

# **Bylaws and Standing Rules Instructions 2020-2021**



# Bylaws

**Bylaws are designed to help your PTA function in an orderly manner.** PTA bylaws describe the purpose of PTA and its mission, and members' rights, in addition to officers, committees and their respective duties.

Bylaws guide the PTA to efficient service and protect the group from error. Bylaws are an IRS requirement for 501(c)(3) non-profit organizations. Bylaws **may not be suspended**, even by unanimous vote.

The only official set of PTA bylaws for any PTA is an approved current set of bylaws, signed and dated by the Florida PTA State Office.

**A copy of the association's Bylaws for the Local PTA/PTSA Units must be made available to any association member upon request. A copy should be provided to all officers and board members. Each executive board member is responsible for making a thorough study of them.**

A printed copy of the bylaws should be on file in the President's and Secretary's permanent record book. The school Principal should also have a copy of the bylaws on file. A copy of your local unit bylaws may be obtained from the Florida PTA State office. Request a copy by sending an email to: **bylaws@FloridaPTA.org**

The PTA unit should be careful not to add items to the bylaws that should be included only in the Standing Rules. Detailed job descriptions and guidelines and procedures for the board of directors belong in the Standing Rules rather than the bylaws.

When a new PTA is chartered, the group must adopt bylaws upon organization by a Florida PTA board member. Before the charter is issued as a local unit of the Florida PTA, bylaws must be submitted for approval to the Florida PTA State Office. When the required officers' information and a payment for a minimum of 10 members is received, the bylaws are approved, and the charter is issued.

Bylaws should be reviewed annually by the PTA board of directors. Bylaws chairs should be informed regarding local, state, and national bylaws.

**It is a Florida PTA Compliance Requirement to update the bylaws on the current form and submit to Florida PTA for approval, at a minimum of every three (3) years.** Amendments to local PTA bylaws require a 2/3 vote of the members present and voting at a general meeting, provided the quorum is present, and a 30-day notice has been given of the proposed changes. The original amended bylaws are then forwarded to the FPTA State Office for approval.

**Revised bylaws or amendments become effective upon receipt of an approved, stamped copy from the Florida PTA state office.**

# INSTRUCTIONS TO UPDATE LOCAL UNIT PTA BYLAWS

PTA bylaws should be reviewed annually by the board of directors at the beginning of the school year to ensure that the currently approved bylaws still meet the needs of the association. If you have a question about your bylaws submission, or if you cannot locate your currently approved bylaws, or would like Florida PTA to send a copy of the current 2020-2021 bylaws template to you, send an email to: [bylaws@FloridaPTA.org](mailto:bylaws@FloridaPTA.org).

**It is a Florida PTA Compliance Requirement to update the bylaws on the current form and submit to Florida PTA for approval, at a minimum of every three (3) years. However, you can update your bylaws and submit for approval whenever amendments are necessary.**

The current **2020-2021** Local Unit Bylaws Form **MUST BE USED** when updating bylaws. Earlier versions of the bylaws form cannot be approved. The current form is available online on the Florida PTA website [www.FloridaPTA.org](http://www.FloridaPTA.org) under the PTA Leaders tab at this link: <https://floridapta.org/bylaws/>

**ORIGINAL signatures are REQUIRED in the “Affirmation of Bylaws” section on page 1 of the Bylaws. Florida PTA does not accept digital or electronic signatures on bylaws or on any compliance document.**

**After review by your PTA board of directors and approval of amendments (if any) by the General Membership, the bylaws must be sent to the Florida PTA State Office for review and approval.**

Bylaws may be amended at any General Membership Meeting of the association by a two-thirds vote of the members present and voting, provided that notice of the proposed changes were given at least 30 days prior to the General Membership Meeting at which the amendments are voted upon. The updated bylaws and proposed amendments are then subject to the approval of Florida PTA.

