

# Know the PTA

California State PTA is the oldest and largest statewide volunteer organization working on behalf of children, youth, and families. Unit, council, and district PTAs serve more than 750,000 members. Each level of PTA plays a vital role in efforts to implement the Purposes of the PTA.

Within this section, you will find information on the structure, organization, basic policies, and accepted procedures pertaining to all divisions of California State PTA, a branch of the National PTA.

The information contained in this section may be supplemented by information in the National PTA *Quick-Reference Guide* and [pta.org](http://pta.org), California State PTA mailings, *PTA in California*, and [capta.org](http://capta.org).

## Please note:

All uses of the word “parent” refers to any adult or guardian who has primary responsibility for the education and welfare of a child.

All references to the word “PTA” as used in the *California State PTA Toolkit* are intended to refer to both PTA and PTSA.

---

## TABLE OF CONTENTS

---

### Know the PTA

Purposes of the PTA .....	K3
Mission Statement of California State PTA .....	K3
California State PTA Core Values .....	K3
PTA Basic Policies.....	K3
A Brief History: Working Together for Children Since 1897 .....	K4

### Organizational Structure

Types of Associations.....	K8
The Local Unit PTA .....	K9
The Council PTA.....	K9
The District PTA.....	K10
California State PTA .....	K11
State PTA Office .....	K11
Trademark/Service Mark .....	K11
California State PTA Privacy Policy.....	K12

### Community Organizations, Co-sponsorship, and Coalitions

Cooperating with Other Organizations .....	K12
Other Organizations .....	K14
Joining, Building, and Making Coalitions Work .....	K14

### Bylaws

Articles of Incorporation: California Congress of Parents, Teachers, and Students, Inc. ....	K17
Bylaws of California State PTA.....	K18

### FIGURES

K-1 California State PTA Map.....	K7
-----------------------------------	----



# Know the PTA

## Purposes of the PTA

To promote the welfare of children and youth in home, school, places of worship, and throughout the community;

To raise the standards of home life;

To advocate for laws that further the education, physical and mental health, welfare, and safety of children and youth;

To promote the collaboration and engagement of families and educators in the education of children and youth;

To engage the public in united efforts to secure the physical, mental, emotional, spiritual, and social well-being of all children and youth; and

To advocate for fiscal responsibility regarding public tax dollars in public education funding.

## Mission Statement of the California State PTA

The mission of the California State PTA is to positively impact the lives of all children and families.

*Adopted August 2015*

## California State PTA Core Values

California State PTA is a professional, nonprofit volunteer organization committed to the well-being of all children.

We believe every adult has a responsibility to ensure that all children develop to their full potential.

We believe parents are children's first teachers and that parent involvement is essential throughout a child's educational experience.

We believe that family is the basic unit of society responsible for the support and nurturing of all children, and we recognize that "the family" may be defined in many ways.

We believe our responsibility includes advocating for the safety and welfare of all children and the opportunity for a quality public education for each child.

## PTA Basic Policies and Principles

The California State PTA Bylaws, Article III states:

"The organization shall be noncommercial, nonsectarian, and nonpartisan.

"The organization shall work to engage and empower children, families and educators within schools and communities to provide quality education for all children and youth and shall seek to participate in the decision-making process by influencing school policy and advocating for children's issues, recognizing that the

legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities.

"The organization 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.

"Commitment to inclusiveness and equity, knowledge of PTA, and professional expertise shall be guiding principles for service in this organization.

"No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the organization 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.

"Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

"Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to 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 the National PTA.

"The organization 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.

"The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the Purposes of the organization.

"The organization shall not enter into membership with other organizations except such international, national, or state organizations as may be approved by California State PTA.

"California State PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but a PTA/PTSA representative shall make no commitments that bind the group he or she represents."

A National PTA parent survey found the top three things parents say PTA does best.

PTA

- Is effective in improving my child's education.
- Works to make schools safer for children.

- Has positive impact for all children, not just my own.

One hundred years ago Alice McLellan Birney said, “Let us have no more croaking as to what cannot be done; let us see what can be done, and above all see that it is done.” That brisk philosophy still drives the PTA today. While the methods may change to make us more responsive to the demands of an electronic era, the underlying principle does not – “*everychild. onevoice.*”

**A Brief History: Working Together for Children Since 1897**

The National PTA is the oldest and largest volunteer association working exclusively on behalf of all children and youth. For more than 100 years, the National PTA has promoted the education, health, and safety of children, youth, and families.

Phoebe Apperson Hearst and Alice McLellan Birney were greatly concerned about the nation’s children. The United States was feeling the enormous impact of the Industrial Revolution. An immense wave of immigration was flowing into the country. Children worked in factories, in mines, and in the streets of the cities. Some could not attend school or obtain enough food to eat. What could be done?

**The First Meeting Is Held — 1897**

After extensive grassroots work in different parts of the nation, the two women met in 1895 and, through diligent efforts, planned a meeting to bring their idea to others. On February 17, 1897, that meeting was held, and more than 2,000 men and women surprised Phoebe Hearst and Alice Birney by filling the hall in Washington, D.C. The National Congress of Mothers was formed, and the work of the founders took on new meaning and strength.

**The California Movement Grows — 1902**

Similar concerns were felt in California, and the California Home and School Child Study Association was organized in San Francisco, followed in 1900 by the Los Angeles Federation of Mothers’ Clubs. In 1902, California joined the national organization as the California Congress of Mothers and Study Circles, later becoming the California Congress of Parents, Teachers, and Students, Inc. — California State PTA. Meanwhile, growing in strength and numbers, the National PTA progressed remarkably in working for all children.



**Alice McLellan Birney**

A native of Georgia, this motivated woman had wide interests but deep devotion to her own children. She felt the needs of all children must be recognized as vitally important to everyone. As a mother, Alice Birney realized it was important to know about mental and physical health and the educational needs of her

own three children. She desperately wished to impart this to other mothers and to raise the status of motherhood to the important level it deserved.



**Phoebe Apperson Hearst**

An energetic, educated, and philanthropic woman, well known in Washington, D.C., and San Francisco, Phoebe Hearst became aware of the sad plight of many of the nation’s children first as a young teacher and later as she traveled or worked unselfishly in many communities. With one son of her own, she also was godmother to and supported the education of scores of children.



**Selena Sloan Butler**

A dedicated community leader and teacher, Selena Butler worked diligently in Atlanta, GA, to unify parents and teachers for the advancement of child welfare and education. She founded not only her school’s Parent-Teacher Association, but the Georgia Parent-Teacher Association, and in 1926, the National Congress of Colored Parents and Teachers.

**Our PTA Founders’ Vision**

Alice McLellan Birney, Phoebe Apperson Hearst, and Selena Sloan Butler knew there was no stronger bond than that between mother and child. To the mothers, then, they reasoned, must fall the responsibility for eliminating the threats that endangered the children. They called for action, and people responded — mothers, yes, but also fathers, teachers, laborers, and legislators — all with a commitment to children.

In her initial address on February 17, 1897, Alice Birney told the crowd, “It is my privilege to extend to each and all of you a heartfelt welcome and to express the hope that this large and gratifying audience, this more than encouraging response to our universal call, may prove in earnest of the success destined to crown the work to which our best and highest efforts are now consecrated.”

Alice Birney had appealed “to all mankind and to all womankind, regardless of race, color, or condition, to recognize that the republic’s greatest work is to save the children.” But in many states, segregated schools were legally sanctioned. To address those students’ special needs, Selena Sloan Butler founded the National Congress of Colored Parents and Teachers. The two PTAs formally merged in 1970.

## California State PTA Historical Briefs

- 1897 California Home and School Child Study Association organized in San Francisco.
- 1900s Los Angeles Federation of Mothers' Clubs organized in Los Angeles. Name changed to California Congress of Mothers and Study Circles — affiliated with National PTA. Juvenile Court Act supported. Playground committee authorized, and student welfare program started. Legislation committee appointed.
- 1910s Attempt made to secure State Aid for Dependent Children. Organization became California Congress of Mothers. Penny Kitchens, forerunner of school lunch programs, established. Permissive legislation that marked beginning of kindergartens in public schools supported. Department of Child Hygiene established, and birth registration bill supported. First Child Welfare Day observed, later to become Founders Day. Name changed to California Congress of Mothers and Parent-Teacher Associations. Public library services supported.
- 1920s Resolution regarding enforcement of laws governing sale of cigarettes to children of school age adopted. Juvenile protection committee created. California Parent-Teacher magazine began publication, including approved film lists. Name changed to California Congress of Parents and Teachers, Inc. Honorary Life Membership project adopted in 1927 to provide funds for student loans.
- 1930s Legislation on education of migrant children supported.
- 1940s Legislation for creation of California Youth Authority endorsed. Teacher Education Scholarships established, first of continuing program of scholarships in addition to student loan program. Legislation for teachers' salary schedule, apportionment of school funds as well as increased funding for all levels were supported. First home-school relationship conference co-sponsored with University of California, Berkeley, School of Education and State Department of Education. Adopted CARE projects.
- 1950s State office moved to Tenth District PTA Health Center on 21st Street, Los Angeles. Salk polio vaccine program supported. Five teacher recruitment clinics co-sponsored with State Department of Education. Thirty-week television program on child growth and development sponsored. Administrator's Packet of Parent-Teacher Information distributed to all principals and school superintendents.
- 1960s Cooperation with Colleges committee established. New State headquarters building opened
- November 1, 1961, in Los Angeles, with dedication in March 1962. "Paging Parents" TV series produced in cooperation with Los Angeles County Schools. "Suggestions for Conducting a Venereal Disease Study-Action Program" published. Thirteen radio tapes on education developed in cooperation with California Teachers Association. Spanish language tapes, "How to Prepare Your Child for School," prepared in cooperation with State Department of Education. Thirty-one junior colleges granted \$200 each to establish Student Emergency Loan Funds. Continuing Service Award established by convention delegates. Joined in organizing California Interagency Council on Drug Abuse. Honorary Life Membership changed by convention delegates to Honorary Service Award in 1969. California Parent-Teacher magazine discontinued. Home-school-community relations conference held with grant from Sears Roebuck Foundation; Human Relations Handbook published.
- 1970s School feeding program survey conducted. Statement on Environmental Pollution adopted. Material prepared and distributed to promote Project RISE. Children's Emotional Health conference co-sponsored with California Interagency Mental Health Council. Twenty-acre PTA Redwood Grove in Prairie Creek State Park dedicated. Inter-district mass media committees organized to preview and monitor TV and motion pictures. "California State PTA" adopted as alternate name for California Congress of Parents and Teachers, Inc. Contributed over \$7,000 toward State Park Wildflower Poppy Preserve. Administered Community Volunteer Project in Pomona and "Person-to-Person Intervention in Alcohol Abuse." Adopted commission structure, Bicentennial project (furnishing schoolhouse in Old Sacramento), Antiviolence TV project, parenting conferences, Comprehensive Health Education program, and commemorated 50 of the years Honorary Service Award (HSA) program. Name changed to California Congress of Parents, Teachers, and Students, Inc. (retained California State PTA). Convention delegates sent "Message to the Governor" urging public school finance be made top priority. With State Department of Education, developed "A Guide to School and Community Action." Co-sponsored "Starting a Healthy Family" with National March of Dimes Birth Defects Foundation.
- 1980s Completed Student Health Education Forums. Launched TV Viewing Skills Project. Began community meetings on motion pictures in cooperation with theater owners. Urged revision of state tax structure for public education. Established Grants for Parent Education and Health Projects. Completed Juvenile Justice System study. Developed Room Representative Orientation Program to improve home-school communication. Took leadership role in enactment of Educational Reform Act. Began scholarships for school nurses. First membership increase in 15 years. Completed three-year PTA/American Cancer Society Project.

