

**BYLAWS**

**OF**

Lexington Special Education

PTA/

Lexington,

, Massachusetts

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REGION: \_\_\_\_\_ 3 \_\_\_\_\_ DISTRICT \_\_\_\_\_ 12 \_\_\_\_\_ EIN: \_\_\_\_\_ 45-3847786 \_\_\_\_\_

SCHOOL NAME \_\_\_\_\_ LEXINGTON SPECIAL EDUCATION  
PARENT TEACHER ASSOCIATION  
ADDRESS \_\_\_\_\_ 46 MAPLE STREET  
CITY, STATE, ZIP \_\_\_\_\_ LEXINGTON MA 02420

**ARTICLE I: NAME**

The name of this association is Lexington Special Education PTA/ (circle one) of Lexington, Massachusetts. It is a local PTA/PTSA organized under the authority of the Massachusetts Parent Teacher Association Inc. (Massachusetts PTA), a branch of the National Congress of Parents and Teachers (National PTA). For convenience, the association shall be referred to in these bylaws as the LexSEPTA.

**#ARTICLE II: PURPOSES**

Section 1. The purposes of Lexington Special Education Lexington PTA, in common with those of National PTA and Massachusetts 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 National PTA, Massachusetts PTA and LexSEPTA are promoted through an advocacy and educational program directed toward parents, teachers, and the general public; developed through conferences, committees, projects, and programs; and governed and qualified by the basic policies set forth in Article III.

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 III: BASIC POLICIES**

The following are basic policies of LexSEPTA, in common with those of National PTA and Massachusetts PTA:

- a. The association shall be noncommercial, nonsectarian, and nonpartisan.
- b. The association 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.

- c. The association shall work to promote the health and welfare of children and youth and shall seek to promote collaboration between parents, schools, and the community at large.
- d. 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 II hereof.
- e. 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.
- f. Upon the dissolution of the association, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed to one or more nonprofit funds, foundations, organizations, or associations that have established their tax exempt status under Section 501(c)(3) of the Internal Revenue Code.
- g. The association or members in their official capacities shall not, directly or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) 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 .
- h. A local PTA unit may cooperate with other associations and agencies concerned with child welfare, but PTA representatives shall make no commitments that bind the group they represent.

#### **#ARTICLE IV:                   RELATIONSHIP WITH NATIONAL PTA AND MASSACHUSETTS PTA**

Section 1.       This local PTA shall be organized and chartered under the authority of Massachusetts 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 Massachusetts PTA may in its bylaws prescribe. The Massachusetts 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 state PTA to reach the national office by dates designated by National PTA;
- c.       Remits the state portion of the dues to the state PTA by the dates designated by Massachusetts PTA;
- d.       Remits a membership list to the State PTA with dues each month. You may send your list to the State PTA on a disc or email in an Excel spreadsheet format. This is an IRS requirement. The Massachusetts PTA does not share its membership lists;
- e.       Has a minimum of 25 members to become a PTA. It is expected that membership drives be held on a yearly basis for increasing members;

(Exceptions to this will be reviewed on an individual basis.)

- f. Has current officer list with **names, addresses, telephone numbers and email addresses** on file with Massachusetts PTA;
- g. Has current bylaws (bylaws approved by the state PTA within the last three (3) years are considered current);
- h. Has Employer Identification number (EIN) on file with Massachusetts PTA.

Section 2. The articles of association of this local 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).

Section 3. This local PTA shall adopt such bylaws for the government of the association as may be approved by Massachusetts PTA. Such bylaws shall not conflict with National PTA Bylaws or the bylaws of Massachusetts PTA.

Section 4. This local PTA shall include in its bylaws those articles and sections identified by the number (#) symbol as found in the Massachusetts PTA suggested local unit bylaws.

Section 5. Bylaws of this local PTA shall include an article on amendments.

Section 6. Bylaws of this local PTA shall include a provision establishing a quorum.

Section 7. The bylaws of this local PTA shall prohibit voting by proxy.

Section 8. 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 9. The charter of this local 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 in the bylaws of Massachusetts PTA.