However, please be aware that if you are updating your local unit bylaws and **NO CHANGES** or amendments are being made to the existing approved bylaws, membership approval is **NOT** required before you submit to Florida PTA for approval. If bylaws are updated without amendments or changes, you simply report to the members the date that the bylaws were updated and approved to meet Florida PTA compliance requirements.

## **30-Days’ Notice Rule**

You must give 30-days’ notice to the members and have them vote to approve **ONLY** if you are making amendments to the bylaws. Instructions follow on how to:

- (1) Update bylaws quickly **with no changes** to your currently approved bylaws, and
- (2) How to update **WITH** changes / amendments - when 30-days’ notice must be given.

# PROCEDURE TO UPDATE BYLAWS WITH NO CHANGES FOR QUICK APPROVAL

<b>Affirmation of Bylaws</b> (PLEASE CHECK and FILL OUT <u>ONLY ONE</u> )	
<input type="checkbox"/>	These bylaws were voted upon and approved at the general membership meeting of this PTA/PTSA on _____ (Date).
<b>OR</b>	
<input checked="" type="checkbox"/>	These bylaws were reviewed on <u>8/15/2020</u> (Date), and no changes were made. This was reported to the general membership on <u>8/15/2020</u> (Date).

## Check **ONLY** the 2nd Box in the Affirmation of Bylaws Section

### Notice to the Members and a General Membership Meeting IS NOT REQUIRED

- A General Membership meeting is NOT required if you are NOT making any changes to the existing, approved bylaws.
- Use the **current 2020-2021** Bylaws template available on the Florida PTA website. <https://floridapta.org/bylaws/>
- **Enter all variables EXACTLY** as shown on your current, approved, bylaws that are on file with Florida PTA. No changes or amendments can be made.
- **Check ONLY the second box in the "Affirmation of Bylaws" section which states: "No Changes were made."**
- After the second box, enter the two dates required: (1) The date the bylaws were reviewed. This may be today's date, and (2) The date you report that the bylaws were updated with "**no changes**" and submitted to Florida PTA for approval.
- You can notify all members immediately that you updated the bylaws with no changes to meet Florida PTA compliance by sending an email through MemberHub.
- Two ORIGINAL signatures are required in the "Affirmation of Bylaws" section: (1) **PTA President**, and (2) either the **School Principal/Administrator** or the **PTA Secretary**.
- The bylaws do not go into effect until you receive a copy stamped "APPROVED" by Florida PTA.
- **Submit the bylaws for approval by either uploading on the Florida PTA website or email to: [bylaws@FloridaPTA.org](mailto:bylaws@FloridaPTA.org)** Please remember that bylaws are a legal document and must be submitted in a clean, printable format.

**All updated Bylaws, submitted with or without amendments, are subject to the approval of Florida PTA and do not go into effect until you receive an email with the bylaws stamped "APPROVED" by Florida PTA. Approved bylaws are sent back to the local units from this email address: [bylaws@FloridaPTA.org](mailto:bylaws@FloridaPTA.org)**

## PROCEDURE TO UPDATE BYLAWS WITH CHANGES 30-Days' Notice to the Members Required

**Affirmation of Bylaws**  
(PLEASE CHECK and FILL OUT **ONLY ONE**)

These bylaws were voted upon and approved at the general membership meeting of this PTA/PTSA on August 20, 2020 (Date).

**OR**

These bylaws were reviewed on \_\_\_\_\_ (Date), and no changes were made. This was reported to the general membership on \_\_\_\_\_ (Date).

