

BYLAWS FOR PARENT AND PARENT TEACHER ASSOCIATIONS

A GUIDE FOR **WRITING** AND REVISING BYLAWS

WHAT ARE BYLAWS?

- Bylaws are the enabling document that establishes an organization and provides the framework within which it operates.
- Bylaws provide the authority for the association to act.
- They are the rules adopted by an organization for the conduct of business and for taking action.
- They describe how an organization functions, and include the procedural rules that are so important they can never be suspended, and cannot be changed **or amended** without prior notice to members.
- All bylaws must comply with the applicable Chancellor's Regulation (e.g., Chancellor's Regulation A-660).**

WHAT DO BYLAWS DO FOR AN ORGANIZATION?

Bylaws establish:

- Officers and their responsibilities
- Basic organizational procedures
- Rules of order
- How meetings will be scheduled and advertised
- A reference to more detailed rules
(e.g., Robert's Rules of Order)

BYLAWS ALSO PROVIDE....

- A structure for all functions of an organization
- Accountability to the members of the organization
- Protection for the actions of the officers

BYLAWS/RULES

Why is procedure necessary?

- Protects the rights of the majority (those who by a large show of numbers win a vote)
- Protects the rights of the minority (those who may not have the most number of supporters to win a vote) and absentees
- Holds the officers accountable to the membership
- Expedites decision making

WRITING BYLAWS

- The language in bylaws should be clear and precise in word choice, sentence structure and punctuation.
- Each sentence should be written so that it is impossible to quote it out of context.
- Exceptions or qualifications to statements should be included in the sentence to which they apply to the extent practical.
- Provisions of a temporary nature should not be included.
- Articles are designated with Roman numerals
- Sections with Arabic numerals

BASIC BYLAW ARTICLES

Bylaws should include the following articles:

- I. Name
- II. Objective
- III. Membership
- IV. Officers and their election
- V. Meetings
- VI. Conduct of business
- VII. Committees
- VIII. Financial Affairs
- IX. Amendment of Bylaws
- X. Parliamentary Authority

ARTICLE I – NAME OF THE ORGANIZATION

- The name of the organization should include whether it is a parent association or parent-teacher association, and the name and number of the school for which it is organized.

ARTICLE II - OBJECTIVE

- The objective of the association can be stated in a single sentence and should be general in its application since it will set the boundaries for the activities of the association.
- It may not contain objectives that contradict Education Law, Chancellor's Regulation, or policy.

ARTICLE III-MEMBERSHIP

This article should include:

- Automatic eligibility for parents
- Eligibility of teachers and other staff if it is a PTA
- Voting rights and any restrictions*
- Solicitation of dues as a voluntary contribution

* *If the parents in the school decide to include teachers and other eligible employees as staff members of the association the following restrictions shall apply: teachers and staff members of the PTA cannot vote to elect parent members to the School Leadership Team, Level I C-30 Committee and may not participate in the vote to decide to withdraw and/or extend membership in the association to teachers and eligible staff members.*

ARTICLE IV – OFFICERS AND THEIR ELECTION

The officer positions to be established, in addition to the mandatory President, Recording Secretary and Treasurer, should be decided in the context of the work the association intends to undertake so that the duties of each can be clearly defined.

Each office must have a title and a description of the duties and responsibilities assigned.

If the association wants to include a provision for the possibility of co-presidents, language must be included establishing the process for making that determination.

All associations should have at least one vice-president who is authorized to carry out the work of the association in the temporary absence of the president.

The association decides whether or not to include statements about term limits in its bylaws

OFFICERS AND THEIR ELECTION, continued

The process and timetable for nominations and elections must be precisely spelled out.

Bylaws must include an appropriate “succession” of officers in the event of a vacancy

Rules for disciplinary action against officers must be included and must ensure due process for the accused.

Include a process for filling a position that has been vacated by resignation or removal.

Consideration should be given to positions that may be set aside and voted on in the Fall to allow incoming parents an opportunity to run for these positions.

EXECUTIVE BOARDS

Article IV should contain a description of the Executive Board including:

- Membership
- Quorum
- Voting rights
- Responsibilities

ARTICLE V - MEETINGS

Membership meetings:

A regularly scheduled monthly meeting should be included in the bylaws, with a specific starting time and location.

