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New Jersey PTA® Bylaws

Adopted by New Jersey PTA Convention Delegates.

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Table of Contents

Article #	Article Title	Page
Article I	Name	2
Article II	Purposes	2
Article III	Principles	2
Article IV	Constituent Associations	2
Article V	Members and Dues	2
Article VI	Relationship with Local PTAs	3
Article VII	Board of Directors Members	3
Article VIII	Duties of Officers	5
Article IX	Executive Committee	6
Article X	Committees	6
Article XI	Nominating Committee	7
Article XII	New Jersey PTA Annual Meeting	7
Article XIII	Emergency Meetings Held Electronically	8
Article XIV	Fiscal Year	8
Article XV	Parliamentary Authority	8
Article XVII	Amendments	9
Article XVIII	Indemnification	9

New Jersey Congress of Parents and Teachers, Inc. - State Bylaws

Article I: Name

The name of this association is the **New Jersey Congress of Parents and Teachers, Inc.** It is also known as the New Jersey PTA. Hereafter, the New Jersey Congress of Parents and Teachers will be referred to as New Jersey PTA in these bylaws.

***Article II: Purposes**

Section 1: Objectives - The purposes of this PTA, in common with those of New Jersey PTA and 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
- F. To advocate for fiscal responsibility regarding public tax dollars in public education funding

Section 2: Awareness – The purposes of the National PTA and this PTA are promoted through advocacy and education in collaboration with parents, teachers, educators, students and the public; developed through conferences, committees, projects, and programs; and governed and qualified by the basic policies set forth in Article III.

Section 3: Federal Status - National PTA and this PTA is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code (hereinafter referred to as "Internal Revenue Code").

Section 4: The basic policies of the New Jersey PTA shall be those in common with National PTA's Operational Requirements Policy which are:

- A. **Net Earnings:** No part of the net earnings of the PTA shall inure to the benefit of, or be distributable to, its members, directors, trustees, officers, or other private persons except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof.
- B. **Exempt Activities:** Notwithstanding any other provision of these Articles to the contrary, in no event shall the PTA carry on any other activities which are not permitted to be carried on by either: (i) by an association exempt from federal income tax under Section 501(C)(3) of the Internal Revenue Code or (ii) by an association, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- C. **Political Activities:** The PTA or its members in their official capacities shall not, directly, or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office, or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

***Article III: Principles**

The following are basic principles of the New Jersey PTA in common with those of National PTA:

- A. National PTA shall be noncommercial, nonsectarian, and nonpartisan

- B. National PTA shall work to engage and empower 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. National PTA 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 PTA, and professional expertise shall be guiding principles for service in National PTA

Article IV: Constituent Associations

New Jersey PTA's constituent associations shall be the Garden State PTA, Local PTAs, and Council PTAs established by the New Jersey PTA Board of Directors. Local PTAs, PTSAs, SEPTAs, or SEPTSAs, hereafter in these bylaws, shall be referred to as Local PTA. The New Jersey PTA Board of Directors shall determine procedures for the organization of Local PTAs and the Standards of Affiliation, including the requirements for "Good Standing" for Local PTAs to be listed in New Jersey PTA Policy.

Article V: Members and Dues

Section 1: Membership in PTA shall be open without discrimination to anyone who believes in and supports the mission, purposes, and policies of National PTA and New Jersey PTA.

Section 2: The members of New Jersey PTA shall be the individual members of either the Garden State PTA or Local PTAs whose names are on file in the New Jersey PTA office, and for whom the National and State portion of dues have been paid as designated herein.

Section 3: Annual dues for members shall include an amount for the Local PTA as determined by the Local PTA, state dues of \$1.75, and national dues as defined by the National PTA.

Section 4: The New Jersey PTA membership year will run from July 1st to June 30th.

Section 5: The Treasurer of each Local PTA will send both state and national portions of each members' dues to the New Jersey PTA office by the 15th of each month starting August 15th.

Section 6: New Jersey PTA Honorary Life Members will be those upon whom the New Jersey PTA Honorary Life Membership has been conferred. New Jersey PTA Honorary Life Members may become paid members of a Local PTA upon paying current dues to that PTA.