Developed "Parent's Notebook" skill sheets. Cooperated in KNBC-TV/PTA Teenage Alcohol Prevention Project. Leadership and parent involvement program designed with Southwest Regional Laboratory, "Hispanic Recruitment Project." Provided PTAs with resources to develop school/community disaster preparedness plans and the parent involvement in reading program. Largest membership increase in 27 years! Developed PTA Public Relations video and guidelines for "Involving the Uninvolved." Launched a comprehensive Parenting Project funded by statewide fundraising campaign (trivia game). Developed "Strive for Excellence," a self-esteem program for kindergarten students. Reaffirmed commitment to parent education and outreach to parents of increasingly diverse student populations. Received National PTA grant for Acquired Immunodeficiency Syndrome (AIDS) education.

1990s Developed a "Kids At Risk" legislation agenda. Participated in the Red Ribbon campaign against the use of alcohol and other drugs. Promoted Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS) education. Sponsored legislation to require all school districts to adopt a parent involvement policy. Introduced *Parents Empowering Parents*, a parent education and involvement manual developed by PTA with grant funds from California businesses. Published Spanish edition as *Los Padres Eligen Participar*. Developed plans for a statewide parenting conference. Developed and awarded the first Golden Oak Award. Participated in a major statewide effort to defeat a voucher proposal. Sponsored legislation to ban Channel One from California classrooms and to add a component on working with parents to the teacher and administrator credentials curricula. Cosponsored the California Bicycle Helmet Safety Campaign with the California Department of Health Services. Received grant from Annenberg/CPB Math and Science Initiative V Project for Math for All program to teach K-3 parents how to help children with math. Developed "Open the School House Doors" Project, an Action Guide for its implementation, and a Mentor Training Program. Produced a video, "California State PTA - A Voice For All Children." Published "PTA Questions the Candidates for California Governor and State Superintendent of Public Instruction." Developed "Outreach: Beyond the International Potluck." "Parent Talk" cards produced. Developed a statewide campaign to reduce the size of California classrooms in grades one through three. Celebrated the 100<sup>th</sup> birthday of PTA in 1997 by participating in the Pasadena Tournament of Roses Parade – winning the Sweepstakes Award for the float entry, "The Field Trip." Launched the California State PTA Internet website [www.capta.org](http://www.capta.org) and issued a statewide progress report on the reduction of class size in California public schools. Completed development of and unveiled a Strategic Plan for California State PTA. Opened Satellite Office in Sacramento. Hosted a statewide videoconference

at 100th Convention in Sacramento: "Keeping Youth Safe: The Critical After-School Hours."

2000s Established as a PTA priority and initiated "SMARTS – Bring Back the Arts" campaign to bring arts back to the schools, the community, and to children. Sponsored legislation to bring arts back to the schools; worked to defeat voucher initiative and pass an initiative to require 55% majority for passage of school bond initiatives. Held statewide parenting conferences focused on training parents to be effective advocates. Established Cultural Arts grants for unit, council, and district PTAs and the Leadership Development scholarship. Consolidated several PTA publications into a single resource, the *California State PTA Toolkit*. Purchased Sacramento historical residence for cost-saving advocate and officer housing for events and policy maker contact. Purchased office space and moved California State PTA headquarters to Sacramento after almost 50 years in Los Angeles. Provided training for PTA leaders at "PTA University." Funding for arts education and reduction of childhood obesity continue to be priorities. Membership continues strong at nearly one million members.

# California State PTA Map

## PTA Districts

- 1st - Part of Los Angeles County
- 2nd - San Francisco County
- 3rd - Colusa, El Dorado, Nevada, Placer, Sacramento, Sutter, Yolo, and Yuba counties
- 4th - Orange County and part of Los Angeles County
- 5th - San Bernardino County
- 6th - Monterey, San Benito, Santa Clara and Santa Cruz counties
- 7th - Kern County
- 8th - Mariposa, Merced, San Joaquin, Stanislaus, and Tuolumne counties
- 9th - Imperial and San Diego counties
- 10th - Part of Los Angeles County
- 11th - Fresno and Madera counties
- 12th - Ventura County
- 13th - Butte, Shasta, Tehama, and Trinity counties
- 14th - Lake, Mendocino, and Sonoma counties
- 15th - Santa Barbara County
- 16th - Marin, Lassen, Modoc, Plumas and Sierra Counties
- 17th - San Mateo County
- 18th - Napa and Solano counties
- 21st - Tulare and Kings counties
- 22nd - Del Norte and Humboldt counties
- 23rd - Riverside County
- 24th - San Luis Obispo County
- 31st - Part of Los Angeles County
- 32nd - Contra Costa County
- 33rd - Part of Los Angeles County
- 34th - Part of Los Angeles, Kern, San Bernardino, Inyo, and Mono counties
- Peralta (99) - Alameda County

## California Counties

### Not Assigned to a District PTA:

Alpine, Amador, Calaveras, Glenn, and Siskiyou



As of June 30, 2020

Membership 683,467  
 District PTAs 27  
 Councils 148  
 Units 3,322

Fig. K-1 California State PTA Map

# Organizational Structure

The National PTA (National Congress of Parents and Teachers) is a volunteer educational organization, founded in Washington, D.C., in 1897. Branches of the National PTA have been established in all fifty United States, the District of Columbia, U.S. Virgin Islands, Puerto Rico and in schools for American dependents in Europe and the Pacific area.

California State PTA (California Congress of Parents, Teachers, and Students, Inc.) is a branch of the National PTA, serving as a connecting link between the national organization and its membership within the state. California State PTA shall provide training and support for its units/councils/districts.

District PTAs are geographical divisions of California State PTA, established to carry out its programs. District PTAs shall provide training and support for their units and councils. All PTA districts organized after July 1, 1980, are required to have number designations.

Councils of PTAs are created by California State PTA for the purpose of collaboration, leadership training, and coordination of efforts of the member units.

Unit PTAs are organized and chartered in conformity with rules and regulations as prescribed in the bylaws of California State PTA. These units are self-governing bodies for the purpose of planning programs and activities to meet local community needs. However, they are required to observe the policies and procedures of California State PTA and/or National PTA.

## Types of Associations

The district PTA is responsible for organizing PTAs. Procedures for organizing all PTA organizations such as preschool, special education or parent-teacher-student associations are the same. The bylaws are adapted to fit the particular needs of the PTA.

### Parent-Teacher-Student Association (PTSA)

National PTA encourages establishment of parent-teacher-student associations (PTSAs) under requirements and conditions to be determined by state PTAs.

California State PTA encourages student participation in both PTA and PTSA, as determined by the unit. California State PTA incorporated as the California Congress of Parents, Teachers, and Students to reflect its support of student participation. All references to PTAs in the *California State PTA Toolkit* are intended to represent both PTAs and PTSAs.

Students can participate in any PTA in many ways: (a) serving on committees, including the executive board; (b) serving in an advisory capacity; (c) helping with PTA projects; (d) participating in PTA programs; (e) promoting cooperative projects; and (f) attending conventions. It is not against the California Corporations Code or civil law for students to be elected to serve in any PTA office. Financial institutions should be contacted regarding age requirements for financial officers.

All PTAs shall offer students, upon payment of membership dues, all membership privileges and responsibilities (Involving Students, Membership Chapter).

### Preschool Association

A preschool PTA may be organized in any preschool program, such as Head Start, nursery schools, and child-care centers.

#### *Preschool and Early Childhood Education Sections*

Preschool and early childhood education programs should be developed by PTAs in recognition of the significance of this time in the child's life. Such programs can be developed in many ways, depending on the needs of the particular community, its children, and their parents.

For example, an early childhood (or preschool) chairman might be appointed to call attention to the need for guiding young children effectively; programs and reports might be presented and studies made under this chairman's leadership.

A preschool section, discussion, or study group could be established within a PTA for parents of very young children to obtain information, insight, knowledge, and skills in fulfilling their responsibilities. The section is largely conducted by the parents themselves, governed by the PTA bylaws and standing rules as adopted by the section members. The work of the section is a part of the total work of the association.

### Special Education Association

This type of PTA should be organized in a school focused on special education students.

#### *Special Education Sections*

The PTA encourages the establishment of special education sections in any association where parents of children with special needs can come together for study of and action on their particular concerns. Projects and activities related to children with special needs can be promoted, and study groups can be formed to further interest in and understanding of children with special needs. Operation of the section is primarily the responsibility of the parents of children in special classes.

A special education section functions as an integral part of the PTA, much as the various committees function. Joining a special education section means, therefore, becoming a member of the PTA. Although it is governed by the *Bylaws for Local PTA/PTSA Units*, the section may adopt a set of standing rules to provide details not included in the bylaws. The framework of organization should be kept simple.

The financial needs of a special education section, usually limited to the purchase of study group material and the cost of authorized projects, are provided for in the regular budget of the PTA. Fundraising activities to cover special needs of the section should conform to the policies of California State PTA. Funds so derived should be deposited in the treasury of the PTA and earmarked for section use.



## Community College Association

California State PTA authorizes the following:

1. Community college associations may work directly with the district PTA (even though located within a council area);
2. Community college associations may adapt the recommended pattern of PTA committee work to fit their own special activities; and
3. Community college associations are urged to promote opportunities for PTA leaders to conduct discussions on PTA objectives and programs with students.

All references to PTAs in the *California State PTA Toolkit* are intended to represent both PTAs and PTSAs.

## Other Site Associations

PTAs may be organized at any site, including businesses, court schools, and community centers.

## The Local Unit PTA

To remain in good standing, a unit must:

- Adhere to the Purposes and basic policies of the National PTA and California State PTA;
- Have a minimum of 15 members including three officers: president, secretary, and treasurer;
- Remit per capita dues and pay insurance premiums by California State PTA due dates;
- File all required state (199/199N) and federal (990N/990EZ/990) tax returns, other government forms, and the Attorney General's Registry of Charitable Trusts report (RRF-1);
- Have bylaws reviewed yearly and approved every five years according to the procedures of California State PTA
- Meet other criteria as may be prescribed by the California State PTA

## Chartering a New Unit

Any group may request to organize as a unit of California State PTA provided there is not an existing PTA unit in the school. California State PTA will recognize only one PTA in any school, unless otherwise approved by the California State PTA parliamentarian and authorized by the California State PTA Board of Managers.

An association must be composed of not less than 15 members, of whom at least three serve in the offices of president, secretary, and treasurer.

The 30-day membership requirement for voting privileges and holding office shall be waived for new organizations within the first thirty days of their charter.

The district PTA president is responsible for the organization of new PTAs within the district PTA. The organizing process may be delegated to the district PTA

extension team, with the assistance of the council. Conformity to California State PTA requirements must be verified by the district president.

The new association will be presented for acceptance by the California State PTA Board of Managers when:

- The application for acceptance in California State PTA has been received;
- The per capita dues have been received in the state office;
- The unit bylaws have been received in the state office and approved by the state parliamentarian; and
- An Employer Identification Number application has been submitted to the IRS.

Upon acceptance by the California State PTA Board of Managers, the state office shall issue a charter to the new association.

A fee is charged for the replacement of a charter that has been lost or destroyed. Contact the state office to order a replacement charter.