Details of meeting notification to members must be included.

Executive Board meetings:

A regularly scheduled monthly meeting should be included in the bylaws with a specific starting time and location.

Rights of members to attend and restrictions on their participation should be included, along with a process for notification.

Rules of Order:

A section describing the sequence in which certain types of business will be permitted or introduced must be included.

NOTE:

- **Minutes of all meetings must be taken,**
- **adopted at the following meeting and**
- **made available to the membership upon request.**

ARTICLE VI – CONDUCT OF BUSINESS

A set number for a quorum and majority must be stated in the bylaws for both membership and executive board meetings.

Include the process for:

- Setting the membership meeting agenda
- Members to introduce new business, or resolutions for consideration at membership meetings
- Setting the Executive Board meeting agenda

ARTICLE VII - COMMITTEES

If an association establishes standing committees (e.g., outreach committee, legislative committee) by including them by name in its bylaws those committees operate on a continuing basis with only a change of chairperson or membership.

Ad hoc committees are established by the membership on an as needed basis (e.g., bylaws committee, nominating committee).

In establishing a committee the association must articulate its intent, be specific about its charge, authorize the naming and removal of chairpersons, and define membership.

Responsibilities of chairperson should also be included.

ARTICLE VIII – FINANCIAL AFFAIRS

- Include:

A process and timetable for presenting, adopting and amending the association's budget.

Authorization for emergency expenditures.

A process for collecting, counting, securing and depositing all monies received.

Authorization for minimal expenditures for executive board and committee members.

Financial reporting to members.

Disclosure and access of the above listed records to membership

Audits of association finances, minutes and attendance records

ARTICLE IX – AMENDMENT OF BYLAWS

The process for the amendment of the bylaws must be included in the organization's bylaws.

Bylaws are amendable by a two-step process and by a majority vote of the membership.

A resolution to amend must be discussed and distributed in writing if available at a membership meeting.

The proposed amendment must be presented in writing for consideration by the membership prior to the meeting when the vote will take place.

It must be printed on the notice of the next membership meeting stating that it will be voted on at that time.

Amendments are effective immediately unless otherwise stated.

More on Amending Bylaws...

The association should establish a bylaw review committee that will assume responsibility for drafting proposed amendments to the organization's bylaws.

The committee must present the proposed amendments in writing for consideration and feedback by the membership prior to the meeting where the vote will take place.

The bylaw review committee should incorporate any additional feedback it receives from the membership in the bylaws. The final draft must be presented for approval vote by the membership.

Bylaw amendments must be consistent with all applicable regulations of the Chancellor and/or other law or education policy, however the organization may decide to make additional changes to the bylaws that meet the specific needs of the organization (e.g., the addition of officers, leaving officer positions open for incoming parents in the Fall, the process for selecting members to represent the organization).

ARTICLE X – PARLIAMENTARY AUTHORITY

Should include a statement to the effect that all procedural questions not covered by the bylaws will be governed by Robert's Rules of Order Newly Revised.

If possible, an association should try to find a member with knowledge of Parliamentary Procedure to advise the association on such issues.

Other OFEA Summer (Saturday) Parent Academy Professional Development Topics

- Roles and Responsibilities of Presidents' and Borough High School Councils
- Role of Community and Citywide Education Councils
- Fiscal Management and Responsibilities
- Recordkeeping
- Overview of Title I Parent Involvement Requirements
- Budget Planning
- Team and Capacity Building
- Effective Leadership and Outreach
- Sharpening Your Advocacy Skills

Other Resources for PAs and PTAs

- Presidents' Councils and Borough High School Councils
- Borough Directors

<http://schools.nyc.gov/Offices/OFEA/KeyDocuments/default.htm>

- District Family Advocates

<http://schools.nyc.gov/Offices/OFEA/KeyDocuments/default.htm>

- Community and Citywide Education Councils

<http://schools.nyc.gov/Offices/CEC/default.htm>

- Office for Family Engagement and Advocacy

<http://schools.nyc.gov/Offices/OFEA/default.htm>