Article VI: Relationship with Local PTAs

Section 1: Any amendments to the Local PTA bylaws, approved at the New Jersey PTA Annual Meeting, will take effect 60 days from the Annual Meeting. Each Local PTA will incorporate such amendments into its bylaws.

Section 2: All permanent records, including financial records, of a Local PTA will be, at all reasonable times, open to inspection by an authorized representative of the New Jersey PTA when directed by the Board of Directors or the Committee on New Jersey PTA and Constituent PTA Relationships.

Section 3: The charter of any Local PTA will be subject to withdrawal by the New Jersey PTA. The status of a Local PTA will be subject to termination if the PTA is found to violate their bylaws, the bylaws of New Jersey PTA, or the bylaws of National PTA. It may also be subject to

termination if the Local PTA is found to be engaged in a practice or activity that may tend to defeat the purposes or principles of the National PTA.

- A. A Constituent Association's charges of alleged violations should be sent in writing to the Committee on New Jersey PTA and Constituent PTA Relationships for review.
- B. After completing its investigation, the Committee on New Jersey PTA and Constituent PTA Relationships will report its findings to the Board of Directors with its recommendations.

Article VII: Board of Directors Members

Section 1: In addition to all of the duties listed below, all Board Members will perform such other duties as may be provided for by New Jersey PTA Policy, prescribed by the parliamentary authority, or directed by the Board of Directors.

Section 2: The Board of Directors may be known as the trustees for the New Jersey PTA.

Section 3: All Board of Directors will abide by all documents outlined in the New Jersey PTA Policy. All members of the New Jersey PTA Board of Directors must sign all requested documents within 30 days of receipt.

Section 4: The Board of Directors will manage the New Jersey PTA's affairs between Annual Meetings, except modifying any action taken by the Annual Meeting Delegation.

Section 5: The voting members of the Board of Directors of the New Jersey PTA will be the officers (the officers shall include a President, a President-Elect, a Secretary, a Treasurer, Vice Presidents of Advocacy, and Vice President of Leadership Development, Region Directors and Committee Chair). For nominations and elections, the President-Elect, Secretary, Treasurer, Vice Presidents, and Region Directors will be elected in the odd-numbered years. The President-Elect will automatically become the President after their term as President-Elect is finished. The election for these board members will be conducted by ballot vote at the annual meeting. The official ballot shall list the names of all nominees. When there is only one candidate for any position, the election shall be held by voice vote.

Section 6: A Youth Representative shall serve a 1-year term as a non-voting member of the Board of Directors. The President shall appoint him/her with the approval of the Board of Directors.

Section 7: Three (3) At Large Members may be appointed by the President with the Board of Directors' approval.

Section 8: Board Member Qualifications – Each board member:

- A. Must be a member of a Local PTA or the Garden State PTA at the beginning of their term on the board.
- B. The President and President-Elect candidates must have served at least four (4) years on the Board of Directors.

Section 9: The duties of the Board of Directors will be:

- A. To carry out the programs of New Jersey PTA.
- B. To take positions on behalf of the association consistent with its purposes, principles, and resolutions between annual meetings.
- C. To approve before the start of the fiscal year the budget for the ensuing year.
- D. To approve Board of Directors and Committee appointments made by the President.
- E. To establish the Regions within the state.

Section 10: Meetings

A. Types of Meetings:

- 1. Organization Meetings:** An organization meeting will be held before starting the next fiscal year in the odd-numbered years. The incoming President will chair the organization meeting.
- 2. Regular Meetings:** There will be at least four (4) Regular Board of Directors meetings held during the fiscal year. Notice of the meeting will have been given at least twenty-one (21) days before the meeting's date.
- 3. Special Meetings:** The President may call a Special Meeting or when requested by a majority of the Board of Directors. Notice of the meeting will have been given at least three (3) days before the meeting's date. The purpose of the meeting must be given in the notice.

- B. All meetings may be transacted electronically. Procedures for these meetings will be followed as outlined in the New Jersey PTA Policy.