**Check ONLY the 1st Box in the Affirmation of Bylaws Section**  
**General Membership Meeting IS Required**

- Thirty-days' notice must be given to the members of the proposed amendments.
- After 30 days, hold a General Membership meeting, where a quorum is present.
- A 2/3 vote of the members present and voting is required to approve the changes.
- Use the **current 2020-2021** Bylaws template available on the Florida PTA website. <https://floridapta.org/bylaws/>
- **Check ONLY the first box (on top) in the "Affirmation of Bylaws" section on page 1 of the bylaws.**
- After the first box, enter the date of the General Membership meeting when the bylaws amendments were voted on and approved. **This is the ONLY date required in the "Affirmation of Bylaws" section** when updating WITH changes/amendments.
- Two ORIGINAL signatures are required in the "Affirmation of Bylaws" section: (1) **PTA President**, and (2) either the **School Principal/Administrator** or the **PTA Secretary**.
- The amended/changed bylaws are subject to the approval of Florida PTA and do not go into effect until you receive bylaws stamped "APPROVED" by Florida PTA.
- **Submit the bylaws for approval by either uploading on the Florida PTA website or email to: [BYLAWS@FloridaPTA.org](mailto:BYLAWS@FloridaPTA.org)** Please remember that bylaws are a legal document and must be submitted in a clean, printable format.

**All updated Bylaws, submitted with or without amendments, are subject to the approval of Florida PTA and do not go into effect until you receive an email with the bylaws stamped "APPROVED" by Florida PTA. Approved bylaws are sent back to the local units from this email address: [bylaws@FloridaPTA.org](mailto:bylaws@FloridaPTA.org).**

## **Four Options to Submit Bylaws to Florida PTA for Approval**

After printing and getting the required original signatures on the updated bylaws, be sure to scan in standard PDF Format before emailing or uploading on the Florida PTA website. These are your three options to submit to Florida PTA for approval:

- 1. Upload PDF file on the Florida PTA Website at this link:**  
<https://floridapta.org/bylaws-submission-form/>
- 2. Email PDF file directly to:** [bylaws@FloridaPTA.org](mailto:bylaws@FloridaPTA.org)
- 3. FAX a signed and dated copy of the bylaws to:** 407-240-9577
- 4. If all else fails, mail a signed and dated copy via USPS to:**

**Florida PTA State Office  
1747 Orlando Central Parkway  
Orlando, Florida 32809**

# Local Unit PTA/PTSA Bylaws Form Information and Instructions

The Local Unit bylaws are aligned with and include the requirements of the Florida PTA and the National PTA bylaws. Local unit bylaws may not conflict with National or Florida PTA Bylaws. These instructions have been prepared by the Florida PTA Bylaws Committee in accordance with provisions in the National and Florida PTA Bylaws. In some instances, the language of a required item has been modified so that it will read appropriately in the local unit bylaws. Each article and section included in the bylaws form serves a purpose and must be included in local PTA bylaws. **Each PTA unit is required to include in its bylaws the articles and sections marked with a # symbol. All articles and sections marked with the # symbol cannot be modified and must appear exactly as printed in the current 2020-2021 local unit Bylaws form.**

PTA bylaws should be reviewed annually by the board of directors at the beginning of the school year to ensure that the currently approved bylaws still meet the needs of the association. Although you can update your bylaws and submit for approval whenever amendments are required, it is a Florida PTA Compliance Requirement to update the bylaws on the current form and submit to Florida PTA for approval, at a minimum of every three (3) years. After review by your PTA board of directors and approval of amendments (if any) by the General Membership, the bylaws must be sent to the Florida PTA State Office for approval. Revised bylaws or amendments become effective upon receipt of an approved, stamped copy from the Florida PTA state office.

When the Bylaws Committee meets, they must have a current copy of the approved bylaws on hand. If you cannot locate a copy of your bylaws, request a copy by sending an email to Florida PTA. Send email request to: **[bylaws@FloridaPTA.org](mailto:bylaws@FloridaPTA.org)**

The following explanations of articles are designed to aid the Bylaws Committee as they review, amend, or revise their bylaws:

## **Article I: Name**

Type or print the complete name and address of the school and the correct PTA name exactly as shown on your PTA charter. If you are unsure of the county or region or the full name of your PTA/PTSA, this information can be found on MemberHub. Please do not use initials or abbreviations for either the name of the PTA or the school.

