



Auburn PTA

Article I: Name

The name of this association is the Auburn Parent–Teacher Association (PTA) (the Auburn Parent–Teacher Association (PTA)) of Auburn, New Hampshire. It is a local PTA unit organized under the authority of the New Hampshire Congress of Parents and Teachers (the New Hampshire PTA), a branch of the National Congress of Parents and Teachers (the National PTA).

**** Article II: Articles of Association**

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

****Article III Purposes**

The Purposes of the Auburn PTA, in common with those of the National PTA and the New Hampshire 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 2. The Purposes of the PTA are promoted through an advocacy and 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 association 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

**** Article IV: Basic Policies**

The following are basic policies of the Auburn PTA, in common with those of the National PTA and the New Hampshire PTA:

- a. The association shall be noncommercial, nonsectarian, and nonpartisan.
- b. The name of the association or 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 association.
- c. The association shall not, directly or indirectly, participate or intervene in any way, including the publishing or distributing of statements, in any political campaign or 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 association shall work with the schools 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 association shall not enter into membership with other associations except such international or national associations as may be approved by the National PTA Board of Directors. The New Hampshire PTA or any of its divisions may cooperate with other associations and agencies concerned with child welfare, but PTA representatives shall make no commitments that bind the group they represent.
- f. 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 individuals 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 III hereof.
- g. Notwithstanding any other provision of these articles, the association shall not carry on any other activities not permitted to be carried on (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.
- h. Upon the dissolution of the association, after paying or adequately providing for all debts and obligations of the association, the remaining assets shall be distributed to NH PTA, or 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., or corresponding section of any future federal tax code

**** Article V: Relationship with National PTA and State PTA**

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

A local PTA in good standing is one that:

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

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

Section 3. Local unit bylaws and amendments thereto shall be approved every three (3) years by a committee of one or more members of the Board of Directors of the New Hampshire PTA.

Section 4. This local PTA shall include in its bylaws provisions corresponding to the New Hampshire PTA Bylaws as are herein identified by a double star (**).

Section 5. The adoption of an amendment to any provision of the New Hampshire PTA Bylaws identified by a double star shall serve automatically and without the requirement of further action by this local PTA to amend its corresponding bylaws. This local PTA shall promptly incorporate such amendments in its bylaws.

Section 6. Bylaws of this local PTA shall include an article on amendments.

Section 7. Bylaws of this local PTA shall include a provision establishing a quorum.

Section 8. Each officer or board member of this local PTA shall be a member of this local PTA.

Section 9. The bylaws of this local PTA shall prohibit voting by proxy (unless proxy voting is specified by applicable state law).

Section 10. A PTA member shall not serve as a voting member of this local PTA's board while serving as a paid employee of or under contract to this local PTA.

Section 11. Only members of this local PTA who have paid dues for the current membership year may participate in the business of this local PTA.

Section 12. This local PTA shall collect dues from its members and shall remit a portion of such dues to the New Hampshire PTA as provided in Article VI hereof.

Section 13. The members of the nominating committee for officers of this local PTA shall be elected by the general membership, or the executive board.

Section 14. This local 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 association, including, specifically, the number of its members, the dues collected from its members, and the amounts of dues remitted to the New Hampshire PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the New Hampshire PTA or, where directed by the committee on state and national relationships, by a duly authorized representative of the National PTA.

Section 15. The charter of this local unit PTA shall be subject to withdrawal and the status of such association as a local PTA shall be subject to termination, in the manner and under the circumstances provided by the bylaws of the New Hampshire PTA.

Section 16. This local PTA is obligated, upon withdrawal of its charter by the New Hampshire PTA:

- a. To yield up and surrender all of its books and records and all of its assets and property to the New Hampshire PTA or to such agency as may be designated by the New Hampshire PTA or to such other local PTA organized under the authority of the New Hampshire 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 Hampshire PTA or status as a constituent association of the National PTA; and
- c. To carry out promptly, under the supervision and direction of the New Hampshire PTA, all proceedings necessary or desirable for the purpose of dissolving the Auburn PTA.

Section 17. This local PTA may dissolve and wind up its affairs in the following manner:

- a. Notify the state president one month prior to the proposed action.
- b. Notify all members of this local PTA at least ten (10) days previous to the meeting of date, time, place and impending business.
- c. In the absence of the president or other officers, a member shall call the meeting to order and a temporary chairman and secretary shall be elected.
- d. Require a two-thirds (2/3) vote of those present and voting on the action to dissolve (a quorum being present) and only those members whose dues have been paid at least thirty (30) days prior to the meeting may vote on the motion.
- e. Provide for disposition of funds of the disbanding unit as specified in Section 16a, above.
- f. A unit out of membership not more than one year may be reinstated upon payment of dues.