Section 10. This local PTA is obligated, upon withdrawal of its charter by Massachusetts PTA:

- a. To yield up and surrender all of its books and records and all of its assets and property to Massachusetts PTA or to another 501 (C) (3) association approved by Massachusetts PTA.
- b. To cease and desist from the further use of any name that implies or connotes association with National PTA or Massachusetts PTA or status as a constituent association of National PTA.
- c. To carry out promptly, under the supervision and direction of Massachusetts PTA, all proceedings necessary or desirable for the purpose of dissolving  
\_LexSEPTA\_\_\_\_\_

Section 11. A local PTA may dissolve and wind up its affairs in the following manner:

- a. The executive committee (or other body that, under its bylaws), manages the affairs of the local PTA or PTSA shall adopt a resolution recommending the local PTA or PTSA dissolve and directing that a question of such dissolution be submitted to a vote at a special meeting of members having voting rights. Written or printed notice stating purpose of such meeting is to consider the advisability of dissolving the local PTA or PTSA shall be given to each member at least thirty (30) days prior to the date of such meeting.

- b. Written notice of the adoption of such resolution, accompanied by a copy of the notice of the special meeting of members, shall be given to the president of Massachusetts PTA at least twenty (20) days before the date fixed for such special meeting of the members.
- c. Arrange for a Massachusetts PTA representative to speak to the executive committee or association prior to taking action.
- d. Only those persons who were members in good standing of the local PTA or PTSA on the date of the adoption of the resolution and who continue to be members in good standing on the date of the special meeting shall be entitled to vote on the question of dissolution.
- e. Approval of dissolution of the local PTA or PTSA shall require the affirmative vote of at least two-thirds of the members present and entitled to vote at the special meeting, a quorum being present. However, before the final vote can be taken, the members must decide how to dispose of the property and assets of the unit in accordance with Section 501(C)(3) of the Internal Revenue Code (Article III f).
- f. Notify Massachusetts PTA in writing with the results of the vote. If the local PTA or PTSA unit votes to disband, they must return their Charter to the Massachusetts PTA Office. The Massachusetts PTA will notify the IRS that this unit is no longer a tax-exempt association of Massachusetts PTA and will also notify National PTA that the unit has dissolved.

#### **ARTICLE V: MEMBERS AND DUES**

# Section 1. Every individual who is a member of a local PTA chartered by Massachusetts PTA is, by virtue of that fact, a member of National PTA and of Massachusetts PTA, and is entitled to all the benefits of such membership.

# Section 2. Membership in this local 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 prior to November 1, but may admit persons to membership at any time in accordance with Article 10 Section 5.

# Section 4. Each member of a local PTA shall pay such annual dues as may be determined by the association. The amount of dues shall include:

The portion payable to Massachusetts PTA as recommended by the Massachusetts PTA board of directors and approved by a majority of the voting body at the Massachusetts PTA Annual Convention and

The portion payable to National PTA as recommended by the National PTA board of directors and approved by a two-thirds (2/3) majority of the voting body at the National PTA Annual Convention.

# Section 5. The state and national portion of the dues paid by each member to a local unit shall be set aside and remitted to Massachusetts PTA on or before November 1. **Additional dues from members joining after November 1 should then be submitted monthly and not kept as part of the local unit's treasury.** Dues received after March 31, will not be reflected in the current National PTA membership year.

# Section 6. Each local unit shall issue, upon payment of dues, membership cards, which shall be valid for the current school year. A membership card is not interchangeable between PTAs or schools and does not confer membership on more than one individual.

# Section 7. A PTA unit will not be considered a unit in good standing and therefore not eligible to participate in the Reflections Program if their dues have not been sent to the State Office by December 31<sup>st</sup>.

# Section 8 A PTA unit will not be considered a unit in good standing and therefore not eligible for awards (national or state) if the dues and bylaws are not current

## ARTICLE VI: OFFICERS

Section 1. The officers of this local PTA shall be two or more presidents, a secretary, membership chair, and a treasurer.

Section 2. Officers shall be elected by ballot in the month of June.

Section 3. The vote shall be conducted by ballot. When there is but one candidate for an office, the ballot for that office may be dispensed with and election held by voice vote. A majority vote shall be required for the election.

Section 4. The following provisions shall govern the qualifications and eligibility of individuals to be officers of \_\_\_LexSEPTA\_\_\_\_\_:

- # a. Each officer shall be a member of this local PTA/PTSA.
- b. No officer may be eligible to serve more than \_\_\_2\_\_\_ consecutive terms in the same office, except in that situation where a qualified officer has agreed to extend their term in the absence of a qualified successor and as approved by the members of the \_\_\_\_\_LexSEPTA\_\_\_\_\_.
- c. A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in such office.