## The Council PTA

A council is a group of PTA units organized under the authority of California State PTA for the purpose of collaboration, leadership training, and coordination of the efforts of the member units. A council provides the units within a city, county, or area an opportunity for cooperation in promoting their common interests and discussion regarding their common issues. It coordinates the work of the member units with other agencies or organizations in the area working for children and youth. It serves as a channel of communication between the state and district PTA and the units.

To remain in good standing, a council must:

- Adhere to the Purposes and basic policies of the National PTA and the California State PTA;
- Adhere to California State PTA policies and Bylaws;
- Have Bylaws reviewed yearly and approved biennially according to the procedures of California State PTA;
- Have a minimum of three units as council members;
- Have a minimum of three officers: president, secretary, and treasurer;
- Remit the national, state, and district PTA portion of the unit per capita dues to the district PTA by the due date;
- Forward unit insurance premiums from local units to district PTA by the due date;
- Remit council insurance premiums to district PTA by the due date;
- File all required state and federal tax returns and other government forms;

- Submit the names and addresses of association and council officers to the district PTA according to established procedures and due dates.

In addition, the council must:

- Possess a Charitable Trust number from the California Attorney General's Registry of Charitable Trusts;
- File an annual *Registration Renewal Fee Report (RRF-1)* with the California Attorney General's Registry of Charitable Trusts.

**Through Channels:** This refers to the route of formal communications relied on by PTA. Typically, information, inquiries and reports are sent by a unit to council, if in council, by a council to district PTA, and by a district PTA to California State PTA. That way, everyone is in the loop.

### Responsibilities (Not All-inclusive)

#### *The Council Shall*

- Provide information and support to member units.
- Form a close tie between the district PTA and the units.
- Promote PTA programs and observance of PTA policies, principles, procedures, and bylaws.
- Arrange training or workshops and group conferences for unit leaders in cooperation with the district PTA.
- Work closely with district PTA president and leadership department in organizing new units and all matters of leadership service.
- Coordinate PTA activities in a community or school district with the consent of the majority of its member units.
- Provide opportunities for local units to collaborate on projects together.
- Act as a clearing house for an exchange of ideas and experiences for member units.
- Implement council projects only after a majority of the local units vote to support them.

#### *The Council Shall Not*

- Legislate for units or regiment them in activities.
- Duplicate the function of unit or district PTA type of meeting.
- Utilize unit leaders in council roles if needed at the unit level.

### Policies

1. A council cooperates with, but does not join, other organizations.
2. A council does not pay dues to the National PTA, California State PTA, or district PTA. It may collect council per capita dues from its units, and/or a unit assessment. An assessment must have units' approval and be included in all the units' standing rules.

3. A council shall not assess additional fines or late fees for the late submission of insurance, per capita or reports required by California State PTA.
4. A council's officers, committee chairmen, and representatives must be members of PTA units within the council.
5. The council president-elect (or the president continuing in office) or the elected alternate and one delegate or alternate elected from the council of the voting body shall represent the council at the California State PTA Convention.

### The District PTA

A district PTA is a subsidiary organization in a designated geographical area, established by California State PTA to facilitate the administration of the affairs of California State PTA and to implement its programs. The district PTA helps to coordinate the work of the councils and units with the plans and activities of California State PTA and National PTA.

To remain in good standing, a district PTA must:

- Adhere to the Purposes and basic policies of the National PTA and California State PTA;
- Adhere to California State PTA policies and bylaws;
- Have bylaws reviewed annually and approved biennially according to the procedures of California State PTA;
- Have a minimum of three officers: president, secretary, and treasurer;
- Remit the national and state portion of the unit per capita dues to California State PTA by the due date;
- Forward unit and council insurance premiums to California State PTA by the due date;
- Remit district PTA insurance premiums to California State PTA by the due date;
- File all required state and federal tax returns and other government forms;
- Submit names and addresses of association, council, and district PTA officers to California State PTA according to established procedures and due dates.

In addition, a district must:

- Possess a Charitable Trust number from the California Attorney General's Registry of Charitable Trusts;
- File an annual *Registration Renewal Fee Report (RRF-1)* with the California Attorney General's Registry of Charitable Trusts.

### Responsibilities (Not All-inclusive)

- Give advisory service to councils and units.
- Interpret PTA policies, plans, practices, and programs.
- Organize and stabilize councils and local associations:
  - Cooperate with council officers and committee chairmen;
  - Confer with council leaders on local problems;

- Assist the council in working with units; and
- Where there is no council, appoint an extension committee to work with units.

Bring other parent-teacher groups into PTA membership.

Assist in studies of proposed changes in association status. The district PTA is responsible for organizing and disbanding units and must be included in the deliberations.

Compile a directory of council and unit officers for the California State PTA office.

Plan and conduct district PTA or regional conferences under state provisions.

Promote PTA publications and their purposes.

Remit per capita dues and insurance promptly.

File copies annually of the approved district PTA budget, audits, and year-end financial reports with the California State PTA treasurer.

Model and encourage advocacy and legislative efforts.

The district PTA shall not assess additional fines or late fees for late submission of insurance, per capita or reports required by California State PTA.

### **District PTA Officers and Chairmen**

District PTA presidents are members of the California State PTA Board of Managers during their term of office. A district PTA representative is granted the right to vote on the California State PTA Board of Managers when officially representing the district PTA in the absence of the president.

District PTA presidents and district PTA leadership are responsible for extension work within their PTA district including organization of all new PTAs and all changes in association status (refer to The Local Unit PTA, Changes in Association Status).

Articles, radio talk shows, television appearances, and recordings about the PTA, other than what is carried in state and national publications or California State PTA publicity channels, should be released only under the supervision of the district PTA president or delegated representative.

District bylaws include a provision that all district PTA board members be residents in PTA district territory; parents of children attending schools in district PTA territory; or personnel of schools in district PTA territory.

### **Inter-District PTA Committees**

An inter-district committee is composed of district PTA board members from two or more district PTAs to work in areas of common concern. To strengthen lines of communication, each committee may request that the California State PTA president appoint a member from the California State PTA Board of Managers to serve as a liaison to its group. When an inter-district PTA committee desires California State PTA assistance for a specific purpose, requests should be made through the Leadership Services Vice President.

## **California State PTA**

California State PTA is a branch of the National PTA and is responsible for implementing the Purposes of PTA in California. It works for the well-being of children and youth on tasks beyond the scope and resources of unit, council and district PTAs working separately.

In its relation to unit, council, and district PTAs, California State PTA:

- Serves as a liaison with the National PTA;
- Represents PTA through participation in statewide meetings and conferences of allied groups, agencies, and coalitions having goals similar to PTA;
- Provides leadership training through the annual meeting, field services, and workshops;
- Provides services, materials, and publications;
- Supports and works for legislation on statewide issues that affect the education, health, and well-being of children and youth; and
- Serves as a clearinghouse for PTA information and as a coordinating agency for PTA work in the state.

### **Lines of Communication**

Proposals for action and other communications to the California State PTA Board of Managers from a unit or its board or executive committee shall first be presented to the council (if in council) and district PTA for consideration. The decision of the district PTA with the explanation of its action must be reported in writing to the unit. If the district PTA endorses the proposal, it is forwarded to the California State PTA Board of Managers with indications of its endorsement.

When the proposal or other communication does not receive the endorsement of the district PTA and the unit (after reconsideration) still wishes to have it presented to the California State PTA Board of Managers, the district PTA president must forward the proposal to the board.

Unit, council, or district PTAs forwarding proposals or other communications are asked to include study materials or a report of the considerations that led to the requests and to forward immediately copies of any subsequent intra-organizational communications in support of their proposal.

### **The California State PTA Office**

Under the direction of the California State PTA Board of Directors, the executive director and employees maintain the inventory of publications, emblems, and supplies; fill orders and package materials for distribution; prepare lists for and process all print and electronic mailings including *PTA in California* and other communications; keep financial and membership records; conduct correspondence and compile records for the HSA program, grants, and scholarships; maintain a PTA reference library and store documents; and reproduce materials for California State PTA officers and commissioners.

The state office has workspace for use by volunteer California State PTA board members and conference rooms for meetings of California State PTA committees.

## Trademark/Service Mark

The basic policies that govern PTA activities and participation also govern the use of the PTA name. “National Congress of Parents and Teachers,” “Parent Teacher Association,” “PTA,” and “PTSA” are all registered service marks of the National Congress of Parents and Teachers. “California State PTA” is a registered service mark with the California Secretary of State. This means that no group or organization not affiliated with California State PTA may use “PTA.” A service mark has the same legal status as a trademark but is the designation used for services rather than commercial products.

Unless otherwise noted, PTAs may reproduce and distribute materials from California State PTA without expressed, written permission. California State PTA materials may not be duplicated by any other organization or person without written permission of California State PTA.

## California State PTA Privacy Policy

*Adopted January 2007*

In this policy, we use the terms “California State PTA,” “we,” “our,” and “us” to refer to California State PTA. We use the terms “you” and “your” to refer to PTA members and visitors of [capta.org](http://capta.org).

For more than 100 years, the California State PTA name has been a trusted symbol of service and reliability, and we remain dedicated to those principles today.

California State PTA understands how important privacy is to our members and our customers. We are committed to protecting privacy and want to make sure that everyone understands how information is used, whether provided over the phone, in person, over the Internet, or through the mail.

It is important to note that we do not share member information with other companies for the purpose of marketing, unless specifically requested in advance. California State PTA does not sell or rent member information to telemarketers, mailing list brokers, or any other companies. No action or instruction is needed; we protect privacy automatically.

We share your personal information only with companies we have officially approved and selected to provide services for PTA members or which support California State PTA operations. Our contracts with these companies require them to keep member information strictly confidential, and allow them to use the information only to offer the contracted services mutually agreed upon to California State PTA members.

California State PTA may also disclose personal information when required to do so by law or when such action is necessary or appropriate to comply with legal process served on California State PTA, to protect and defend the rights or property of California State PTA, or to protect the personal safety of users of [capta.org](http://capta.org). We reserve the right to contact the appropriate authorities at our discretion when visitors’ activities appear to be illegal or inconsistent with our policies.

Finally, California State PTA may sometimes share aggregate statistics and non-personal information with the media, government agencies, advertisers, and other third parties. For example, we may publish statistics on the number of members in various unit, council or district PTAs, or the number of visitors to [capta.org](http://capta.org). These aggregate statistics do not allow anyone to identify member names or other personal information.

In order to protect personal information, California State PTA uses technologies and processes such as encryption, access control procedures, network firewalls, physical security and other measures.

## Community Organizations, Co-sponsorship, and Coalitions

### Cooperating with Other Organizations

Community betterment is one of the chief aims of PTA endeavors. This can be brought about through cooperation with other agencies that are doing child welfare work in the community.

Unit, council, and district PTAs should not enter into permanent cooperation with any agency. PTAs may cooperate with an agency by publicizing and distributing information about an event at meetings and through newsletters.

PTAs may cooperate on special projects with any agency whose purposes and methods are consistent with PTA policies. If, for any reason, the project cannot be completed during the administration in which it was authorized, the new administration should review it before approval.

PTAs may cooperate with any agency through committees. They shall not set up a cooperating committee as a permanent or continuing committee. A cooperating committee continues only through the life of the special project upon which cooperation is advisable.

Co-sponsorship involves the development and planning of an event with other groups, agencies, or organizations. PTAs should participate actively in each cooperative undertaking to ensure that goals and procedures are consistent with the Purposes, basic policies and principles of the PTA. When an event requires the signing of contractual agreements, the responsibilities, financial obligations, and liabilities must be clearly defined, discussed, and authorized by the co-sponsoring PTA prior to the signing of such contracts. For protection in the event of an accident or lawsuit, each co-sponsoring group must have its own adequate liability insurance. Prior to the event, all printed information, handouts, and selection of speakers should be reviewed and approved by the co-sponsoring PTA’s executive board.

