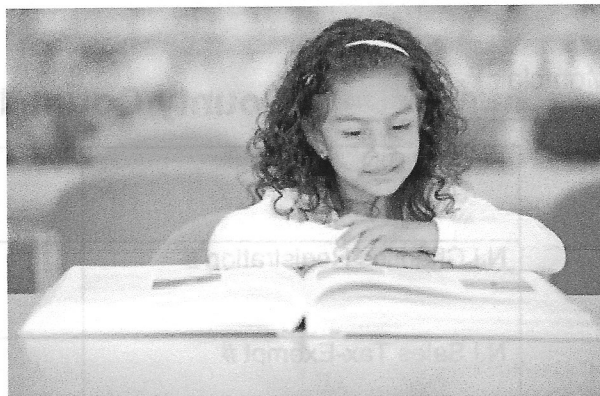
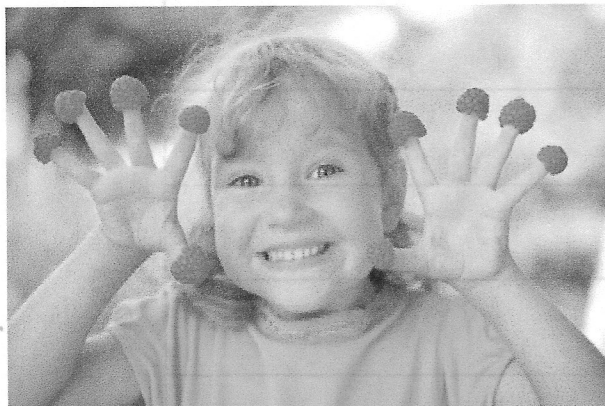


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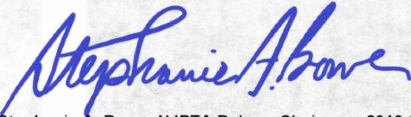
Montclair

**County Council of
PTAs Bylaws**

2016

Montclair

County Council of PTAs

Federal EIN	842634491
NJ Charities Registration #	None
NJ Sales Tax-Exempt #	None
Membership Approval Date	5/6/19
NJ Incorporation #	None
NJ Incorporation Date	None
State Approval Date	8/6/19
Next Review	5/6/22
NJPTA State Bylaws Chair Signature	 Stephanie A. Bowe, NJPTA Bylaws Chairman, 2019-2022

ARTICLE	NAME	PAGE
Article I	Name	3
Article II	Purposes	3
Article III	Basic Policies	3
Article IV	Relationship with National PTA and NJPTA.....	4
Article V	Members and Dues	4
Article VI	Voting Body	4
Article VII	Officers and Their Election	5
Article VIII	Duties of Officers	6
Article IX	Executive Committee and Board of Directors.....	7
Article X	Standing and Special Committees	8
Article XI	General Membership Meetings	8
Article XII	Withdrawal of Charter and Dissolution	9
Article XIII	Fiscal Year	9
Article XIV	Parliamentary Authority	10
Article XV	Amendments	10
	Appendix A ~ County Standards of Affiliation.....	11

ARTICLE I – NAME

The name of this association is the

Montclair

County Council of
Parent-Teacher Association (hereinafter referred
to as the "Council"), Region I of the New Jersey
Congress of Parents and Teachers, Inc.
(hereinafter referred to as the "NJPTA"), a branch
of the National Congress of Parents and
Teachers Association (hereinafter referred to as
"National PTA").

**** ARTICLE II – PURPOSES**

Section 1: The purposes of the New Jersey
PTA, in common with those of 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; 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, 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 referred to as "Internal Revenue Code").

**** ARTICLE III – BASIC POLICIES**

The following are basic policies of the New Jersey PTA in common with those of the National 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 among 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 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.
- 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
 - ii. By an association, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- F. Upon the dissolution of this association, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed to one of more nonprofit funds, foundations, or associations that have established their tax-exempt status under

501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of National PTA.