Article VI: Membership and Dues

****Section 1.** Every individual who is a member of this local PTA is, by virtue of that fact, a member of the National PTA and of the New Hampshire PTA by which this local PTA is chartered and is entitled to all the 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 local PTA shall conduct an annual enrollment of members but may admit individuals to membership at any time.

****Section 4.** Each member of a local PTA shall pay annual dues as may be determined by the association. The amount of the dues shall include the portion payable to the state PTA as determined by the state, which includes the cost of general liability insurance paid by NH PTA on behalf of each local unit in good standing. and the portion payable to National PTA as recommended by the board of directors and approved by a two-thirds (2/3) majority of the voting body at the National and NH PTA Annual Conventions. When there is an increase in dues at the National and/or State level, the local unit may increase its dues by the increased amount only without an amendment to the local PTA bylaws.

****Section 5.** Each member of this local PTA shall pay annual dues as determined by the executive board prior to the start of the school year. The amount of such annual dues shall include the portion payable to the New Hampshire PTA and the portion payable to the National PTA. (NOTE: units set their own dues)

****Section 6.** The state and national portions of dues paid by each member of this local PTA shall be set aside by this local PTA and remitted to the New Hampshire PTA through such channels and at such times as the state PTA bylaws may provide. Each state PTA shall pay to the National PTA the amount of the national portion of dues paid by all members of local PTAs in its area.

****Section 7.** This local PTA's dues may be submitted at any time during the year, however they must be submitted by October 15, December 15, February 15 and April 15. Any remaining dues must be submitted by June 30. Remittance shall be accompanied by a report showing the name of the PTA, the amount of dues collected during the period covered by the report, the numbers of members covered, and the name and address of the treasurer remitting the dues.

****Section 8.** The New Hampshire PTA shall obtain a Blanket Liability Insurance Policy to insure units in good standing, the cost of such policy to be determined by the Board of Directors and included with the state portion of a member's dues remitted by local units to New Hampshire PTA.

****Section 9.** An Honorary Life Membership in the New Hampshire PTA may be conferred for distinguished service with the following stipulations:

- a. A fee, as determined by the Board of Directors, shall be paid to the Treasurer of the New Hampshire PTA through the state chairman for Life Memberships.
- b. An Honorary Life Membership provides only state convention guest privileges upon payment of the convention registration fee.
- c. An Honorary Life Member may become an active member upon payment of dues to a local unit.

****Article VII: Officers and Their Election**

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

Section 2.

- a. The officers of this association shall consist of a president, a vice-president, a secretary, a treasurer and a membership coordinator.
- b. Officers shall be elected by ballot in the month of May. However, if there is but one nominee for any office, election for that office may be by voice vote.
- c. Officers shall assume their official duties following the close of the fiscal year and shall serve for a term of 1 year(s) or until their successors are elected.
- d. A person shall not be eligible to serve more than two consecutive terms in the same office, unless there is no successor.

Section 3. Nominating Committee

- a. There shall be a nominating committee composed of three, (3) members who shall be elected by this local PTA at a regular meeting at least two months prior to the election of officers. The committee shall elect its own chairman.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular meeting in April at which time additional nominations may be made from the floor.
- c. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.
- d. Only those individuals who have been members of this PTA before (at least 30 days prior to the election are eligible to vote in the current election.

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. In case a vacancy occurs in the office of the president, the first vice-president shall serve notice of the election.

Section 5. Upon the expiration of the term of office or when individuals cease to hold an officer position they shall automatically cease to be a member of the executive board and shall be relieved of all duties and responsibilities. All records, books and other materials pertaining to the position will be turned over to the President within 5 days and all funds pertaining to the position will be returned to the treasurer within 5 days.

Article VIII: Duties of Officers

Section 1. The president shall:

- a. preside at all meetings of this PTA;
- b. perform such other duties as may be prescribed in these bylaws or assigned by the Auburn PTA;
- c. Sign all contracts.
- d. be an ex officio member of all committees except the nominating committee;(a non voting committee position)
- e. coordinate the work of the officers and committees of this local PTA in order that the Purposes be promoted.
- f. Attend required training provided by NH PTA.

Section 2. The vice-president shall:

- a. act as aide(s) to the president; and shall,
- b. perform the duties of the president in the absence or inability of that officer to serve.²

Section 3. The secretary shall

- a. record the minutes of meetings of this association;
- b. have a current copy of the bylaws;
- c. maintain a membership list; unless there is a designated membership coordinator position;
- d. perform other duties as assigned.