**NAME CHANGE:** When a PTA changes its name, it is necessary to amend the bylaws and send the original bylaws to the state office for approval. After approval of the bylaws, Florida PTA will change the name on MemberHub and the Florida PTA ACCESS database and will notify the IRS and National PTA.

## **#Article II: Articles of Organization**

Articles of Organization are the bylaws of the association.

## **#Article III: Purposes**

Objects of the association. Establishes the charitable, scientific, literary, or educational purposes within the meaning of 501(c)(3), the “charitable class”, and the purposes we promote through advocacy and education.

## #Article IV: Basic Policies

Basic policies of the association.

## #Article V: Members and Dues

Nothing may be changed in this Article. The amount your local unit charges for membership dues is NOT listed in bylaws. (Local unit membership dues amount can be shown in the PTA Standing Rules)

## Article VI: Officers and Their Election

Refer to Robert's Rules of Order, Newly Revised (Current Edition). The minimum officers required to bring your PTA to active status are:

1. President
2. Secretary
3. Treasurer.

The association shall designate other elected officers as needed. **However, PTA does not recognize "Co-Officers", and the position of "President-Elect" is not allowed in local unit PTA bylaws.** Bylaws will not be approved if the position of President-Elect or any "Co-Officer" position is added to Section 2. Also please note that the Parliamentarian is appointed and does not have voting privileges. Do not add the position of Parliamentarian to this section as this is NOT an elected position.

**The allowable changes to Section 2.a., under Officers and their election, follow:**

- **Enter the number of Vice Presidents positions that are needed for your PTA.** Florida PTA allows a maximum of six vice president and this is based on the number of members you have. The number of vice presidents that you enter will be reviewed by Florida PTA and evaluated according to the number of members your PTA normally has. Vice president positions are not required, and the number of vice presidents may be zero.
- **The position of "corresponding secretary" is not necessary for local unit PTAs and may be crossed out like this: ~~corresponding secretary~~** However, the recording secretary position is required for every PTA and cannot be deleted from this section.

## Article VII: Duties of Officers

**Section 2:** You must enter job duties for the number of vice presidents that you designated in Article VI: Officers & Their Election. Job duties for the vice-president can be specific or generic as shown below. Detailed job duties for the vice-president can be provided in the Standing Rules. Do not add detailed job duties to the bylaws. If you use generic job duties such as "aide to the president" or "as designated in the standing rules", this gives your more flexibility to change the duties of the vice presidents according to the needs of the PTA.

Example specific job duties for vice presidents:

- a. The 1<sup>st</sup> vice-president shall serve as Programs Chair
- b. The 2<sup>nd</sup> vice-president shall serve as Membership Chair
- c. The 3<sup>rd</sup> vice-president shall serve as Fundraising Chair

Examples of generic job duties for vice presidents:

- a. The 1<sup>st</sup> vice-president shall serve as Aide to the President  
or
- b. The 1<sup>st</sup> vice president shall serve as Designated in the Standing Rules



**Section 5.** An audit of the treasurer's accounts is for the protection of the treasurer and the association. It is the only means of assuring everyone that the accounts are accurate, and it relieves the treasurer of responsibility except in case of fraud. See *Roberts Rules of Order Newly Revised*.

#### **Article VIII: General Membership Meetings**

**Three (3) is the minimum number of general membership meetings that must be held during the school year.**

**Ten (10) is the minimum number of members present required to establish a quorum at a PTA General Membership Meeting.** It is important that the quorum be set to reflect the number of members who could reasonably be expected to attend any business meeting. The quorum must be a number not a percentage.

#### **Article IX: Executive Board**

The executive board shall consist of the ELECTED officers of the association, the appointed chairs of standing committees and the principal of the school or a representative appointed by the principal. If constituted as a PTSA the board shall include at least one student. The parliamentarian is appointed and does not have voting privileges.

#### **Article X: Executive Committee**

It is recommended that this committee be defined as the elected officers to transact emergency business (primarily over the summer months) when the entire executive board may not be available.