- 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) 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 IV: RELATIONSHIP WITH NATIONAL PTA AND NJPTA**

Section 1. This Council is a branch of the National PTA and the NJPTA and exists for the purpose of accomplishing at the County level the purposes of the National PTA.

Section 2. This Council in good standing with the NJPTA (in accordance with Article XIII of the NJPTA bylaws) is one that:

- A. Meets the NJPTA County Council Standards of Affiliation as specified in these bylaws (see addendum A);
- B. Meets other criteria as may be prescribed by the NJPTA; and
- C. Adheres to the purposes and basic policies of the National PTA and New Jersey PTA.

Section 3. Each Council shall adopt such bylaws for the governance of their Council. Such bylaws shall be approved by the NJPTA Bylaws Chair once every three years. Such bylaws shall not be in conflict with the bylaws of National PTA or the bylaws of the NJPTA.

Section 4. Each Council shall include in its bylaws provisions corresponding to the provisions of the NJPTA bylaws as identified by double stars (**).

Section 5. The adoption of an amendment by the National PTA or the NJPTA to any provision of the bylaws identified by double stars (**) shall serve automatically and without the requirement of further action by this Council to amend correspondingly their bylaws.

Section 6. The NJPTA shall provide leadership training under the supervision of the VP of Leadership Development to this Council to assist in the management of said Council. This Council may make a request for leadership training by sending the request, in writing, to the New Jersey PTA office.

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

Section 1. Membership in this Council shall consist only of local PTA/PTSA/SEPTAs (hereinafter referred to as "PTA") in

Montclair

County who pay dues to the National PTA, the NJPTA, and who also pay dues to this Council hereafter described.

Section 2. The annual dues for membership in this Council shall be:

Dues will be \$250 per school year or based on a sliding scale determined by school population.

Section 3. Local PTAs created or reactivated in the current fiscal year are exempt from dues for the current fiscal year.

Section 4. Delegates from local PTAs whose dues to this Council are in arrears shall not participate in the business meetings of this Council.

Section 5. Members who are under the age of 18 years are prohibited under New Jersey nonprofit law from serving as officers of this Council and from signing contracts that bind members of this Council or the NJPTA.

**** ARTICLE VI: COUNTY COUNCIL VOTING BODY**

Section 1. The voting body of this Council shall consist of the officers of said Council; the chairmen of Council standing committees; Presidents from each local PTA in this Council or

their alternate; and 0 delegates from each local PTA in this Council or their alternates.

Section 2. All members of this Council must be members of a local PTA in good standing.

Section 3. Members are entitled to only one vote even though they may hold more than one position.

Section 4. Voting by proxy, absentee ballot, telephone, fax, or email at County Council General Membership meetings shall be prohibited.

Section 5. A Council member shall not serve as a voting member of this Council's board while serving as a paid employee of or under contract to this Council.

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

**** ARTICLE VII:
OFFICERS AND THEIR ELECTION**

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

Section 2. There shall be at least four (4) elected officers: President, Vice President, Secretary, and Treasurer. Other officers may be elected as designated in this Council's standing rules.

Section 3. Officers shall be elected at the spring general membership meeting. 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 election.

Section 4. Officers shall assume their official duties on July 1st of their elected year and shall serve for a two-year term.

Section 5. A person shall not be eligible to serve more than two consecutive terms in the same office.

Section 6. 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 7. Nominating Committee

- A. There shall be a nominating committee of ~~Choose~~³ members and at least one (1) alternate member who shall be elected by this Council at the fall general membership meeting. No two (2) members shall be from the same local PTA. The committee shall elect its own chairman. The President CANNOT serve as a member of the committee.
- B. The nominating committee shall nominate one eligible person for each office to be filled.
- C. The nominating committee shall submit the slate of nominees to this Council Executive Committee and to the local PTAs at least sixty (60) days prior to the election meeting. Nominees from the floor shall have given twenty (20) days notice before the spring general membership meeting of their intent to run. Notification must be in writing to this Council President, Recording Secretary, and Nominating Committee Chairman.
- D. The nominating committee will report its nominees at the spring general membership meeting prior to the elections.
- E. Only those members who have signified their consent to serve if elected shall be nominated for, or elected to, such office.
- F. Nominating committee members can be considered for office, they should not be penalized by serving on the nominating committee.

