Keep a full and accurate account of receipts and expenditures.

c. Make disbursements as authorized by the president, executive board, or association in accordance with the budget adopted by the association.

d. Issue written receipts for donations of seventy-five dollars (\$75) or more indicating the portion of the donation exceeding the value of the goods or services received that is deductible.

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- # e. Serve as chairman of the budget committee to prepare a budget for submission to the executive board for review and to the association for adoption.
- # f.. Present a financial statement at every meeting of the association and at other times when requested by the executive board.
- # g. Present a complete annual report at the annual meeting of the association.
- # h. Be responsible for the maintenance of such books of account and records as conform to the requirements of Article V, Section 6.
- # i. Keep the records of the National PTA and the New York State PTA portions of the dues separate from the portion of the association, in accordance with Article V, Section 6.
- # j. Pay the National PTA and the New York State PTA portions of the dues to the New York State PTA in accordance with Article VI, Section 6.
- # k. Pay to New York State PTA the fee for the liability insurance and fidelity bond provided the association through the New York State PTA.
- # l. Submit all financial records in accordance with Article XII, Section 8 to the audit committee or a professional auditor at least two weeks prior to date audit report is due.
- # m. Have the accounts examined annually or upon change of treasurer by an audit committee or a professional auditor who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.
- # n. File all forms required by the Internal Revenue Service and New York State agencies.

(25) Pay the annual PTA council dues to the This unit is not a
 Council of Parent-Teacher Associations. member of a council.

(26)

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 (27) Section ~~6~~ All officers shall:

- # a. Meet the fiduciary duties of careful and prudent judgment and adherence to the organizations purposes and rules.
- # b. Attend local, regional and/or state PTA training workshops.
- c. Perform the duties outlined in these bylaws and those assigned from time to time.
- d. Turn over to the president or successor all pertinent records, books and materials and return to the treasurer all funds without delay upon the expiration of the term of office, or in case of resignation.

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ARTICLE IX – EXECUTIVE COMMITTEE

(28) **Section 1.** The executive committee shall consist of the officers of the association.

Section 2. The executive committee shall:

- a. In cooperation with the president, appoint the committee chairmen including all special committee chairmen, except those for which other provision is made, and fill vacancies in chairmen of all committees, except those for which other provision is made.
- b. Appoint delegates to the New York State PTA convention in accordance with the provisions of the bylaws of the New York State PTA, to other state and regional meetings, and to meetings of other organizations as defined in Article IV, e.
- c. Transact necessary business between meetings of the executive board and all business referred to it by the executive board or association.
- d. Make recommendations to the executive board.

(29)

Section 3. The executive committee shall meet at the call of the president or a majority of the executive committee members. At least 5 days' notice shall be given.

(30) **Section 4.** Special meetings of the executive committee may be called by the president or upon the request of the majority of the members. At least 3 days' notice shall be given.

Section 5. A majority of the executive committee shall constitute a quorum.

ARTICLE X – EXECUTIVE BOARD

Section 1. Each board member shall be a member of this PTA.

(31) **Section 2.** The executive board shall consist of the executive committee, chairmen of the standing committees, building principals, 2 teacher representatives.

Section 3. A PTA member shall not serve as a voting member of a constituent organization's board at the local, council, region, state, or national level while serving as a paid employee of, or under contract to, that constituent organization.

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Section 4. The executive board shall:

- a. Transact necessary business in the intervals between regular association meetings and such other business as may be referred to it by the association.
- b. Create committees, in accordance with the provisions of Article XII.
- c. Approve the plans of work of the standing committees.
- d. Present a report at the regular meetings of the association.
- e. Review and submit the budget prepared by the budget committee to the association for adoption.
- # f. Appoint an audit committee of no fewer than three (3) members or a professional auditor at least two (2) weeks prior to the date the audit report is due.
- g. Fill vacancies in office.

(32) h. If co-presidents are elected, approve the specific duties of each as determined by the co-presidents

(33) Section 5. The executive board shall meet ^{at least} 2 times ^a year, the dates and times to be determined by the board. At least 7 days' notice shall be given.

(34) Section 6. Special meetings of the executive board may be called by the president or upon the request of a majority of the members. At least 3 days' notice shall be given.

#Section 7. A majority of the executive board shall constitute a quorum.