The right of members of California State PTA to be official representatives of California State PTA in public relationships (including the publishing of names on the stationery of other organizations) shall be conferred only by the Board of Managers or the California State PTA president. A person who renders service to another

organization as a representative of California State PTA may accept an honorarium to be donated to California State PTA.

PTA funds shall not be used for expenses of those who have accepted appointments to term committees in outside.

### **Coordinating with Community Groups**

The policy of the National PTA encourages participation of PTAs in community groups. It is of paramount importance that PTAs be a part of community councils having goals similar to those of PTA.

The PTA unit, council or district shall make sure that the proposed rules of procedure or bylaws of the group do not conflict with the bylaws of the association.

Community groups with which the PTA may cooperate are those that are not set up as action groups nor to operate programs, but rather to pool information and develop resources for service to children, youth, and families in the community. The abilities and strengths of each organization can be used efficiently to solve problems that require combined influences and joint planning.

Each organization represented in the community group retains its own identity and is not committed to a course of action outside its own field of operation. The PTA unit does not “join” another organization. Participation in these groups should be through an official representative of the PTA. It is the responsibility of this representative to inform the PTA of activities of the community group, to vote on routine organizational business of the group, and to act on policy matters under the direction of the PTA being represented.

Many community groups have operating budgets to cover staff and other expenses. PTA policies concerning legitimate use of PTA funds should be strictly observed (see Fiduciary Agreements and Gifts to Schools, Budget, Financing Programs at the School in Finance Chapter and/or Forms Chapter). It is the responsibility of the district PTA to determine an equitable amount that may be budgeted toward the expenses of community groups. All contributions to these groups require the approval of the association.

### **Limits of Cooperation (Conditions Governing Sponsorship of Youth Groups)**

California State PTA considers the work done by youth-serving organizations to be of tremendous value.

#### *Conditions for Sponsorship*

Reinforcement of the work of youth groups should be given through moral support and encouragement, helping to secure qualified and able adult leadership, helping to arrange for a meeting place, and providing opportunities for youth service. No obligation is assumed for, nor shall the PTA be responsible or liable for, the actions of any individual acting as a leader, a participant in, or in some other capacity for a sponsored group.

One member of the executive board of the sponsoring PTA shall serve as coordinator and representative of any PTA-sponsored youth groups. The local unit has certain responsibilities toward any group with purposes so

closely related to its own program. It should seek to arouse interest in the need for youth groups and encourage formation of such groups and stimulate leadership.

The PTA assumes no obligation, expressly or otherwise, responsibility, or liability for the competence, the actions, or the omissions of any person or persons who may have been or may become active as a leader, participant, or otherwise, in any organization or group sponsored by the PTA.

The PTA assumes no obligation to give financial support to groups that it sponsors, including payment of individual dues or the purchase of uniforms or equipment. The PTA may help provide suitable fundraising opportunities for youth groups, giving publicity to their projects and recognition to their achievements.

In case of need, the unit may vote to hold a special fundraising project to provide such items as group equipment, handicraft supplies, or camperships.

**To avoid misunderstandings and to facilitate harmonious relationships between the PTA sponsor and the youth group, a copy of the conditions governing sponsorship should be permanently attached to or be a part of every sponsorship agreement** (Application for Youth Group Sponsorship or Renewal, Forms Chapter).

#### *Boy Scout Groups*

California State PTA continues to support scouting and the opportunities scouting provides for young people. However, the Boy Scouts of America seeks local organizations as sponsors (signing charters) and the Scouting Annual Charter Agreement includes the following responsibilities for that organization:

- Conduct the scouting program according to its own policies as well as those of the Boy Scouts of America,
- Include scouting as part of its overall program for youth and families,
- Appoint a member of the organization to coordinate all scouting operations at the site. He or she will represent the organization to the scouting district and serve as a voting member of the local Boy Scout council,
- Select a scouting committee (minimum of three) of parents and members of the organization who will screen and select local scouting leaders.

While an individual may choose to volunteer with Boy Scouts of America or other youth groups, California State PTA directs local PTA units, councils and districts: **DO NOT SIGN ANY CHARTER OR YOUTH GROUP SPONSORSHIP OR RENEWAL FORM WITH THE BOY SCOUTS OF AMERICA** as:

- A PTA representative may not commit the PTA to the bylaws and other regulations of Boy Scouts of America.
- Local PTA leaders are generally not qualified to screen and select the local scouting leaders.

- The California State PTA insurance program provides no coverage for a PTA leader sitting as a representative to the scouting council nor for sponsoring another organization.
- The California State PTA insurance program provides no liability coverage for the actions of any individual acting as a leader, a participant in, or in some other capacity for another organization.

## Other Organizations

No PTA may join any other group nor agree to abide by any other group's bylaws or policies. The association may pay for an individual membership for the president of a PTA or a duly-appointed PTA representative to a group that furthers the work of the PTA.

## Joining, Building, and Making Coalitions Work

PTA is an organization whose membership is resourceful, creative, and innovative. Based on its careful studies of issues and concerns relating to children and youth, PTA has been successful in working with coalitions and influencing legislators and decision-makers at the local, state, and national levels.

In recent times, PTA's involvement with coalitions—groups which share similar goals and objectives—has yielded policy action. Since there is no need to “reinvent the wheel” or to “go it alone,” PTAs are encouraged to join coalitions when, by doing so, there is a greater potential to produce a successful outcome.

A coalition is made up of individuals representing groups that:

- Have a stated or similar position;
- Share a mutual concern; and
- Are interested in working together toward an action-oriented goal.

The coalition may be a permanent, ongoing organization or a temporary alliance that can be disbanded once the goals have been reached or abandoned.

Coalitions bring together groups with similar concerns and objectives to combine their efforts, their resources, and the individual skills of their members in working toward a common goal and rallying broader support for an issue, whether that is legislative action, project planning and implementation, or publication and distribution of needed information.

If the coalition wants to make a statement that is not compatible with PTA policies or positions, the PTA should vote to withdraw from the coalition. Following this vote, a formal letter should be sent to the chairman of the coalition stating why the PTA no longer can be a member.

### Joining a Coalition

Is there an existing coalition that addresses the concern or issue identified? If so, discuss the matter with the PTA board. If the board members agree to consider joining the coalition, meet with the spokesperson(s) to make certain the coalition's goals and philosophy are consistent with those of the PTA.

Contact key people whose organizations already belong to the coalition. Learn more about its specific activities and procedures. Discover what type of involvement is required. Share the information with PTA leaders. If their reactions are positive, bring the question of joining the coalition to the PTA membership. If the PTA membership approves participation, contact the coalition leadership, request that PTA be included, and indicate what the PTA has to offer.

While PTAs do not join coalitions in the sense of becoming dues-paying participants, they should be prepared to offer in-kind services, encouraging their members to share their time and talents, and to contribute volunteer hours to the project at hand.

PTAs do not contribute to the coalition's general fund but may spend specific amounts to help cover costs of materials and postage. Members of other participating groups may be empowered to contribute financially through their organizations. Coalitions welcome PTA's involvement, because they recognize it has a built-in network for communication and organizing.

### Building Coalitions

The PTA board should meet and discuss the benefits of building a coalition to determine which organization to approach to serve on a steering committee:

- What is the organization's stake in the issue?
- Is the organization well-respected and recognized in the community?
- Has PTA worked successfully with the organization in the past?
- Is the management/leadership style compatible with that of PTA?

Consider which groups might be approached to join and participate in a coalition: community service clubs; religious or ethnic organizations; business associations (chamber of commerce); labor and civil rights groups; education associations; organizations dealing with health, safety, disaster preparedness, environmental issues, etc.

Bring diverse groups together to address issues. This lends credibility and strength to the PTA's efforts. While differences of opinion are bound to exist, a sense of cooperation and congeniality among the participants is essential to the success of any coalition.

Secure the PTA association's approval to be involved in the coalition.

### Making the Coalition Successful

The key components of successful coalitions are cooperation, collaboration, and consideration. When working with other organizations and agencies:

- Establish a process to identify mutual goals.

- Ensure that each group maintains its own identity and autonomy and protects its own self-interest, as the coalition collectively seeks to attain goals that individual groups might not be able to achieve alone.
- Understand that total consensus in every area prior to action is not a requirement.
- Strike a balance in types of participating groups in order to promote an atmosphere of openness, provide a sense of inclusiveness, and encourage equal participation.
- Accept and deal with differences in values, attitudes, and styles of communication.

### **Tips for Success**

When people with good intentions work well together, mutual goals become infinitely easier to attain. As a PTA representative, work closely with your coalition partners to:

- Plan for meetings and discussions
- Ensure everyone understands what PTA represents as an advocate for children and teens
- Encourage each organization to share its capabilities, networks and resources to attain mutual goals
- Jointly prepare an “action plan” with time lines and completion dates for each phase of the plan (See: Action Plans, Programs Chapter and Forms Chapter)

# Bylaws

## Articles of Incorporation: California Congress of Parents, Teachers, and Students, Inc.

(Printed to include amendments of May 13, 1925; May 26, 1926; May 4, 1960; April 30, 1975; May 5, 1978 and May 5, 1982)

(AS AMENDED MAY 2021)

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, a majority of whom are citizens and residents of the State of California, have this day voluntarily associated ourselves together for the purpose of forming a corporation under the laws of the State of California and we do hereby adopt these articles of incorporation and certify —

- (1) That the name shall be the CALIFORNIA CONGRESS OF PARENTS, TEACHERS, AND STUDENTS, INC. (Amended May 13, 1925, Court approved November 16, 1925, and May 5, 1978.)
- (2) That the purposes for which it is formed are to carry on charitable, educational and philanthropic work; to accept and administer under the terms and conditions thereof, endowments, annuities, devises, bequests, memorials, gifts and contributions; to erect and construct and thereafter maintain a building or buildings for use and purpose of the Congress and its members; to buy, acquire and obtain by grant, gift, devise, lease or otherwise, real and personal property for the purpose of the Congress and its members; to encumber by mortgages, deeds of trust or otherwise, its real or personal property and to execute, issue and deliver its promissory note or notes and its written obligations in connection therewith; to borrow and loan money with or without security; to rent or lease property owned by it; to exercise such other and further powers as are incident and necessary to carry out the above purposes and the ordinary and usual business of a State organization such as the one hereby incorporated. (Amended May 4, 1960, and April 30, 1975.)
- (3) The principal office for the transaction of the business of the corporation is located in Sacramento County, California. (Amended May 4, 1960, and May 4, 2007.)
- (4) That the term for which said corporation is to exist is: perpetual. (Amended May 4, 1960.)
- (5) That said corporation is organized under and pursuant to the General Nonprofit Corporation Law of the State of California, and shall have no capital stock and is one that does not contemplate pecuniary gain, profits or dividends to the members thereof. That no part of its earnings or resources shall inure to the benefit of any member or individual, except for an individual who indirectly benefits from compensation received for performing specific administrative tasks in the functioning of the PTA. That the property and assets of this corporation are irrevocably dedicated to charitable and philanthropic purposes and upon the organization's dissolution or abandonment by the members, will not inure to the benefit of any person or persons, but shall be distributed to the National Congress of Parents and Teachers, or to the State of California. (Amended May 4, 1960, and May 5, 1978.)
- (6) That the number of directors shall be not less than thirteen (13) nor more than sixteen (16) with the exact number of directors to be fixed, within limits specified, by approval of the members, in the manner provided in the bylaws. (Amended May 26, 1926, April 30, 1975 and May 5, 1982.) Further, that the names and residences of the directors who are appointed for the first year and to serve until the election and qualification of such officers, are the following:

Mrs. Harry J. Ewing, 70 E. William St., San Jose, Calif.