Section 8. Vacancies: Vacancies occurring in elected offices or in chairs of standing committees shall be filled by the Executive Committee. If a vacancy occurs in the office of President, the Vice President shall serve notice of the election to fill the vacancy.

Section 9. This Council shall submit to the NJPTA office a list of newly elected officers within fourteen (14) days after their election. Changes in officers and their contact information must be reported to the NJPTA office immediately.

ARTICLE VIII: DUTIES OF OFFICERS

Section 1. The President shall:

- A. Preside at all meetings of this Council;
- B. Serve as an ex-officio member of all committees except the nominating committee and the audit committee;
- C. Coordinate the work of the officers and committees of this Council in order that the purposes may be promoted;
- D. Assist in extending PTA work into all parts of this Council area, keeping it in harmony with the state PTA plan;
- E. Approve all expenditures prior to disbursement;
- F. Ensure that the NJPTA County Council Standards of Affiliation have been fulfilled; and
- G. Perform such other duties as may be prescribed in the standing rules, or directed by the Executive Committee or the Board of Directors.

Section 2. The Vice President shall:

- A. Preside in the absence of the President;
- B. Serve as the aide to the President; and
- C. Perform such other duties as may be prescribed in the standing rules, or directed by the Executive Committee or the Board of Directors.

Section 3. The Secretary shall:

- A. Record the minutes of all meetings of this Council, and distribute as directed by the President;
- B. Be prepared to read the records of any previous meetings;
- C. File all records;
- D. Maintain a current copy of this Council Bylaws and the Standing Rules for this Council;
- E. Notify each committee chair of his appointment;
- F. Conduct delegated correspondence;
- G. Send out notifications of all meetings, to include time, date, and location, as prescribed; and
- H. Perform such other duties as may be prescribed in the standing rules, or directed by the Executive Committee or the Board of Directors.

Section 4. The Treasurer shall:

- A. Keep a full and accurate account of receipts and disbursements;
- B. Make disbursements as authorized by the President, Executive Committee, or this Council in accordance with the budget adopted by the general membership;
- C. Chair the budget committee; the budget committee members shall be chosen according to the standing rules of this Council;
- D. Have checks or vouchers signed by two persons, the Treasurer and one other officer (as designated in the standing rules);
- E. Present a treasurer's report at each meeting of this Council;
- F. Present an annual report of the financial condition of this Council;
- G. Be responsible for the maintenance of such books of account and records of this Council;
- H. Submit the financial records annually for an internal or professional audit. The Executive Committee shall select a CPA, or audit committee of at least three (3) members who are not signers on the financial accounts.
- I. Ensure that the requirements, pertaining to the office of treasurer, listed in the NJPTA County Council Standards of Affiliation have been fulfilled. These requirements include but are not limited to the filing of the appropriate Federal Tax Return (IRS form 990N, 990ez or 990);
- J. Be custodian of Council checkbook; and
- K. Perform such other duties as may be prescribed in the standing rules or directed by the Executive Committee or the Board of Directors.

Section 5. All outgoing officers shall deliver to their successors all official material not later than ten (10) days following the conclusion of their term. In the event of a mid-term change in officer, the resigning officer shall turn over to the President all records, books, funds, and other material pertaining to their office within ten (10) days of leaving office.

Section 6. Additional duties of officers may be specified in this Council standing rules. Standing rules may be adopted from time to time, as

needed, to supplement the bylaws of this Council. They may be adopted, without previous notice, by a majority vote at any Council Board of Directors meeting. However, no standing rule, resolution or motion may conflict with the bylaws of this Council or those of NJPTA or National PTA.