Section 11: Quorum: A majority of the Board of Directors' voting members will constitute a quorum at all meetings.

Section 12: Term of Office

- A. Board Members will serve for a term of two (2) years or until their successors are elected. They will take office July 1st following the New Jersey PTA Annual Meeting at which they were elected. If the Annual Meeting takes place after July 1st, they will take office immediately following the Annual Meeting adjournment.
- B. No officer may serve more than two (2) terms in the same office except for the President, who can serve only one (1) two-year term.
- C. A person who has served in office for more than half of a full term will be deemed to have completed a full term in such office.
- D. Past Presidents of the New Jersey PTA cannot serve as officers for five years after completing their term.
- E. No person shall hold more than one board position at a time.

Section 13: Board Member Vacancies

- A. **President** – a vacancy occurring in the office of President will be filled for the remainder of the unexpired term by the President-Elect.
- B. **President-Elect** - a vacancy occurring in the President-Elect's office within the first year of their term will be filled at the next Annual Meeting by the voting body. If a vacancy occurs in the office of the President-Elect within the second year of their term, the President-Elect's duties will be delegated by the President to members of the current Board of Directors.
- C. **Other Vacancies:**
 1. A vacancy in any board position other than the President-Elect will be filled by the New Jersey PTA Board of Directors.
 2. The President will continue announcing the vacant position until the position is filled.
 3. If President and President-Elect's offices become vacant simultaneously, the New Jersey PTA Board of Directors will fill the President's office vacancy.
 4. Ten (10) days' notice of the election meeting will be given to all New Jersey PTA Board of Directors members.
 5. If there is more than one candidate to fill a vacancy, the vote will be taken by ballot. A majority vote is required for the election. When there is only one candidate, the election shall be by voice vote.

Article VIII: Duties of Officers

Section 1: In addition to all of the duties listed below, all Officers will perform such other duties as may be provided for by New Jersey PTA Policy, prescribed by the parliamentary authority, or directed by the Board of Directors.

Section 2: The President will:

- A. Preside at all meetings
- B. Serve as an ex-officio member of all Committees except the Nominating Committee and Internal Audit Committee
- C. Conform to the requirements under the National PTA Standards of Affiliation
- D. Appoint the Federal Legislative Chair with approval by the Board of Directors.
- E. Appoint the Parliamentarian
- F. Appoint the Committee Chairs and Committee Members with the approval of the Board of Directors

Section 3: The President-Elect will:

- A. Be an aide to the President, who will assign duties
- B. Serve as an ex-officio member of all Committees except the Nominating Committee and Internal Audit Committee
- C. Perform the duties of the President in their absence or inability of the President to fulfill responsibilities
- D. Automatically become President upon completion of the term of the current President

Section 4: The Secretary will:

- A. Keep an accurate account of action taken at all meetings, including Board of Directors Meetings, Executive Committee Meetings, and the Annual Meeting
- B. Distribute the minutes to the Board of Directors within 30 days after the meeting

Section 5: The Treasurer will:

- A. Maintain a complete account of the funds of the New Jersey PTA
- B. Maintain and oversee the accurate accounting of the receipts and disbursements of the New Jersey PTA
- C. Provide a written financial report to the Board of Directors at each meeting
- D. Present an annual report of the financial condition of the association at the Annual Meeting

Section 6: Vice Presidents:

- A. The Vice President of Leadership Development shall be responsible for field service and leadership training for all PTA leaders across the state and perform such other duties as may be outlined in the New Jersey PTA Policy
- B. The Vice President of Advocacy shall supervise the designated Chair's activities and perform such other duties as may be outlined in the New Jersey PTA Policy

Article IX: Executive Committee

Section 1: The Executive Committee shall consist of the President, President-Elect, Secretary, Treasurer, Vice President of Advocacy and Vice President of Leadership Development and the Procedure and Bylaws Chair.

Section 2: Meetings

- A. Regular Meetings will be held at least four (4) times per year.
- B. Special Meetings may be called by the President or when requested by a majority of the Executive Committee. Notice of the special meeting will have been given at least five (5)

- days before the meeting's date. The purpose of the meeting must be given in the notice.
- C. A majority of those currently serving on the New Jersey PTA Executive Committee shall constitute a quorum.