Mrs. John F. Sheehan, 117 Alpine Terrace, San Francisco

Mrs. Arthur Painter, 2209 Ward St., Berkeley

Mrs. James J. Dale, Mountain View

Mrs. Jerome O. Cross, 604 Benton St., Santa Rosa

Mrs. Hugh B. Bradford, 1550-39 St., Sacramento

Mrs. Mabel W. Dorsey, 435 So. 10th St., San Jose

Mrs. Blanche B. Bates, 3584 Grim Ave., San Diego

Mrs. G. H. Goodale, Anaheim, Calif.

Mrs. Charles F. Gray, Los Angeles

- (7) That these articles are filed pursuant to authority granted at the annual convention of the California Congress of Parents and Teachers, Inc., duly and regularly assembled, held at Stockton, State of California, on May 9, 1923; that the directors named in these articles of incorporation were chosen by a vote of the convention.
- (8) That all of said proceedings were held in accordance with the constitution and bylaws of the California Congress of Parents and Teachers, Inc.

IN WITNESS WHEREOF, we, the President and Secretary of said California Congress of Parents and Teachers, Inc., have hereunto set our hands and seals this 9<sup>th</sup> day of May, 1923.

MRS. HARRY J. EWING, President, (Seal)

MRS. JOHN F. SHEEHAN, Secretary, (Seal)

Original Articles of Incorporation and all amendments have been filed and accepted by the Secretary of State of the State of California. In addition, certified copies have been filed with the County Clerk of Los Angeles County.

Copies are filed in the state office of the California Congress of Parents, Teachers, and Students, Inc.



# Bylaws of the California Congress of Parents, Teachers, and Students, Inc.

(As Amended, May 2021)

## ARTICLE I — Name

The name of this corporation is the California Congress of Parents, Teachers, and Students, Inc., a branch of the National Congress of Parents and Teachers. It is also known and will be referred to in these bylaws as California State PTA.

Hereinafter in these bylaws the term “local PTA” wherever used to designate a local unit shall also designate “PTSA” where such may exist.

## \*\*\* ARTICLE II — Purposes

*Section 1.* The Purposes of the California State PTA, in common with those of the 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 National PTA and the California State PTA are promoted through advocacy and education in collaboration with parents, families, teachers, educators, students, and the public; developed through conferences, committees, projects and programs; and governed and qualified by the basic policies set forth in Article III.

*Section 3.* The organization 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 and Principles

The following are basic policies and principles of the California State PTA, in common with those of the National PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan;
- b. The organization shall work to engage and empower children, families and educators within

schools and communities to provide quality education for all children and youth and shall seek to participate in the decision-making process by influencing school policy and advocating for children’s issues, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities;

- c. The organization 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. Commitment to inclusiveness and equity, knowledge of PTA, and professional expertise shall be guiding principles for service in California State PTA and National PTA;
- e. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the organization 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;
  - f. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code;
  - g. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to 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 the National PTA;
  - h. The organization 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;
  - i. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the purposes of the organization;
  - j. The organization shall not enter into membership with other organizations except such international, national or state organizations as may be approved by California State PTA. California State PTA or

any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but a PTA/PTSA representative shall make no commitments that bind the group he represents.

### \*\*\* ARTICLE IV — Constituent Organizations

*Section 1.* The constituent organizations of the California State PTA shall include unit, council and district PTAs.

- a. The State Board of Managers shall be responsible for the organization and chartering of the constituent organizations of the California State PTA and for filing for Employer Identification Number (EIN) applications with the Internal Revenue Service as “subordinates” (constituent organizations) (exempt letter dated November 18, 1943) under the name “PTA California Congress of Parents, Teachers, and Students, Inc.,” as hereinafter provided;
- b. The State Board of Managers may withdraw the charter from any of the constituent organizations for nonpayment of total per capita dues collected and/or applicable insurance premiums; for commission of acts contrary to the declared purposes, bylaws, policies, procedures or programs of the National PTA and/or the California State PTA, for failure to comply with the legal filing requirements of federal or state government agencies for three consecutive filing periods, or upon request of the constituent organization as provided in these bylaws.

*Section 2.* The articles of organization include:

- a. the bylaws of such organization; and
- b. the certificate of incorporation or articles of incorporation of such organization (in cases in which the organization is a corporation) or the articles of association by whatever name (in cases in which the organization exists as an unincorporated association).

*Section 3.* The Purposes, Principles and basic policies of National PTA shall in every case also be the Purposes, Principles and basic policies of each constituent organization.

*Section 4.* Each constituent organization shall adopt bylaws for the governance of the organization as may be approved by the California State PTA. Such bylaws shall not be in conflict with the National PTA or California State PTA bylaws. Such bylaws shall include an article on amendments and shall include a provision establishing a quorum.

*Section 5.* Each officer or board member of a constituent organization shall be a member of a local PTA.

*Section 6.* A PTA member shall not serve as a voting board member of a constituent organization at the local, council, district PTA, region, state or national level while serving as a paid employee of, or under contract to, that constituent organization.

*Section 7.* The members of the nominating committee for officers of a constituent organization shall be elected by

membership, Board of Directors/Managers, or Executive Board.

*Section 8.* The bylaws of all constituent organizations shall prohibit voting by proxy. *Electronic voting is permitted pursuant to Standing Rules governing electronic meetings and electronic ballot voting.*

*Section 9.* Each constituent organization shall include in its bylaws provisions corresponding to the provisions of such bylaws of the California State PTA as are identified herein by a triple star.

*Section 10.* The adoption of an amendment to any provision of the bylaws of the California State PTA identified by a triple star shall serve automatically and without the requirement of further action by the constituent organization to amend correspondingly the bylaws of each constituent organization. Notwithstanding the automatic character of the amending process, the constituent organization shall promptly incorporate such amendments in their respective bylaws.

*11.* Bylaws for each constituent organization shall be reviewed annually and updated *at least* every five years by the bylaws committee of the constituent organization. Before adoption, all proposed amendments, accompanied by the bylaws of a constituent organization, shall be submitted to *and approved* by the State parliamentarian.

*Section 12.* The books and financial records of each constituent organization shall be audited semiannually by the auditor of the organization and a copy of each adopted audit report must be sent through channels.

### \*\*\* ARTICLE V — State Organization

*Section 1.* The California State PTA shall adopt such bylaws and other articles of organization as are in conformity with the Bylaws of the National PTA.

*Section 2.* The adoption of an amendment to any provision of the Bylaws of the National PTA that is required for all constituent organizations shall serve automatically and without the requirement of further action by the California State PTA to amend correspondingly the bylaws of the California State PTA. California State PTA shall promptly incorporate such amendments in its bylaws.

*Section 3.* The bylaws of the California State PTA and all amendments thereto shall be subject to approval by the committee on bylaws of the Board of Directors of the National PTA.

*Section 4.* The California State PTA is responsible for compliance by the local, council or district PTAs within its area with the Bylaws of the National PTA and the bylaws of the California State PTA. The provisions of the California State PTA bylaws relating to the withdrawal of the charter of a local PTA (and the termination of its status as a PTA unit) shall parallel the provisions of the Bylaws of the National PTA relating to the withdrawal by the National PTA of the charter of the California State PTA as a branch of the National PTA.

*Section 5.* The California State 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 organization,

including, specifically, the number of local PTAs within

its area, the national portion of membership dues collected by such local PTAs, the amounts of such dues received by the California State PTA, and the amounts of dues remitted to the National PTA.

### \*\*\* ARTICLE VI — Local PTAs/PTSAs

*Section 1.* Local PTAs shall be organized and chartered under the authority of the State PTA in the area in which the local PTA functions, in conformity with such rules and regulations, not in conflict with the Bylaws of the National PTA, as the State PTA may in its bylaws prescribe. The State PTA shall issue to each local PTA in its area an appropriate charter evidencing the organization is in good standing.

A local PTA in good standing is one which:

- 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 the National PTA;
- c. Has bylaws approved according to the procedures of each state; and
- d. Meets other criteria as may be prescribed by the individual state PTA.

*Section 2.* A local PTA in good standing in California is one which also:

- a. Pays dues to and actively supports all branches of the National and State PTA;
- b. Pays insurance premiums to the State PTA or its designee;
- c. Is composed of not less than fifteen (15) members of whom at least three (3) shall serve in the offices of president, secretary and treasurer, respectively; and
- d. Complies with the legal filing requirements of state and federal government agencies.

*Section 3.* Each 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 organization, including, specifically, the number of its members, the dues collected from its members and the amounts of dues remitted to the California State PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the California State PTA.

*Section 4.* The charter of a local PTA shall be subject to withdrawal and the status of such organization as a PTA unit shall be subject to termination by a two-thirds (2/3) vote of the Board of Managers in the manner and under the circumstances provided in the bylaws of the State PTA.

*Section 5.* Each local PTA is obligated, upon withdrawal of its charter by the State PTA:

- a. To yield up and surrender all of its books and records and all of its assets and property to the State PTA or to such agency as may be designated by the State PTA or to another

local

PTA organized under the authority of the State PTA;

- b. To cease and desist from the further use of any name that implies or connotes association with the National PTA or the State PTA or status as a constituent organization of the National PTA; and
- c. To carry out promptly under the supervision and direction of the State PTA all proceedings necessary or desirable for the purpose of dissolving such local PTA.

*Section 6.* Each officer or board member of a local PTA shall be a member of such local PTA.

*Section 7.* Only members of a local PTA who have paid dues for the current membership year may participate in the business of that association.

*Section 8.* Each local PTA shall collect dues from its members and shall remit a portion of such dues to the California State PTA as provided in Article VII hereof.

*Section 9.* A unit not in good standing because of nonpayment of dues shall be notified in writing by March 1 by the State PTA. If the unit is still not in good standing by the date designated by the California State PTA, its charter shall be withdrawn.

A unit not in good standing for reasons other than non-payment of dues shall be notified in writing and shall have its charter withdrawn in accordance with procedures established by the State PTA Board of Managers.

*Section 10.* Each local PTA shall, upon withdrawal of its charter by the State PTA, immediately cease and desist from any further use of the unit's Internal Revenue Service Employer Identification Number (EIN) as a constituent organization under the Group Exemption Number issued to the California State PTA.

*Section 11.* Upon the withdrawal of a unit PTA's/PTSA's charter, the State PTA shall have the right to collect and transfer any funds, including funds deposited by the PTA/PTSA with a financial institution, over which the PTA/PTSA or its officers have or had signature authority or control.

*Section 12.* Before being accepted by the State Board of Managers, each new unit shall submit its bylaws to the State parliamentarian for approval and the organizational papers to the California State PTA Office for processing. The per capita dues must be received in the State PTA office. A majority affirmative vote of the State Board of Managers is required for acceptance as a new unit.

*Section 13.* The privilege of making motions, debating and voting at local unit 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 the previous thirty (30) days. The privilege of holding office shall be limited to members of the association whose dues are paid and who have been members for at least thirty (30) days preceding nominations.

*Section 14.* Each local PTA/PTSA shall require two signatures on all checks. Any two of the following are authorized to sign: president, treasurer or other elected officer other than the secretary or auditor. The authorized signers shall not be related by blood or marriage or reside in the same household.