Section 4. The treasurer shall

- a. have custody of all funds of this 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 this association;
- d. have checks or vouchers signed by two persons, the treasurer and one other person;
- e. present a financial statement at EVERY meeting of the Auburn PTA and at other times when requested by the executive board;
- f. have accounts examined quarterly for a mini audit by 2 non check signers, to review receipts, payments made and balance.

- g. make a full report at the meeting at which new officers officially assume their duties (usually the annual meeting);
- h. be responsible for the maintenance of such books of account and record as conform to the requirements of Article V, Section 14 of these bylaws;
- i. submit the books annually for an audit by an auditing committee of not fewer than three members (or an auditor) selected by the executive board at least two weeks before the meeting at which new officers assume duties, or upon the change of officers. The auditing committee (or auditor) once satisfied that the treasurer's records are correct, shall sign a statement of that fact at the end of the report. The form shall be filed with treasurer's records.

Article IX: Executive Board

Section 1.

- a. The executive board may consist of the officers of the association, the chairmen of standing committees, and the principal of the school or a representative appointed by him/her. The chairmen of the standing committees shall be selected by the officers of the association. (STANDING COMMITTEES are on going committees, such as membership, fundraising, Reflections etc)
- b. The president may appoint a parliamentarian, subject to the approval of the officers of this local PTA.

****Section 2.** Each board member shall be a member of this local PTA.

Section 3. The duties of the executive board shall be:

- a. to transact necessary business in the intervals between local PTA meetings and such other business as may be referred to it by the association;
- b. to create standing and special committees;
- c. to approve the plans of work of the standing committees;
- d. to present a report at the regular meetings of this local PTA;
- e. to select an auditor or an auditing committee to audit the treasurer's accounts;
- f. to prepare and submit to this local PTA for adoption a budget for the year;
- g. to approve routine bills within the limits of the budget.

Section 4. Regular meetings of the executive board shall be held during the school year, the time to be fixed by the board at its first meeting of the year. A majority of the executive board members shall constitute a quorum. Special meetings of the executive board may be called by the president or by a majority of the members of the board, 2 days' notice being given.

Article X: Committees

Section 1: Only members of this local PTA shall be eligible to serve in any elective or appointive positions.

Section 2: The executive board may create such standing committees as it may deem necessary to promote the Purposes and carry on the work of this local PTA. The term of each chairman shall be 1 year(s) or until the selection of a successor.

Section 3. The chairperson of each standing committee shall present a plan of work to the executive board for approval. No committee work shall be undertaken without the consent of the executive board.

Section 4. The power to form special committees and appoint or elect their members rests with this local PTA (unless the bylaws delegate this power to the president or the executive board).

Section 5. The president shall be an ex officio member of all committees except the nominating committee.

Article XI: Meetings

Section 1: Regular meetings of the local PTA shall be held on 3rd Tuesday of each month during the school year, unless otherwise provided by this local PTA or by the executive board, 2 days' notice having been given.

If feasible, the PTA Executive Board will allow a remote option for attendance ONLY with the following conditions:

1. Attendee must pre- register for the event.
2. The camera must be on.
3. The attendee must be a PTA member.
4. The attendee name must match the membership directory.
5. No VOTING will be allowed.

Section 2: Special meetings of this local PTA may be called by the president or by a majority of the executive board, 2 days' notice having been given.

If feasible, the PTA Executive Board will allow a remote option for attendance and voting in emergency situations with the following conditions:

1. The camera must be on.
2. The attendee must be a PTA member.
3. The attendee name must match the membership directory.
4. Voting must be conducted by a raised hand in the video platform for recording.

Section 3: The annual meeting shall be held in September.

Section 4: Seven (7) members shall constitute a quorum for the transaction of business in any meeting of this local PTA.

Article XII: Council Membership

This local PTA is not a member of any council.

Article XIII: Fiscal Year

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

**** Article XIV: Parliamentary Authority**

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

**** Article XV: Amendments**

Section 1.

- a. These bylaws may be amended at any regular meeting of the Auburn PTA by a two-thirds vote of the members present and voting, provided that notice of the proposed amendment shall have been given at least ten days in advance and that the proposed amendment shall be subject to approval of the New Hampshire PTA.
- b. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws by a majority vote at a meeting of this local PTA, or by a two-thirds vote of the executive board. The requirements of adoption of a revised set of bylaws shall be the same as in the case of an amendment.
- c. Submission of amendments or revised bylaws for approval by the New Hampshire PTA shall be in accordance with the bylaws or regulations of the New Hampshire PTA.