Section 3: Duties: The Executive Committee will:

- A. Transact business referred to it by the Board of Directors.
- B. Act in emergencies between Board of Directors meetings.
- C. Assign someone to temporarily fill a vacancy occurring in a board position until the position is filled by election at the next Board of Directors meeting.
- D. Appoint, annually and before the start of the fiscal year, a certified public accountant to audit the New Jersey PTA records and submit an audited financial statement at the New Jersey PTA Annual Meeting.
- E. Determine employee salaries upon recommendation of the Advisory Committee on Finance.
- F. Approve the Employee Manual and its revisions.
- G. Upon the Human Resources Committee's recommendation, terminate an employee when their service is no longer required. In an emergency, the President has the authority to hire an employee on an interim basis.
- H. Make a report at every Board of Directors meeting.
- I. Assign Region Directors to a particular Region.

Section 4: All business may be transacted electronically. Procedures for these meetings will be followed as outlined in New Jersey PTA Policy.

Article X: Committees

Section 1: Standing Committees – The New Jersey PTA will have Standing Committees deemed necessary to promote the association’s objects, interests, and management. Each Committee will fulfill its duties as outlined in the New Jersey PTA Policy. Standing Committee Chairs will be those listed in New Jersey PTA Policy.

- A. The number of Standing Committees shall not exceed ten (10), and one of those must be the Procedure and Bylaws Chair.
- B. Standing Committee Chairs shall serve for a term of two (2) years or until their successors are appointed and shall not serve for more than two (2) terms.

Section 2: Special Committees – Special Committees will be approved by the Board of Directors.

- A. Special Committees are created for a specific purpose. When the Committee's work is concluded, the Committee ceases to exist. The first person assigned/elected to the Committee will call the first meeting of the Committee. Unless directed by these bylaws, the Chair for a Special Committee will be selected by the Committee at its first meeting.
- B. A majority of the members of the Committee will constitute a quorum for all meetings.

Section 3: Committee on New Jersey PTA and Constituent PTA Relations

- A. There will be a Committee on New Jersey PTA and Constituent PTA relationships consisting of five (5) current New Jersey PTA Board members appointed by the President with the Board of Directors' approval.
- B. The purpose of the Committee is to review any alleged violations on the part of any Constituent PTA.

Article XI: Nominating Committee

Section 1: Election: Nominations for the Nominating Committee members will be made at a Board of Directors meeting. Nominees must be members of the New Jersey PTA Board of Directors. The Board of Directors shall elect the Nominating Committee by ballot vote, and a

plurality vote will elect. The Nominating Committee must be elected by the first Board of Directors meeting of the fiscal year in an election year.

Section 2: Composition of the Nominating Committee:

- A. The Nominating Committee will be composed of five (5) members of the Board of Directors representing at least five (5) different Counties. The Nominating Committee will select its Chair.
- B. Two (2) alternates shall be elected not to be from the same County.
- C. No member shall serve on the Committee for more than one term of (1) year consecutively.

Section 3: Duties:

- A. The Nominating Committee will consider the qualifications of all candidates for elected offices.
- B. The Nominating Committee will submit one name for each officer position to be filled. Nominees from the floor will have given forty-five (45) days' notice before the beginning of the New Jersey PTA Annual Meeting of their intent to run. Notification must be given in writing to the New Jersey PTA President, Secretary, and Nominating Committee Chair.
- C. The Nominating Committee will report its slate of nominees immediately to the President, as a courtesy, and to the Board of Directors and the Local PTAs no later than sixty (60) days before the Annual Meeting.

Article XII: New Jersey PTA Annual Meeting

Section 1: The New Jersey PTA Annual Meeting shall be held annually in the State of New Jersey. The New Jersey PTA Board of Directors will approve the date and place of the Annual Meeting.

Section 2: Notice of the Annual Meeting will be sent to the New Jersey PTA Board of Directors and Local PTA Officers at least sixty (60) days prior to the Annual Meeting. Notice of the Annual Meeting will also be posted on the New Jersey PTA website.