*Section 15.* Each local PTA/PTSA shall require that individuals counting cash/checks shall not be related by blood, marriage, or reside in the same household.

## **ARTICLE VII — Membership and Dues**

Membership in PTA at all levels shall be open, without discrimination, to anyone who believes in and supports the mission, purposes and principles of California State PTA and National PTA and meets other qualifications for membership as prescribed in these bylaws and pays dues as required in these bylaws.

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

*Section 2.* Membership in each local PTA shall be made available by such local PTA, without regard to race, color, creed or national origin.

*Section 3.* Each local PTA shall conduct an annual enrollment of members but may admit persons to membership at any time.

*Section 4.* Each member of a local PTA shall pay annual dues to said organization as may be prescribed by the organization. The amount of such dues shall include the portion payable to the State PTA (the “state portion”) and the portion payable to the National PTA (the “national portion”).

*Section 5.* The National PTA portion, as recommended by the board of directors and approved by a two-thirds (2/3) majority vote of the voting body at the National PTA Annual Meeting/convention, shall be two (2) dollars and twenty- five (25) cents per annum.

*Section 6.* The California State PTA portion shall be two (2) dollars of each member’s dues per annum.\*

*Section 7.* The state and national portions of the dues paid by each member to a local PTA shall be paid to the State PTA through the proper financial channels monthly For associations to remain in good standing, the state and national portions of per capita dues shall be remitted to the State PTA by the *due date designated by the State PTA*. Unit representation for the annual meeting/convention as provided in Article XV, Section 5, is determined by total per capita dues received by the State PTA by March 31.

*Section 8.* The California State PTA shall make remittances, on a monthly basis, to the National PTA of the amounts due to the National PTA.

*Section 9.* Reference in these bylaws to “member” and “members” shall not constitute anyone a “member” within the meaning of Section 5056 of the California Corporations Code. For purposes of the Nonprofit Corporation Law, the term “member” shall include the California State PTA Board of Managers (as set forth in Article X - Board of Managers).

## **ARTICLE VIII — Officers**

*Section 1.* The officers of the State PTA shall be a president, a president-elect, seven (7) vice presidents, secretary, treasurer, parliamentarian and director of legislation.

*Section 2.* Except for the office of president, these officers shall be elected biennially in the odd-numbered years. The president-elect shall succeed automatically to the office of president. The parliamentarian and the director of legislation shall be appointed biennially by the president, subject to ratification by the Board of Managers. The term of office shall be from July 1 through June 30 or until their successors are elected.

*Section 3.* No one shall be eligible to a State elective office who has not served at least two years on the State Board at the time of assuming office. At least one year of this time shall be served during the two years immediately preceding the election. To be eligible to the office of president-elect, a person shall have served at least one term on the Board of Directors. This term is not limited to the term immediately preceding the election.

No one shall serve in the same office two consecutive terms, and no person shall serve in more than one office concurrently. A person who has served two consecutive terms as an elected or appointed State officer shall not be eligible to another elective office until the expiration of at least one term. This provision shall not apply to the offices of president or president-elect. A person filling any unexpired term is eligible for election to the same office or election to any other office if he has served one-half or less of a term.

\*\*\* *Section 4.* Each officer of the State PTA shall be a member of a local PTA within California.

*Section 5.* Each officer of the State PTA shall act in like capacity on the Board of Managers and the Board of Directors.

## **ARTICLE IX — Duties of Officers**

*Section 1.* The president shall preside at all meetings; shall appoint biennially the parliamentarian, the director of legislation, the *chair* of standing committees, the commissioners, the legislation advocates and the consultants subject to ratification by the Board of Managers; shall act as an ex officio member of all committees except the nominating and audit committees; shall prepare the annual State report required by the National PTA; and shall perform such other duties as required by the office. The president may create and appoint special committees as necessary subject to ratification of the Board of Managers. The president may call a meeting of the Board of Managers, or the Board of Directors, at any time deemed necessary and must call such meetings upon written request of a quorum.

When the president in writing or the Board of Directors by a two-thirds affirmative vote declares that the president is unable to discharge the powers and duties of that office, such powers and duties and

privileges of that office shall be assumed immediately by the president-elect as acting president. The president shall be returned to office upon his written declaration that no inability exists, the Board of Directors concurring by a two-thirds affirmative vote. Should the Board of Directors not concur, at the president's request, the president's written declaration shall be referred to the Board of Managers at its next scheduled meeting for resolution and may be accepted by a two-thirds vote.

*Section 2.* The president-elect shall be an aide to the president. In the absence of the president, the president-elect shall assume the duties of the president. In the absence of the president-elect the vice presidents in *their* order shall assume the duties of the president. The order and duties of the vice presidents shall be determined by the Board of Managers and shall be noted in the Standing Rules and Procedures. The vice presidents shall serve as *chairs* of commissions.

*Section 3.* It shall be the duty of the secretary to keep an accurate account of all meetings; to be prepared to read on call the minutes of any meeting within the past two years; and to file all records with the State PTA office.

*Section 4.* The treasurer shall be responsible for the funds and securities of the California Congress of Parents, Teachers, and Students, Inc., and shall cause to be kept a full and accurate account of the receipts and disbursements in books belonging to the organization.

The treasurer shall render a written statement to the Board of Managers at each meeting and shall prepare or cause to be prepared an Annual Financial Report of the financial condition of the organization, which shall be submitted for audit.

All funds and securities shall be deposited in the name of the California Congress of Parents, Teachers, and Students, Inc. in banks or other depositories approved by the Board of Directors. Two signatures shall be required on all checks drawn on bank accounts or withdrawals from savings accounts and for authorizations or transactions involving securities. The following seven persons shall be authorized signatories: president, president-elect, treasurer, vice president for special events, executive director and two other elected officers residing in close proximity to the State PTA office.

*Section 5.* It shall be the duty of the parliamentarian to attend all meetings of the State PTA and give advice on parliamentary procedure when called upon. They shall instruct the nominating committee and the election board. The parliamentarian shall be entitled to all rights and privileges of membership including the right to make motions, debate and vote.

*Section 6.* The director of legislation shall be responsible for implementing the State PTA legislation program and shall coordinate the National PTA member-to-member network.

## **ARTICLE X — Board of Managers**

*Section 1.* There shall be a Board of Managers

composed of the officers, the director of legislation, the immediate past president, the chair of standing committees, the commissioners, the legislation advocates, the district PTA presidents and all National PTA Board members residing in California.

A district PTA first vice president, or an elected representative, shall be granted the right to vote on the Board of Managers when officially representing the district PTA in the absence of the president.

*Section 2.* Each member of the Board of Managers shall be a member of a local PTA within the state of California.

*Section 3.* There shall be an Advisory Board consisting of not less than seven (7) members approved by the Board of Managers.

*Section 4.* The president, Board of Directors, and district PTA presidents shall meet to ratify all appointments prior to the first meeting of the Board of Managers.

*Section 5.* The Board of Managers shall manage the affairs of the State PTA except that of modifying any action of the delegates at the annual meeting/convention. All vacancies in office shall be filled by the Board of Managers.

*Section 6.* The Board of Managers shall meet at a time and place convenient to a majority of the members, the time and frequency to be determined by the Board of Managers. Twenty-five (25) members shall be a quorum.

*Section 7.* Members of Board of Managers may participate in and act at any meeting of a State PTA commission or committee via teleconferencing using equipment with which all commission or committee members participating in the meeting can communicate with each other at the same time. Participation in such meeting shall constitute attendance and presence in person at the meeting. Quorum shall be established by roll call and identification of individual commission or committee members.

*Section 8.* The Board of Managers shall determine the place of business of the State PTA.

*Section 9.* When any person ceases to hold the office which entitles them to be a member of the Board of Managers, they shall automatically cease to be a member of the Board of Managers and shall be relieved of all duties and responsibilities incident to such membership.

*Section 10.* Each member of the Board of Managers shall in each case deliver to their successor (or to the State PTA office) all books, records and documents held in their possession by virtue of their office or chairpersonship not later than fifteen (15) days following the end of their term. All funds shall be returned to the State PTA office.

*Section 11.* Special committees as necessary may be created by the Board of Managers.

*Section 12.* The Board of Managers shall be responsible for the administration of the Honorary Service Award Program, including the adoption of rules and regulations governing the issuance of

awards.

## ARTICLE XI — Board of Directors

*Section 1.* The Board of Directors of this corporation shall consist of the elected officers of the State PTA, the parliamentarian, the director of legislation and the chair of the district PTA presidents. *The Executive Director has the right to attend and participate at all Board of Directors meetings, except when the Board enters into executive session, but shall have no voting power*

*Section 2.* Following the election of officers the Board of Directors shall

- a. determine such standing committees as are deemed necessary; and
- b. provide for the composition of the commissions.

*Section 3.* The Board of Directors of this corporation shall meet before or during each regular meeting of the Board of Managers, or in special session at the call of the president, or upon written request signed by a quorum of the Board and filed with the secretary, ~~and~~ *Written notice of the time set for a special meeting must be sent to all directors at least four (4) days in advance by first-class mail or at least 48 hours' notice in advance when delivered by voice messaging system and electronic transmission.* The president shall fix the time and place of special meetings of the Board of Directors. A majority of the Board of Directors shall constitute a quorum.

*Section 4.* Directors may participate in and act at any meeting of the Board of Directors via teleconferencing or electronic video screen communication using equipment with which all directors participating in the meeting can communicate with each other at the same time. Participation in such meeting shall constitute attendance and presence in person at the meeting. Quorum shall be established by roll call and identification of individual directors.

*Section 5.* The Board of Directors of this corporation shall transact all business relating to the State PTA as an incorporated body and shall perform the duties of the Board of Managers between meetings and such other duties as may be requested of it by the meeting/convention or by the Board of Managers provided that the action of the Board of Directors shall not conflict with that of the Board of Managers.

The Board of Directors shall make a report to the Board of Managers at each meeting and may make recommendations to the Board of Managers, commissions or committees of the Board of Managers or Board members in order to expedite the transaction of business.

*Section 6.* The Board of Directors shall employ an executive director and such other employees as may be found necessary to carry on the work of the State PTA.

*Section 7.* Any elected or appointed officer or commissioner may be removed from their position by a two-thirds (2/3) affirmative vote of the Board of

Directors, in accordance with due process, whenever the Board of Directors deems such removal will serve the best interest of the State PTA.

*Section 8.* Nonliability of Directors and certain Officers.

- a. Volunteer Directors. Pursuant to Section 5239 of the Nonprofit Public Benefit Corporation Law of the State of California, there shall be no personal liability to a third party on the part of a volunteer director or volunteer president, *president-elect*, vice president, secretary, treasurer, *director of legislation*, or parliamentarian of the State PTA (the "corporation") caused by the director's or officer's negligent act or omission in the performance of that person's duties as a director or officer, if all the following conditions are met:

- (1) The act or omission was within the scope of the director's or officer's duties;
- (2) The act or omission was performed in good faith;

Law of the State of California in any action or proceeding brought by the Attorney General.

- b. Requirement to Obtain Liability Insurance. In order to obtain the full benefit of the limitation of liability set forth in subsection (a) above, the corporation and the directors shall make all reasonable efforts in good faith to obtain liability insurance in the form of a general liability policy for the corporation or a director's and officer's liability policy.
- c. Paid Directors and Officers. Any director or officer who receives compensation by the corporation for acting in their capacity as a director or an officer, as the case may be, shall have no liability based upon any alleged failure to discharge such person's obligations as a director, including, without limiting the generality of the foregoing, any actions or omissions which exceed or defeat a public or charitable purpose to which the corporation, or assets held by it, are dedicated, (i) so long as such compensated director or officer complies with provisions of Section 9 of these bylaws, and (ii) except as provided in Section 5233 of the Nonprofit Public Benefit Corporation Law of the State of California.