Section 2. The adoption of an amendment to any provision of the bylaws of the New Hampshire PTA identified by a double star (**) shall serve automatically and without the requirement of further action by the Auburn PTA to amend their corresponding bylaws. Local PTAs shall promptly incorporate such amendments in their respective bylaws

**** Article XVI: Conflict of Interest Statement**

Section 1. Members of the Board of Directors of the Auburn PTA serve in a fiduciary capacity and owe a duty of care, a duty of undivided loyalty and a duty of obedience to the PTA. Board members must conduct themselves with integrity and honesty and act in the best interest of the Auburn PTA, and in accordance with state and federal laws.

Board members may not use their relationship to the PTA for their own personal gain. They must avoid conflicts of interest between their duties to the PTA and their duties to other associations, or their own professional or personal interest. Full disclosure by a Board member of any actual or potential conflict is required by the standard of good faith. A conflict of interest exists when a Board member participates in the deliberation or resolution of an issue important to the PTA while, at the same time, the Board member has other professional, business or volunteer responsibilities outside the PTA that could predispose or bias the Board member to a particular view or goal.

In the case where an expenditure of more than \$500.00 is being made and a Board member has a relationship, either personal or professional, with the payee, he or she must abstain from a vote, and the expenditure must be voted on by the remaining members of the Board of Directors.

The minutes of the meeting shall reflect that a disclosure was made, the abstention from voting, and the actual vote itself. Every new member of the board will be advised of this policy upon entering into the duties of his or her office, and shall sign a statement acknowledging, understanding of and agreement to this policy. The board will comply with all requirements of New Hampshire law in this area and the New Hampshire requirements are incorporated into and made a part of this policy statement.

Section 2. Policy on Pecuniary Benefits Transactions.

Transactions that provide a direct or indirect pecuniary benefit (including salaries and wages) to any Officer or Director of the PTA or any member of his or her immediate family; his or her employer; or, any person or organization of which he or she is a Proprietor, Partner, Officer, Director, or Trustee, are prohibited unless they:

- (1) satisfy RSA 7:19-a;
- (2) are in the Auburn PTA's best interest; and
- (3) all of the following conditions are met:

(a) The transaction is made in the ordinary course of the PTA's business or operation and the transaction is fair to the Auburn PTA. Any transaction with any one Officer or Director that exceeds \$500.00 must be approved by the greater of a quorum of the Board of Directors, or 2/3 of the members of the Board of Directors who have not had a pecuniary benefit transaction with the PTA during the fiscal year.

(b) The PTA shall list in its records each transaction with any one Officer, or Director which exceeds \$500.00 in any one fiscal year and report them to the NH Director of Charitable Trusts annually as part of its annual report required under RSA 7:28, including the names of those benefiting from each transaction and the amount of the benefit. This list shall be available for inspection by Officers or Directors and all contributors;

(c) The Auburn PTA shall publish a notice of any transactions with any one Officer or Director which alone or in the aggregate exceeds \$5,000.00 in any one fiscal year, in the newspaper of general circulation in New Hampshire and give a copy of the notice to the NH Director of Charitable Trusts before the transaction takes place. The name of the Officer, Director, or Trustee, the amount of the transaction and any other information required by RSA 7:19-a II (d) must be stated in the notice;

(d) The PTA shall receive the prior approval and requisite finding of the Probate Court as to any transactions involving the sale, lease for a term of greater than 5 years, purchase or conveyance of any interest in real estate to or from any Officer or Director; and,

(e) The transaction does not involve a loan of money or property to an Officer or Director (which shall be strictly prohibited).

****XVII – Continuing Affiliation**

Section 1. All PTA/PTSAs must be in "good standing". The following items must be sent to NH PTA per the Standards of Affiliation.

- a. Officer Information Sheet, including recent audit date – submitted to NH PTA by June 10
- b. Membership Dues – Monthly. Each PTA/PTSA shall pay membership dues to NH PTA. Deadlines are October, December, February and April, however dues can be paid at any time. At the end of your fiscal year, pay all remaining membership dues. The amount shall include the portion payable to National PTA
- c. Annual Tax Confirmation form, proof of IRS 990 filing (due to NH PTA by November 15 of each year).

Section 2. Bylaws must be submitted to NH PTA for review every 3 years. Amendments to bylaws are outlined in Section XV.

[Articles designated by a double star (**) are required by the New Hampshire PTA.]