- A. All paid members who have been a member for at least fifteen (15) days of a Local PTA or Garden State PTA are eligible to vote at the New Jersey PTA Annual Meeting. Proxy voting is prohibited.
- B. **Quorum:** Seventy-five (75) voting delegates from at least forty (40) Local PTAs will constitute a quorum. A quorum, once established at registration, applies to all business meetings.

Section 3: Annual Meeting Cancellation

- A. In the event of an emergency, the New Jersey PTA Board of Directors shall, by a majority vote, have the authority to cancel the annual meeting.
- B. If no annual meeting is held, New Jersey PTA shall have the authority to plan procedures for conducting all necessary business. Elections will be conducted as per the New Jersey PTA Policy.

Article XIII: Emergency Meetings Held Electronically

- A. In the event of a stated emergency, all New Jersey PTA meetings, including the Annual Meeting, Board of Directors, and Executive Committee meetings, may be conducted using internet meeting services.
- B. New Jersey PTA shall notify the membership of the declaration or retraction of any emergency at least three (3) days prior to the next scheduled meeting.
- C. The Special Rules of Order shall specify the internet meeting service as to emergency meetings such that it supports anonymous voting and visible displays identifying those

participating, identifying those seeking recognition to speak, showing (or permitting the retrieval of) the text of pending motions, and showing the results of votes.

- D. These electronic meetings shall be subject to all adopted rules as listed in the policy. Any such rules adopted shall supersede any conflicting rules in the parliamentary authority but may not otherwise conflict with or alter any rule or decision of the New Jersey PTA. An anonymous vote conducted through the designated internet meeting service shall be deemed a ballot vote, fulfilling any requirement in the bylaws or rules that a vote be conducted by ballot.

Article XIV: Fiscal Year

The New Jersey PTA's fiscal year and its Constituent PTAs are July 1st to June 30th.

Article XV: Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* will govern the New Jersey PTA and its Constituent PTAs in all cases in which they are applicable and in which they are not in conflict with these bylaws and the bylaws of National PTA, or the Articles of Incorporation.

Article XVI: Amendments

Section 1: These bylaws may be amended at a New Jersey PTA Annual Meeting by a two-thirds ($\frac{2}{3}$) vote of those present and voting, provided the New Jersey PTA Board of Directors has approved the amendments by a majority vote, and notice of the proposed amendments has sent to each Local PTA at least thirty (30) days prior to the New Jersey PTA Annual Meeting.

- A. The Procedures and Bylaws Chair shall request amendments from the Board of Directors no later than September 1st. Proposed amendments will be sent to the Procedure and Bylaws Chair not later than December 1st of each year to be considered by the Committee.
- B. The Procedure and Bylaws Committee will consider all proposed amendments and make recommendations to the New Jersey PTA Board of Directors. Copies of all proposed amendments will be sent to each Board Member at least seven (7) days before the New Jersey PTA Board of Directors' meeting at which the amendments are to be considered.

Section 2: The Board of Directors, by a majority vote, may authorize the Procedure and Bylaws Committee to submit a revised set of bylaws to substitute for the existing bylaws.

Article XVII: Indemnification

The New Jersey PTA will have the power to indemnify any person who was or is a party or threatened to be made a party to any threatened, pending or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative because they are or was a representative of the New Jersey PTA, or is or was serving at the request of the New Jersey PTA directly to as a representative of another association against expenses (including attorney's fees), judgments, fines and amounts paid in settlement, actually and reasonably incurred by him or her in connection with the action, suit or proceedings, if they reasonably believed to be in, or not opposed to the best interest of the New Jersey PTA, and with respect to any criminal action or proceedings, had no reasonable cause to believe his or her conduct was unlawful.

Indemnifying the officers and members of the Board of Directors and advancing expenses by the counsel to such officers and directors will be to the greatest extent possible under NJSA Section 15:3-4 and other applicable New Jersey laws.

Note: *All provisions denoted with an asterisk (*) indicate compliance with the National PTA bylaws.