*Section 9.* Indemnity for Litigation. The corporation hereby agrees to exercise the power to indemnify any person who was or is a party or is threatened to be made a party to any proceeding by reason of the fact that such person is or was a director, officer, employee or other agent (as defined in Section 5238 of the Nonprofit Public Benefit Corporation Law of the State of California) of the corporation, to the full extent allowed under the provisions of said Section 5238 relating to the power of a corporation to indemnify any such person.

The amount of such indemnity shall be so much as the Board of Directors determines and finds to be reasonable, or, if required by said Section 5238, the amount of such indemnity shall be so much as the court determines and finds to be reasonable.

*Section 10. Interested Persons/Conflict of Interest Policy.* Pursuant to Section 5227 of the Nonprofit Public Benefit Corporation Law of the State of California, no more than forty-nine percent (49%) of the directors serving on the Board may be "interested persons." For the purposes of this section, "interested persons" means either (i) any person currently being compensated by the corporation for services rendered to it within the previous twelve (12) months whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; or (ii) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law or father-in-law of any such person. The provisions of this section shall not affect the validity or enforceability of any transaction entered into by the corporation.

*Section 11. Standard of Conduct.* Pursuant to Section 5231 of the Nonprofit Public Benefit Corporation Law of the State of California, a director shall perform the duties of a director, including duties as a member of any committee of the Board upon which the director may serve, in good faith, in a manner such director believes to be in the best interests of the corporation and with such care, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances. In performing the duties of a director, a director shall be entitled to rely on information, opinions, reports or statements including financial statements and other financial data, in each case prepared or presented by:

- a. One or more officers or employees of the corporation whom the director believes to be reliable and competent in the matters presented;
- b. Counsel, independent accountants or other persons as to matters which the director believes to be within such person's professional or expert competence; or
- c. A committee of the Board upon which the director does not serve, as to matters within its designated authority, which committee the director believes to merit confidence, provided, that in any such case, the director acts in good faith, after reasonable inquiry when the need therefor is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted.

*Section 12. Self-Dealing Transactions.* Pursuant to Section 5233 and except as provided in Section 5233 of the Nonprofit Public Benefit Corporation Law of the State of California, the corporation shall not be a party to a transaction in which one or more of its directors has a material financial interest ("Interested Director") unless:

- a. Approval by Attorney General. The Attorney General, or the court in an action in which the Attorney General is an indispensable party, has approved the transaction before or after it was consummated; or
- b. Approval by Board. Prior to entering into the transaction, after full disclosure to the Board of

all material facts as to the proposed transaction and the Interested Director's interest and investigation and report to the Board as to alternative arrangements for the proposed transaction, if any, the Board in good faith and by a vote of a majority of the directors then in office (without including the vote of the Interested Director):

- (1) Resolves and finds that
    - (a) the transaction is in the corporation's best interests and for the corporation's own benefit;
    - (b) the transaction is fair and reasonable as to the corporation; and
    - (c) after reasonable investigation under the circumstances as to alternatives, the corporation could not have obtained a more advantageous arrangement with reasonable efforts under the circumstances; and
  - (2) Approves the entire transaction; or
- c. Interim Approval by Authorized Committee or Person. If it is not reasonably practicable to obtain approval of the Board prior to entering into such transaction, and, prior to entering into said transaction, a committee or person authorized by the Board approves the transaction in a manner consistent with the procedure set forth in subsection (b) of this section; and the Board, after determining in good faith that the corporation entered into the transaction for its own benefit and that the transaction was fair and reasonable as to the corporation at the time it was entered into, ratifies the transaction at its next meeting by a vote of the majority of the directors then in office, without counting the vote of the Interested Director.

In light of the foregoing limitations, all directors shall fill out an annual questionnaire dealing with this subject matter.

The act or omission was not reckless, wanton, intentional, or grossly negligent;

- (1) The corporation has complied with the requirements of subsection (b) below.

This limitation on the personal liability of a volunteer director or officer does not limit the liability of the corporation for any damages caused by acts or omissions of a volunteer director or volunteer officer, nor does it eliminate the liability of a director or officer provided in Section 5233 or 5237 of the Nonprofit Public Benefit Corporation

*Section 13. Emergency Provisions: Pursuant to Section 5151 of the Non-Profit Public Benefit Corporation Law of the State of California, in anticipation of or during an emergency, the Board of Directors may take the following actions necessary to conduct the California PTA's ordinary business operations and affairs:*

- a. *Modify lines of succession to accommodate the incapacity of any director, officer, employee, or agent resulting from the emergency.*
- b. *Relocate the principal office, designate alternative principal offices or regional offices, or authorize the officers to do so.*
- c. *Give notice to a director or directors in any practicable manner under the circumstances, including, but not limited to, by publication and radio, when notice of a meeting of the board cannot be given to that director or directors in the manner prescribed by the bylaws.*
- d. *Deem that one or more officers of the corporation present at a board meeting is a director, in order of rank and within the same rank in order of seniority, as necessary to achieve a quorum for that meeting. In anticipation of or during an emergency, the board may not take any action that requires the vote of the members or is not in the corporation's ordinary course of business, unless the required vote of the members was obtained prior to the emergency.*

*Any actions taken in good faith in anticipation of or during an emergency bind the corporation and may not be used to impose liability on a corporate director, officer, employee, or agent.*

*For purposes of this section as defined in Section 5140 of the Non-Profit Public Benefit Corporation Law of State of California, "emergency" means any of the following events or circumstances as a result of which, and only so long as, a quorum of the corporation's board of directors cannot be readily convened for action:*

- (A) *A natural catastrophe, including, but not limited to, a hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought, or, regardless of cause, any fire, flood, or explosion.*
- (B) *An attack on this state or nation by an enemy of the United States of America, or upon receipt by this state of a warning from the federal government indicating that an enemy attack is probable or imminent.*
- (C) *An act of terrorism or other manmade disaster that results in extraordinary levels of casualties or damage or disruption severely affecting the infrastructure, environment, economy, government functions, or population, including, but not limited to, mass evacuations.*
- (D) *A state of emergency proclaimed by a governor or by the President.*

**ARTICLE XII — Nominations and Elections**

Any person who is qualified to be an elected officer may be nominated by one of the following procedures:

*Section 1. Nomination by Committee.*

- a. *In an election year and at least one hundred fifty (150) days prior to the election at the annual State meeting/convention, a nominating committee shall be elected. The committee shall be composed of seven (7) members and three (3) alternates. The committee shall be elected by ballot after nominations have been made from the floor. Two of the members and one alternate shall be from the district PTA presidents. Five members and two alternates shall be from the Board of Managers other than the district PTA presidents. No more than two members of the nominating committee shall reside in the same district PTA. Each group is to be nominated and elected separately by the Board of Managers. A plurality shall elect.*
- b. *No person shall be eligible to serve on two consecutive nominating committees.*
- c. *The president and president-elect shall not be eligible to be elected to the nominating committee.*
- d. *Any persons who serve on the nominating committee shall not be eligible for consideration as a nominee to the board of directors for the immediately following term.*
- e. *The nominating committee shall, with the consent of five of its members, prepare a list of nominees for each office.*
- f. *The consent of candidates must be secured before the slate is announced.*
- g. *The report of the nominating committee shall be presented to the Board of Managers, shall be published in the CALL to annual meeting/convention, and shall be presented at the first meeting of the annual meeting/convention.*

*Section 2. Nomination by Petition.*

- a. *An official nominating petition, obtained from the State office, shall be completed and delivered to the State president or secretary at least forty-five (45) days prior to the opening of annual meeting/convention.*
- b. *The petitioners shall be delegates to the annual meeting/convention at which the officers are to be elected and shall number not less than two percent (2%) of the delegate body attending the last previous annual meeting/convention. The 2% is calculated by using the number of recorded delegates in the minutes of the last annual statewide meeting/convention at the time when the quorum was established.*
- c. *Nominations received by petitions shall be presented by the president following the report of the nominating committee.*

*Section 3. Nomination at the Meeting.*



At the conclusion of the report of the nominating committee and the report of any nomination by petition, nominations may be made from the floor providing the nominee has given consent and has filed a written notice with the president of intent to be nominated from the floor at least *forty-five (45)* days prior to the beginning of the state annual meeting/convention.

When the opportunity for all nominations has been fulfilled following any of the foregoing procedures, the nominations shall be closed.

*Section 4.* Elections shall be held biennially in the odd-numbered years at the annual meeting/convention meeting.

*Section 5.*

- a. In an election year, the election board shall be selected at least thirty (30) days prior to the annual election meeting. The president shall appoint a chair and a vice chair from the membership of the Board of Managers. Five (5) additional members *representing different PTA districts* and three (3) alternates shall be nominated and elected by the Board of Managers from the membership at large. *No more than two members of the election board shall reside in the same district PTA.* The election board shall be instructed in its duties by the parliamentarian. Ballot voting at annual meeting/convention shall be supervised by the election board. The chair shall see that the ballots are prepared, ballot boxes secured, and shall make all necessary preparations for the election.
- b. At the same meeting and in the same manner, a board of tellers of the same size shall be elected. This board shall *be in* charge of counting of the ballots, and the chair shall report the results of the election.

*Section 6.* Election by ballot shall be held as soon as annual meeting/convention scheduling allows. Notice of the election date shall be published in the CALL to annual meeting/convention. For election of officers, a plurality shall elect. Each delegate must be registered at least one calendar day before casting an election ballot.

*Section 7.* When there is but one candidate for an office, the ballot for that office may be dispensed with and the election held by voice vote at the close of nominations.

*Section 8.* During an emergency such as that described in Article XV, Sections 7 and 8, nominations may be reported and election held on the same day. In the event an annual meeting/convention is not held, the Board of Managers at the last meeting of the biennium shall elect the officers.

## **ARTICLE XIII — Council and District PTAs**

*Section 1.* The State shall be divided into not less than eight (8) district PTAs. The boundaries of district PTAs and the procedure for their establishment or change shall be determined by the State Board of Managers after consultation with the district PTA involved.

*Section 2.* The California State PTA may create or establish councils in counties, cities or other areas designated by its Board of Managers for the purpose of conference, leadership training, and coordination of the efforts of local PTA units, and may prescribe the form and contents of the bylaws or other articles of organization of such councils. The local PTA unit that shall be eligible for membership and participation in the work of any council shall be determined by the California State PTA. Councils shall not legislate for local units.

\*\*\* *Section 3.* The State Board of Managers shall be responsible for the procedure by which a council is organized or reorganized. Three (3) or more local PTAs may be organized into the council upon the recommendation of the district PTA in which they are located and subject to the approval of the State Board of Managers. Each council shall determine its own method of securing funds for its work.

\*\*\* *Section 4.* Each council and district PTA, upon its organization, shall submit a copy of its bylaws to the State parliamentarian for approval.

\*\*\* *Section 5.* Each council and district PTA in good standing in California is one which complies with National PTA Bylaws and State PTA guidelines, which includes:

- a. Adheres to the Purposes and basic policies of the PTA;
- b. Adheres to the State PTA policies and procedures;
- c. Has bylaws approved according to the procedures of the State PTA;
- d. Has at least three (3) elected officers: president, secretary and treasurer;
- e. Remits the national and state portion of per capita dues to the State PTA by the deadline date;
- f. Pays insurance premiums to the State PTA;
- g. Forwards all insurance premiums received from units by the deadline date;
- h. Complies with the legal filing requirements of state and federal government agencies; and
- i. Meets other criteria as may be prescribed by the State PTA.