Section 5. Officers shall assume their official duties following the close of the current school year and shall serve for a term of \_\_\_1\_\_\_ year(s) or until their successors are elected.

Section 6. A vacancy occurring in the office of co- president or any other executive committee officer position shall be filled for the remainder of the un-expired term by the executive committee.

# Section 7. There shall be a nominating committee composed of \_\_\_3\_\_\_ members who shall be elected by this local PTA at a regular general membership meeting at least six month prior to the election of officers, as outlined in Article VI, Section 2.

- a. The committee shall elect its own chair.
- b. The nominating committee shall nominate at least one eligible person for each office to be filled and report its nominees at the regular general membership meeting in \_\_\_May), at which time additional nominations may be made from the floor. A thirty-day notice of the meeting, including the slate of officers to be presented, must be given to the membership.
- c. Only those individuals who are current members of this local PTA and who have signified their consent to serve if elected shall be nominated for, or elected to, such office.

Section 8. When an officer fails to attend \_\_\_3\_\_\_\_\_ consecutive meetings without adequate excuse or when an officer is not fulfilling the responsibilities of the office as prescribed in the bylaws, or engages in conduct which the executive committee determines to be injurious to the association or its purposes, the executive committee may by a two-thirds (2/3) affirmative vote, take such action as it determines appropriate, which may include: (1) asking for the resignation of the officer: (2) making a formal recommendation that the officer be removed from office following a hearing conducted in accordance with Due Process.\*

\*Footnote: "Due Process" Procedures: Following the two-thirds (2/3) affirmative vote recommending that the officer be removed from office: (1) The officer must be given fifteen (15) days' written notice of the hearing to remove the officer from office; (2) The

written notice shall contain the reasons for the proposed removal, and shall be mailed certified mail, return receipt requested, to the last address of the officer shown on the association's records; (3) At the hearing, the officer must be given an opportunity to address the executive committee, either orally or in writing; (4) Not less than five (5) days following the hearing, the executive committee shall convene and vote whether the officer will be removed from office; (5) A two-thirds (2/3) vote of the executive committee shall be sufficient to remove the officer from office; (6) The removal vote shall be recorded in the executive committee minutes and shall specify the number of voting in favor of and against such removal."

## **ARTICLE VII: DUTIES OF OFFICERS**

Section 1. A co- president shall:

- a. Preside at all meetings of this local PTA;
- b. Serve as an ex-officio member of all committees except the nominating committee;
- c. Coordinate the work of the officers and committees of this local PTA in order that the purposes may be promoted;
- d. May appoint a parliamentarian, subject to the approval of the general membership of this local PTA;
- # e. Forward to the Massachusetts PTA Office by **June 30** the names, addresses, telephone numbers and email addresses of the officers that will serve for the following school year(**even if the officers do not change**);
- f. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the executive committee;

Section 2. The membership chair shall:Manage listservs and membership lists.Oversee enrollment of new members.

Section 3. The secretary shall:

- a. Record the minutes of all business meetings of \_\_\_\_\_LexSEPTA\_\_\_\_\_;
- b. Be prepared to read the records of any previous meetings;
- c. File and retain all records;
- # d. Have a current copy of the bylaws (bylaws approved by the state within the last three (3) years are considered current);
- # e. Maintain a membership list, with names and addresses of members;
- f. Perform such duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president or executive committee.

Section 4. The treasurer shall:

- a. Have custody of all the funds of this local PTA;
- # b. Maintain a full and accurate account of receipts and expenditures of this local PTA;