ARTICLE IX: EXECUTIVE COMMITTEE AND BOARD OF DIRECTORS

**** Section 1.** This Council is established to assist with the management of the NJPTA. The purposes and responsibilities of Council are outlined in Article XIII, Section: 1, C, D, and E of the NJPTA Bylaws.

**** Section 2.** This Council shall:

- A. Conduct a sufficient number of meetings to enhance PTA principles and goals with this County;
- B. Conduct meetings with proper meeting procedures and maintain minutes and financial records;
- C. Service all local PTAs in this County;
- D. Serve as a first point of contact for local PTAs seeking service, information, and instruction;
- E. Arrange for a representative of the Council to visit each local PTA within this County;
- F. Promote PTA programs through publications or meetings;
- G. Maintain a list of all local PTAs, names, addresses, and phone numbers of local unit Presidents and Treasurers, and bylaw approval dates; and
- H. Elect an alternate to the President. Within ten (10) days of his/her election the NJPTA President shall be notified of the alternate's name, address, and phone number.

**** Section 3.** The Executive Committee and the Board of Directors shall manage the affairs of this Council in the intervals between general membership meetings.

**** Section 4.** Each member shall be a member of a local PTA within the area of this Council.

Section 5. The Executive Committee shall consist of the elected officers as defined in these bylaws. The Board of Directors shall consist of

the elected officers of this Council and the chairs of the standing committees.

Section 6. The Executive Committee shall:

- A. Transact business as may be referred to it by this Council;
- B. Create special committees and elect Chairman of same;
- C. Present a report at the regular general membership meetings of this Council;
- D. Select a licensed accountant, CPA, or audit committee of three (3) members to examine the books at the end of the fiscal year and at such time as required by the resignation of the Treasurer;
- E. Conduct business in an emergency and such business as may be referred to it by the Board of Directors or this County Council;
- F. Prepare and submit to this Council for adoption a budget for the year;
- G. Approve payment of routine bills within the limits of the approved budget;
- H. Approve plans of work of this Council's standing committees; and
- I. Fill Council vacancies in accordance with these bylaws.

Section 7. The Board of Directors shall:

- A. Transact the necessary business between Council meetings and such other business as may be referred to it by this Council; and
- B. Report at the regular meetings of this council.

Section 8. Executive Committee and Board of Directors Meetings:

- A. A minimum of two (2) Executive Committee meetings shall be held during the year. Dates of meetings shall be determined by the Executive Committee and announced to the entire board of directors, via email, prior to the beginning of the school year.
- B. A minimum of two (2) Board of Directors meetings shall be held during the year. Dates of meetings shall be determined by the Executive Committee and announced to the entire board of directors, via email, prior to the beginning of the school year.
- C. Special meetings may be called by the President, or upon the request

of a majority of members of the Executive Committee or Board of Directors. The number of days' notice for a special meeting shall be designated in the standing rules.

Section 9. At all meetings of the Executive Committee and the Board of Directors, a majority of the members shall constitute a quorum for the transaction of business.

Section 10. If any member of the Executive Committee or Board of Directors shall at any time cease to meet the qualifications or fulfill the duties of the position, that person may be removed by a two-thirds (2/3) majority vote of the entire Board of Directors.

Section 11. Upon the expiration of the term of a board member, they shall turn over to the President, all records, books, funds, and other materials pertaining to their position not later than ten (10) days following the conclusion of their term. In the event of a mid-term change in board member, the resigning member shall turn over to the President all records, books, funds, and other material pertaining to their position within ten (10) days of leaving office; automatically cease to be a member of the board; and shall be relieved of all duties and responsibilities incident to such membership.

ARTICLE X: STANDING AND SPECIAL COMMITTEES

Section 1. Standing Committees:

- A. The chair of each standing committee shall be a member in good standing of a local PTA belonging to this Council.
- B. The standing committees of this Council shall be prescribed in the standing rules.
- C. Such standing committees shall be created by the Executive Committee as may be required to promote the objects and interests of this Council. The chairmen of the standing committees shall be elected/appointed by the Executive Committee and their term shall be for one (1) year.
- D. The chair of each standing committee shall present a plan of work to the Executive Committee for approval. No committee work shall be undertaken

without the approval of the Executive Committee.