(35)

ARTICLE XI – MEETINGS OF THE ASSOCIATION

(36) Section 1. Regular meetings of the association shall be held at least three (3) times during the year, the dates and times to be determined by the executive board. At least ~~30~~ 3 days' notice of a meeting shall be given.

(37) #Section 2. The annual meeting shall be held in the month of May at which time annual reports of officers and committee chairmen shall be presented.

(38) Section 3. Special meetings of the association may be called by the president, a majority of the executive board, or upon the written request of 30 % of the membership. At least 15 days' notice of any special meeting shall be given.

(39) Section 4. 9/10 members shall constitute a quorum for the transaction of business in any meeting of the association.

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ARTICLE XII – COMMITTEES

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

Section 2. Chairmen of committees shall be appointed by the president in cooperation with the executive committee, except those for which other provision is made

a. The term of each chairman shall be one year or until a successor is appointed.

(40) # b. A person shall not be eligible to serve more than 2 consecutive term(s) as chairman of the same standing committee.

#Section 3. The chairman of each standing committee shall prepare a plan of work and, after its approval by the executive board, shall carry out its provisions. No committee work shall be undertaken without the approval of the executive board.

#Section 4. The chairman of each standing committee shall attend region workshops.

Section 5. Special committees may be created by the association or by the executive board.

Section 6. A nominating committee shall be formed and shall perform its duties in accordance with the provisions of Article VII, Section 3.

#Section 7. A budget committee shall be appointed by the executive board. The treasurer shall be chairman of the committee.

(41) #Section 8. An audit committee of no fewer than three (3) members or a professional auditor shall be appointed by the executive board at least two (2) weeks prior to the date the audit report is due. This committee shall examine the treasurer's accounts and, satisfied that they are correct, sign a statement of that fact to be presented for adoption by the membership at the annual meeting.

#Section 9. A majority of any committee shall constitute a quorum.

#Section 10. The president shall be a member ex-officio of all committees, except that the president shall not be elected or appointed a member, nor serve as ex-officio of the nominating and audit committees.

ARTICLE XIII – COUNCIL MEMBERSHIP

(42) This association is not a member of a council.

~~(43)~~ Section 1. The association shall be represented at meetings of the _____ Council of Parent-Teacher Associations by the president and by _____ council delegates as determined by the council bylaws.

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Council delegates:

#a. Must be members for the current membership year of the local unit they represent.

(44) b. Shall be _____

c. Shall attend council meetings regularly and report on them to the association or to the executive board.

(45) Section 2. The association shall pay annual dues to the _____
_____ Council of Parent-Teacher Associations in the amount
determined by the council bylaws.

#ARTICLE XIV – FISCAL YEAR

(46) The fiscal year of this association shall begin on July 1st and end on the following June 30th.

#ARTICLE XV – PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the National PTA and its constituent organizations in all cases in which they are applicable and in which they are not in conflict with these bylaws, the bylaws of the New York State PTA, and the bylaws of the National PTA or the articles of incorporation.

#ARTICLE XVI – AMENDMENTS

Section 1. These bylaws are valid for three years from the date of approval by the New York State PTA. In order to be sent at least 90 days prior to date of expiration, the bylaws shall be:

- a. Reviewed by a committee, revised if necessary, and approved by the association whether revised or not.
- b. Sent, whether revised or not, to the region bylaws chairman for review or, in the chairman's absence, to the region director, who shall forward all bylaws to the New York State PTA Bylaws Chairman for approval.

Section 2. All new or revised bylaws and amendments adopted by this PTA must not conflict with the required articles prescribed in the bylaws of the National PTA and the New York State PTA, are subject to approval by the New York State PTA Bylaws Chairman, and shall become effective upon such approval.

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- a. These bylaws may be revised or amended at any regular meeting of the association by a two-thirds (2/3) vote of members present and voting, provided that 30 days' notice has been given.
- b. A committee may be appointed to submit a revised set of bylaws as substitute for the existing bylaws by a majority vote at a meeting of the association or by a two-thirds (2/3) vote of the executive board.
- c. Amendments or new or revised bylaws must be submitted for approval by the New York State PTA in accordance with the bylaws or regulations of the New York State PTA.

Section 3. The adoption of an amendment to any provision of the Bylaws of the National PTA shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the amending process, this PTA shall promptly incorporate such amendments in its respective bylaws.

Section 4. The adoption of an amendment to any provision of the bylaws of the New York State PTA identified by the state symbol (#) shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA.

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