- this # c. Make disbursements as authorized by the president or executive committee or local PTA in accordance with the budget adopted by this local PTA;
- d.
- # e. Notify the Massachusetts PTA Office of its unit's Employer Identification Number (EIN). If no number is presently available, the local PTA unit must apply for one;
- # f. Shall keep all records of national and state portions of the membership dues separate from the records of the general fund of \_\_\_LexSEPTA\_\_\_\_\_;
- # g. Present a written financial statement at every business meeting of this local PTA and at other times when requested by the executive committee or any member;
- # h. Forward the state and national portion of the membership dues to the Massachusetts PTA Office on or before November 1 along with names, addresses and emails of members. Additional membership dues should be submitted on a monthly basis thereafter;
- # i. Present an annual treasurer's report to this local PTA at the annual meeting;
- # j. Have the accounts reviewed, when a person who has signature authority leaves the board. This is to be done by an audit committee selected by the executive committee at least two weeks before the meeting at which the officers assume their duties;
- # k. Complete a form 990 or 990EZ with a Schedule A. If gross receipts exceed \$50,000 annually, then you must submit the form to the IRS. If gross receipts are under \$50,000, you will now be required to file electronically Form 990-N, also known as the e-Postcard, with the IRS annually.
- # l. File form PC with the Massachusetts Attorney General's Office, submitting required forms in accordance with the instructions specified on the form.
- # m. File an annual report to the Massachusetts Secretary of State's Office, if incorporated;
- # n. Submit annually to Massachusetts PTA by the 15<sup>th</sup> day of the 5<sup>th</sup> month following the end of the local unit fiscal year a completed audit form provided by Massachusetts PTA or a report from an independent auditor stating that the an audit has been performed for the local PTA unit
- o. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president or the executive committee.

# Section 5. Accounts and records of \_\_\_LexSEPTA\_\_\_\_\_ shall at all reasonable times be open to inspection by an authorized representative of Massachusetts PTA or, where directed by the committee on state and local relationships.

# Section 6. No two members of the same family may be on the signature card for this PTA's bank account.

Section 7. All officers shall deliver to their successors all official materials no later than \_\_\_\_\_days following the election of their successor, by the close of the school year, or upon resignation.

**ARTICLE VIII: EXECUTIVE COMMITTEE**

**All units shall be governed by an Executive Committee.**

An Executive Committee consists of  
Elected Officers (two co-presidents, secretary, treasurer, and membership chair)

**NOTE: An Executive Committee or Executive Board is the group that meets between regular general membership meetings to transact business**

Section 1. The executive committee shall consist of the elected officers of  
\_\_\_\_LexSEPTA\_\_\_\_\_.

Section 2. Special meetings of the executive committee may be called by the president or upon written request of \_\_LexSEPTA\_\_ members with \_\_7\_\_ days' notice to each member of the executive committee. Notice may be given by means of regular mail, electronic mail, telephone, website postings, printed media or any combination thereof.

Section 3. A majority of the executive committee shall constitute a quorum for the transaction of business.

Section 4. Duties of the executive committee shall be to:

- a. Transact necessary business in the intervals between general PTA meetings and such other business as may be referred to it by this local PTA;
- b. Appoint standing and special committee chairs and members as may deem necessary to promote the purposes of PTA and carry on the work of this local PTA;
- c. Approve the work of the committees;
- d. Make a report at the general meetings of this local PTA;
- # e. Select an auditor or audit committee to be approved by the general membership of the local PTA to audit the treasurer's accounts;
- # f. Prepare and submit to this local PTA for adoption a budget for the year; and
- g. Approve routine bills within the limits of the budget.

The executive committee shall take no action in conflict with any action taken by the general membership of this local PTA.

**ARTICLE IX: COMMITTEES**

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

**ARTICLE X: GENERAL MEMBERSHIP MEETINGS**

Section 1. At least \_\_8\_\_ regular meetings of the association shall be held during the school year. Dates of the meetings shall be determined by the executive committee and announced at the first regular PTA meeting of the school year. \_\_1\_\_ days' notice shall be given to the general membership of any change of date. Notice may be given by means of regular mail, electronic mail, telephone, website postings, printed media or any combination thereof.

Section 2. Special meetings of this local PTA may be called by the president or by a majority of the executive committee with 7 days' notice having been given. Notice may be given by means of regular mail, electronic mail, telephone, website postings, printed media or any combination thereof.

Section 3. The annual meeting shall be in June and shall be for the purpose of electing officers, receiving reports of officers and committees, and conducting any other business that may arise.

# Section 4. 10 (number) members shall constitute a quorum for the transaction of business in any meeting of this local PTA. (**Quorum should be at least double the number of officers and should be an odd number**)

Section 5. The privilege of making motions, debating and voting at local PTA meetings shall be limited to members of the association who are present and whose dues are paid and who have been members of the association for at least 14 days.