Section 2. Special Committees:

- A. The Executive Committee may create such special committees as it may deem necessary to promote the purposes of PTA and carry on the work of this Council.
- B. As a special committee is created and appointed for a specific purpose, it automatically goes out of existence when its work is done and its final report is received.

Section 3. The President shall be a member ex-officio of all committees except the nominating committee and the audit committee.

ARTICLE XI: GENERAL MEMBERSHIP MEETINGS

**** Section 1.** Only local PTA units who are in good standing as defined by the NJPTA Bylaws, Article XIV, Section 2 in Article IV shall be eligible to participate in the business of this Council. In addition, delegates from local PTAs whose dues to this Council are in arrears shall not participate in the business meetings of this Council.

Section 2. Two general membership meetings of this Council shall be held during the school year, one in the fall and one in the spring. Dates of meetings shall be determined by the Executive Committee and announced to the general membership, via email or mail, prior to the beginning of the school year.

Section 3. Ten (10) days' notice shall be given of a change of date of general membership meetings.

Section 4. Special general membership meetings may be called by the Executive Committee with ten (10) days' notice having been given. The purpose of the meetings will be stated in the call.

**** Section 5.** The fall general membership meeting shall be for the purpose of the adoption of budget, approval of audit, and election of the nominating committee.

**** Section 6.** The spring general membership meeting shall be for the purpose of elections.

Section 7. (insert number) members shall constitute a quorum for the transaction of business in any general membership meeting of this Council.

****ARTICLE XII: WITHDRAWAL OF CHARTER AND DISSOLUTION**

Section 1. The charter of this Council may be subject to withdrawal if:

- A. The Council is found to be in violation of the bylaws of this Council; Bylaws of the National PTA; and Bylaws of the NJPTA; or
- B. The Council is found to be indulging in practices or activities that may tend to defeat the Objects and Basic Policies of the National PTA.

Section 2. Violations: Charges of alleged violations by Council PTAs should be sent in writing or email to the NJPTA Committee on State and Local Relationships for review. After completion of its investigation the NJPTA State and Local Relationship Committee shall report to the NJPTA Board of Directors its findings.

Section 3. Upon finding the alleged violations to be verified, the NJPTA Board of Directors shall:

- A. Offer this Council an opportunity to respond to the alleged violation.
- B. Upon responses and if required, by a two-thirds (2/3) vote of the NJPTA Board of Directors, require this Council, within a stipulated period of time to correct their violation.
- C. When such recommendations have been made and action has not been taken by this Council within their stipulated time period, the NJPTA Board of Directors may grant an extension of time not less than six (6) weeks or more than eighteen (18) months in which to achieve satisfactory compliance.
- D. Failing such compliance, the NJPTA Board of Directors may subject to concurrence of such action by the next annual convention, withdraw the charter of this Council in violation, and terminate its status as this Council.

Section 4. The NJPTA is required by law to notify immediately, the Internal Revenue Service, the New Jersey Sales Tax Bureau, the Secretary of

State, New Jersey Division of Consumer Affairs Charities Registration, New Jersey Division of Legalized Games of Chance, and the Postal Authorities that this Council has had its charter withdrawn and is no longer eligible for tax exemption under the NJPTA Group Tax Exemption Number.

Section 5. The financial records of this Council shall at all reasonable times be open to inspection by an authorized representative of the NJPTA or, where directed by the NJPTA Committee on State and Local Relationships, by a duly authorized representative of the National PTA.

Section 6. Termination procedures will be the same as for a local PTA as described under Article XV of the NJPTA bylaws.

Section 7: This Council is obligated upon withdrawal of its charter by the NJPTA to:

- A. Yield up and surrender all of its books and records and all of its assets and property to the NJPTA or to such agency as may be designated by the NJPTA.
- B. Cease and desist from the further use of any name that implies or connotes County Council with the National PTA or the NJPTA or any status as a constituent County Council of the National PTA.
- C. Carry out promptly, under the supervision and direction of the NJPTA, all proceedings necessary or desirable for the purpose of dissolving such Council.