#### **#Article XVI: Amendments**

**The Florida PTA requires that bylaws be reviewed every year, and at a minimum, submitted to Florida PTA State Office every three years, for approval.** Procedure requires that at least thirty (30) days' notice be given to the members of the association when amendments are needed and that the members adopt the change(s) by a 2/3 vote. Send the original bylaws on the required form to the state office for approval.

Participation in State and National PTA programs, including Reflections, Scholarship and Award **will not be allowed if bylaws are not updated and approved by the state office, within three (3) years.** To be eligible to participate in the Reflections program, bylaws must be approved through the end of the membership year.

#### **ORGANIZATION & DISSOLUTION**

Procedures for the proper organization or dissolution of a PTA are in the *Florida PTA Bylaws*. **Also, please see the local unit bylaws, Article IV: Basic Policies, paragraph k. for specific dissolution guidelines.**

For detailed information, please call the state office at 407.855.7604 or send an email to: **bylaws@floridapta.org**

# Standing Rules

Standing rules are the rules an association uses to administer its affairs under the provision of its bylaws. They set forth the procedures adopted to accomplish specific areas of PTA work. Standing Rules pertain to the Board of Directors, only.

Standing Rules are more flexible than bylaws and may be changed or suspended at any board meeting by a majority vote. Your Standing Rules may not be in conflict with your Bylaws.

Examples:

- Setting the hour at which board meetings are to begin
- Job descriptions for the Elected Officers and Committee Chairs can be expanded in the standing rules.
- Explanation of courtesies extended to guests
- Guidelines and requirements for awards and recognitions
- Maintenance of membership lists
- Determining who registers the appropriate signatures at the bank
- Outlines of PTA or Council functions
- Setting allowances to be paid for board members who attend State and/or National conferences and conventions to cover registration, travel (airfare or mileage), hotel and meal expenses incurred while on PTA business.

Developing Standing Rules is not a difficult task. Here are some simple steps:

- A Committee, of at least three people, should be appointed to prepare the Standing Rules.
- The Committee should include experienced and knowledgeable members of the PTA.
- Using the bylaws as an outline, the committee should consider each provision and then formulate instructions for applying the provision. The minutes of board and general meetings, as well as the experience of the committee members can serve as resource material.
- There should be complete job descriptions for each officer and chair.
- After the committee has finalized the Standing Rules, they are presented to the board for approval by a majority vote.
- Upon approval, make sure each board member is provided a copy.

Standing Rules are generally not adopted when a PTA is newly organized, but are developed as the need arises. Standing Rules serve as a guide to ensure the orderly transfer of duties from one administration to the next, and are a valuable tool for the orientation of new board members.

Please see the next page for Sample Standing Rules.

## XYZ PTA STANDING RULES

- Qualifications for XYZ PTA Executive Committee:
  - A person must have served on the XYZ PTA Board for one (1) year before being eligible to serve as President.
  
- Duties of the Vice President:
  - The Vice President shall serve as aide to the president, and in the absence of the President shall perform the duties of the president in the absence or disability of that officer to serve.
  - The Vice President shall serve as membership chair.
  
- Procedures:
  1. Standing rules can be amended by a majority of the Executive Board;
  2. Each board position has one vote;
  3. Each board member shall keep a procedure book.
  
- Reimbursement for XYZ PTA Business
  1. The following will be reimbursed/funded by XYZ PTA:
  2. National/State/County Council Registration fees;
  3. One-half the cost of a double room;
  4. Per diem (breakfast - \$8.00/lunch - \$10.00/dinner - \$18.00). Receipts are not required;
  5. Mileage: driver will be reimbursed \$.40/per mile;

All funding will be as monies are available.
  
- Position Priority for funding to attend National/State/County Council events:
  1. President
  2. Vice President
  3. Treasurer
  4. Recording Secretary
  5. Etc.

Contact the Florida PTA State Office, or your County Council PTA for more information.

SAMPLE