#### **ARTICLE XI: COUNCIL MEMBERSHIP if applicable**

[This article applies only to those local PTAs holding membership in a council PTAs. The following section **must** correspond to council PTA bylaws, and are provided as a guideline to local PTAs.]

##### Section 1.

- a. This local PTA shall be represented in meetings of \_\_\_\_\_ Council PTA by the president or appointed alternate, and by \_\_\_\_\_ (number) delegates or their alternates. All representatives to the council must be members of this local PTA.
- b. Delegates and their alternates shall be chosen by election in \_\_\_\_\_ (month).
- c. Delegates to \_\_\_\_\_ Council PTA shall serve for a term of \_\_\_year(s).

#### **ARTICLE XII: FISCAL YEAR**

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

#### **#ARTICLE XIII: PARLIAMENTARY AUTHORITY**

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

#### **ARTICLE XIV: AMENDMENTS**

Section 1. These bylaws may be amended at any regular general membership meeting of \_\_\_\_\_ LexSEPTA \_\_\_\_\_ by a two-thirds vote of the members present and voting, a quorum being present, provided that notice of the proposed amendments has been provided to the membership thirty days prior to the meeting.

Section 2. A committee may be appointed by a majority vote at a general meeting of this local PTA, or by a 2/3 vote of the executive committee of this local PTA, to submit a revised set of bylaws as a substitute for the existing bylaws.

Section 3. Submission of amendments or revised bylaws for approval by Massachusetts PTA shall be in accordance with the bylaws or regulations of Massachusetts PTA.

# Section 4. The adoption of an amendment to any provision of Massachusetts PTA suggested local PTA unit bylaws identified by a number (#) symbol shall serve automatically and without the requirement of further action by \_\_LexSEPTA\_\_\_\_\_ to amend their corresponding bylaws. This local PTA shall promptly incorporate such amendments in it bylaws.

## BYLAWS SUBMISSION FORM FOR LOCAL UNITS

### Amendments or Revisions to Bylaws

Barbara Bailey Bylaws Chair Mass PTA

84 Reed St

Lexington, MA 02421

781-861-7911

Lexington Special Education Parent Teacher Association  
(LexSEPTA)

Unit Name: \_\_\_\_\_

Unit Number (8-digits): 02676460

Bylaw Committee Contact Person: Jennifer Yaar

Address: 15 Wilson Road

City, State, Zip: Lexington MA 02421

Daytime Phone: Day Phone: 781-645-6616 Evening Phone: \_\_\_\_\_

Email Address: Jennifer.yaar@gmail.com

Was official notice given (per bylaws) of intent to amend bylaws?  Yes  No

If yes, date of notice: November 2, 2015

If no, reason: \_\_\_\_\_

Was a quorum present at the time of voting?  Yes  No

Meeting Date: \_\_\_\_\_

Robin Abrams

President's Name (please print): \_\_\_\_\_

Email Address: Abrams\_robin@hotmail.com

9 Banks Avenue, Lexington MA 02421

Street, City, State, Zip: \_\_\_\_\_

781-608-7278

Telephone: \_\_\_\_\_

Jennifer Yaar

Secretary's Signature: (may type in name if submitting by email) \_\_\_\_\_

6/1/2016

Date Submitted: \_\_\_\_\_

#### For approval please submit:

- Bylaws submission form
- Completed bylaws submitted on the most updated suggested local unit bylaws
- Submissions made by regular mail to the address above, or by email to [baileyppta@aol.com](mailto:baileyppta@aol.com).

Allow 2-3 weeks for response from the State Bylaws Chair. Approved bylaws will be returned to the Bylaws Committee Contact Person.

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#### MASSACHUSETTS PTA APPROVAL

STATE BYLAWS CHAIR: \_\_\_\_\_ Date: \_\_\_\_\_

Bylaws Committee: Barbara Bailey Chair  
Maryalice Foisy Secretary

Summary of Changes Made to Lexington Special Education Parent Teacher Association  
(LexSEPTABylaws

Updated by-laws to adhere to new PTA by-law guidelines. Key changes made to Members and Dues, Executive Committee, and Committees sections.

Date Changes Made \_\_\_6/1/2016\_\_\_\_\_