Section 8. Upon the dissolution of the County Council, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed for one or more nonprofit funds, foundations, or organizations that have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of National PTA and NJPTA.

****ARTICLE XIII: FISCAL YEAR**

The fiscal year of this Council shall begin on July 1st and end on June 30th.

****ARTICLE XIV: PARLIAMENTARY
AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this Council in all cases in which they are applicable and in which they are not in conflict with these bylaws, the National PTA bylaws, the NJPTA bylaws, or the Articles of Incorporation.

****ARTICLE XV: AMENDMENTS**

Section 1. These bylaws may be amended at a general meeting of this Council by a two-thirds (2/3) vote of the members present and voting, providing a quorum being present and providing that notice of the proposed amendment shall have been given at least twenty-five (25) days prior to the meeting at which action is to be taken, and provided that the amendment is not in conflict with the mandatory articles prescribed in the bylaws of the NJPTA and the National PTA.

Section 2. A committee may be appointed to submit a revised set of bylaws as a substitute for these bylaws only by a majority vote at a meeting

of this Council, or by a two-thirds (2/3) vote of the executive board, providing a quorum being present at both. The requirements for adoption of a revised set of bylaws shall be the same as in the case of an amendment.

Section 3. After approval by a two-thirds (2/3) vote at a meeting of this Council, providing a quorum being present, four (4) copies of all amendments/revised bylaws shall be sent to the person or persons designated by the NJPTA.

Section 4. The adoption of an amendment to any provision of the NJPTA bylaws identified by a double star (**) shall serve automatically and without the requirement of further action by this Council to amend their corresponding bylaws.

Appendix A ~ County PTA Standards of Affiliation

New Jersey PTA County PTA Standards of Affiliation

In order for a County PTA to stay in good standing with NJPTA, the IRS and the State of New Jersey, the following requirements must be fulfilled. Please follow the chart and instructions below and as you complete each requirement, record the date completed in the last column. Upon completion of all requirements, send this chart to the NJPTA office and retain a copy for your records.



PTA NAME	LOCAL#	EIN	SCHOOL YEAR
ADDRESS	Form	Due	How to Submit
#	Requirement	Form	Due
1	NJPTA Annual Report of County PTA Officers Form available at www.njpta.org/officerform	NJPTA Report of Local PTA Officers	by July 1st
2	County PTA Bylaws Bylaws are updated and renewed, with general membership approval, every 3 years. The renewal date is on the cover of your current bylaws.	Electronic filing	Update and review every 3 years
3	NJPTA Audit Report Form and instructions available at www.njpta.org/forms	NJPTA Audit Report Form	By October 15th
4	IRS Form 990N, 990ez w/Schedule A or 990 w/Schedule A Forms and instructions available at www.irs.org 990N is filed if you gross under \$50,000 990ez is filed if you gross between \$50,000 and \$200,000 990 is filed if you gross is over \$200,000	IRS 990N or IRS 990ez or IRS 990N	Must be filed annually by November 15th
5	NJPTA IRS 990 Verification Form Form and instructions available at www.njpta.org/forms After completing requirement #5 above, you must file this NJPTA IRS 990 verification form.	NJPTA IRS 990 Verification Form	by December 15th
6	NJ CRI200 or CRI300r (applicable only if registered as a charitable organization) Form available at www.njconsumeraffairs.gov/charity/charfrm.htm Gross less than \$10,000 - no fee required, but you must send letter to NJ Consumer Affairs stating your gross was less than \$10,000 - info on website Gross \$10,000-\$25,000 -- file the CRI200 Gross \$25,000 or more -- file the CRI300r	NJ CRI200 or NJ CRI300r with fee	By December 1st
7	Hold at least two county council meetings each year	Minutes of the meetings	30 days after the meeting
8	Hold officer elections at least once every other year	Minute of election meeting	30 days after the election meeting