\*\*\* *Section 6.* A council and district PTA not in good standing shall be notified in writing by March 1. If the council or district PTA is still not in good standing by March 31, its recognition shall be withdrawn in accordance with procedures established by the State PTA Board of Managers.

\*\*\* *Section 7.* Each council and district 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 organization, including, specifically, the number of members, the dues collected by its units, and the amounts of dues remitted to the State PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized

representative of the State PTA.

\*\*\* *Section 8.* Each council and district PTA is obligated, upon withdrawal of acceptance by the State PTA:

- a. To yield up and surrender all of its books and records and all of its assets and property to the State PTA or to such agency as may be designated by the State PTA, to be held for the benefit of another constituent organization established by the State PTA;
- b. To cease and desist from further use of any name that implies or connotes association with the National PTA or the State PTA or status as a constituent organization of the National PTA;
- c. To carry out promptly under the supervision of the State PTA all proceedings necessary or desirable for the purpose of dissolving such council or district PTA; and
- d. To cease and desist from any further use of the Internal Revenue Service Employer Identification Number (EIN).

#### **ARTICLE XIV — State and Local Relationships**

*Section 1.* There shall be a Grievance Committee composed of five (5) members of the Board of Directors.

*Section 2.* This committee shall review any allegation(s) by constituent organizations of the Bylaws of the National PTA, the State PTA or their own bylaws or other practices or activities that may tend to defeat the Purposes and/or basic policies of PTA, and shall make prompt report to the Board of Directors of the results of such review and of its recommendation for action.

*Section 3.* The Board of Directors shall give due consideration to the report of the committee and shall accord the constituent organization an opportunity to be heard and to respond to the report. If, upon such consideration and hearing, the Board of Directors finds a violation by a constituent organization, it may, by a two-thirds vote of its members then in office, place the constituent organization on probation and require the constituent organization to take appropriate action within a period of time stipulated by the Board of Directors.

When such a requirement has been made by the Board of Directors, and if the recommended action is not taken within the allotted period of time, the Board of Directors may, by a two-thirds vote of its members then in office, grant the constituent organization an extension of time not less than six (6) weeks nor more than eighteen (18) months in which to achieve satisfactory compliance with the action required by the Board of Directors.

If it becomes necessary to withdraw the charter from a unit or withdraw the acceptance from a council or district PTA, at least fifteen (15) days notice, in writing, must be

given before the recommendation comes before the State Board of Managers for action. The procedures

as stipulated in Article VI, Section 4 or 10, of these bylaws, as appropriate, shall be followed.

*Section 4.* Expulsion, Suspension, Termination of Members. If grounds appear to exist for expulsion or suspension of a PTA member, the following procedure shall be followed:

- a. The member shall be given fifteen (15) days' prior notice of the proposed expulsion, suspension or termination. Notice shall be given by any method reasonably calculated to provide actual notice. Any notice given by mail shall be sent first class or registered mail to the member's last address as shown on the PTA's records.
- b. The member shall be given an opportunity to be heard, either orally or in writing, at least five (5) days before the effective date of the proposed expulsion, suspension or termination. The hearing shall be held, or the written statement considered, by the Grievance Committee authorized by the Board of Directors to determine whether the expulsion, suspension or termination should take place.
- c. The Board of Directors, upon recommendation from the Grievance Committee, shall decide whether or not the member should be expelled, suspended or terminated, or sanctioned in some other way. The decision of the Board of Directors shall be final.
- d. Any action challenging an expulsion, suspension or termination of membership, including a claim alleging defective notice, must be commenced within one (1) year after the date of the expulsion, suspension or termination.

#### **ARTICLE XV — Annual Meeting/Convention**

*Section 1.* There shall be an annual meeting/convention meeting of the State PTA in April or May. The time, place and any proposed business to be addressed at the meeting shall be determined by the Board of Managers (exception: Article XII, Section 4). Proposed business may include, but is not limited to; election of officers, California State PTA bylaw amendments, the California State PTA Legislation Policies and California State PTA Legislation Platform, and resolutions. The Board of Managers shall publish a CALL to the annual meeting/convention including all proposed business to be sent to all associations comprising the State PTA at least thirty (30) days prior to the annual meeting/convention. Written notification of emergency business being presented for consideration at the annual meeting/convention meeting shall be given to delegates twenty-four (24) hours in advance.

*Section 2.* One-third (1/3) of the delegates registered and eligible to vote at the annual meeting/convention and representing a majority of district PTAs shall constitute a quorum.

*Section 3.* At the annual meeting/convention meeting,

the delegates shall be

- a. Members of the Board of Managers, including the parliamentarian and the district PTA presidents;
- b. Three delegates or their alternates elected from each district PTA executive board, one of the delegates being the president-elect in an election year;
- c. One delegate or alternate elected from each council executive board, in addition to the council president or president-elect, or elected alternate;
- d. Accredited delegates elected in proportion to association membership according to Article XV, Section 5 of these bylaws in addition to the local association presidents or presidents-elect or their elected alternates; and
- e. Past State presidents.

*Section 4.* The privilege of making motions, debating and/or voting at the annual meeting/convention shall be limited to delegates having a current membership card and evidence of, or receipt for, payment of annual meeting/convention registration fees as determined annually by the Board of Managers.

A delegate shall serve only at the annual meeting/convention for which elected.

*Section 5.* Each association in good standing is entitled to be represented at the annual meeting/convention meeting by the president-elect or president or elected alternate and one additional elected delegate. Each association of over 250 memberships but less than 501 is entitled to two elected delegates in addition to the president-elect or president. An association which has a membership of 501 but less than 751 is entitled to three elected delegates in addition to the president-elect or president. Associations that have memberships of 751 or more may send four elected delegates in addition to the president-elect or president. In no case shall an association be entitled to more than a total of four elected delegates in addition to the president-elect or president.

A delegate shall not be allowed to represent more than one association and must have been a member of that local association at least thirty (30) days prior to annual meeting/convention or a member of a feeder school where applicable. This shall not apply to associations organized within ninety (90) days prior to meeting/convention.

*Section 6.* A delegate serving in an official capacity from the opening of the first general meeting to the close of the annual meeting/convention may have their delegate status removed for actions contrary to the bylaws, policies or procedures of the organization.

A disciplinary committee appointed from the State Board of Managers shall serve as the official body in all cases where due process must be applied and shall have the power to terminate a delegate's status in accordance with the following procedures:

- a. The charge in writing and signed by fifteen (15) delegates shall be presented to the president.
- b. The notice of the charge, time and place of hearing shall be presented to the delegate.
- c. The delegate hearing shall be conducted by the disciplinary committee and a decision rendered by the committee.
- d. The decision shall be reported to the membership at the next general meeting. The hearing shall be held immediately should the offense occur on the final day of the annual meeting/convention.

*Section 7.* In cases of extreme emergency the Board of Managers shall have the power to limit the length of the session of the annual meeting/convention of the State PTA and make such other changes in the rules governing the annual meeting/convention as shall be necessary to conform to the abridged time of the annual meeting/convention.

*Section 8.* The Board of Managers by a two-thirds (2/3) vote of its members then in office may cancel or defer any annual meeting/convention when it deems such action to be required by the existence of a national or statewide emergency. Such action may be taken by the president on their own responsibility after polling the members of the Board of Managers to the extent reasonably possible under the then existing circumstances when the emergency is such as to render it impracticable to convene a meeting of the Board. During the existence of such emergency the Board of Managers may adopt such measures for the conduct of the affairs of the State PTA as it may deem to be required without regard to the restrictions or limitations of these bylaws.

## **ARTICLE XVI — National Convention**

*Section 1.* The State PTA shall be entitled to accredit to the annual convention as its delegates:

- a. The president of the State PTA;
- b. One additional delegate from among the members of the State PTA for each one thousand members, or major fraction thereof, of the State PTA, as shown on the books of the treasurer of the National PTA as of March 31 preceding the annual convention.

*Section 2.* The selection of these delegates and their alternates (other than the president of the State PTA, who shall be a delegate ex officio) shall be authorized by the Board of Managers. Procedures for the selection of delegates and distribution of credential cards allocated to the State PTA shall be specified in the Standing Rules and Procedures of the Board of Managers.

## **ARTICLE XVII — Fiscal Year and Audit**

*Section 1.* The fiscal year shall be from July 1 to June

30, inclusive.

*Section 2.* The books and financial records of the California Congress of Parents, Teachers, and Students, Inc., shall be audited at the close of the fiscal year and at any other time deemed necessary by the Board of Managers. The audit shall be performed in accordance with the Nonprofit Integrity Act of 2004 (SB 1262 – Sher, Chapter No. 919, Statutes of 2004). The report of the regular audit shall be made to the Board of Managers not later than the January/February board meeting. The report of any specially ordered audit shall be made to the Board of Managers at its next regular meeting.

*Section 3.* An audit committee shall be appointed each term by the board of directors and ratified by the board of managers, consisting of Board of Managers members with financial experience, and exclusive of the president and treasurer and any authorized check signer, as

stipulated in the Nonprofit Integrity Act of 2004 (SB 1262

– Sher, Chapter No. 919, Statutes of 2004). The ~~chairman~~ chair of the audit committee may not be a member of the budget committee and members of the budget committee must be a minority of the audit committee. Members of the audit committee may not receive any compensation from the California State PTA other than as members of the Board of Managers and they may not have any material financial interest in any entity doing business with the organization. The audit committee shall be responsible for recommending to the Board of Directors:

- a. retention and termination of the independent auditor;
- b. the auditor’s compensation;
- c. determination, in consultation with the auditor, that the affairs of the California State PTA are in order, and
- d. review and approval of the audit.

### **\*\*\* ARTICLE XVIII — Parliamentary Authority**

The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern the National PTA and its constituent organizations in all cases in which they are applicable and in which they are not in conflict with these bylaws, and the Bylaws of the National PTA, or the articles of incorporation and the Nonprofit Public Benefit Corporation Law of the State of California.

### **ARTICLE XIX — Amendments**

*Section 1.* These bylaws may be amended at any annual meeting/convention by a two-thirds (2/3) vote provided there shall have been published in the CALL for the annual meeting/convention a copy of the proposed amendment or amendments.

**\*\*\*** *Section 2.* The adoption of an amendment to any provision of the bylaws of the State PTA identified by a triple star shall serve automatically and without the

requirement of further action by the constituent organizations to amend correspondingly the bylaws of each constituent organization. Notwithstanding the automatic character of the amending process, the constituent organizations shall promptly incorporate such amendments in their respective bylaws.

*Section 3.* The adoption of an amendment of any provision of the bylaws of the State PTA identified by a double star sign (\*\*\*) shall automatically, and without the requirement of further action by the constituent organizations, amend correspondingly the bylaws of each constituent organization. Notwithstanding the automatic character of the amending process, the constituent organizations shall promptly incorporate such amendments in their respective bylaws.

### **Explanation of Starred Articles and Sections**

Articles and Sections designated with a double star sign (\*\*) indicate provisions in the bylaws that are required by the California Corporations Code. Triple stars (\*\*\*) indicate provisions in the bylaws of the California State PTA and National PTA that are to be included in unit, council and district PTA bylaws where appropriate.

**PLEASE REMOVE THIS PAGE**

**AND REPLACE WITH**

**FINANCE TAB**

**PLEASE REMOVE THIS PAGE**

**AND REPLACE WITH**

**FINANCE TAB**