

**FOREST AVENUE ACADEMIC MAGNET
ELEMENTARY SCHOOL PTA**

BYLAWS

OCTOBER 2020

FOREST AVENUE ACADEMIC MAGNET ELEMENTARY SCHOOL PTA

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BYLAWS

of the

FOREST AVENUE ACADEMIC MAGNET ELEMENTARY SCHOOL PTA

Article I: Name

The name of this organization is the Forest Avenue Academic Magnet Elementary School Parents and Teachers Association (“FAAM PTA”), Montgomery, Alabama. It is a local PTA organized under the authority of Alabama Congress of Parents and Teachers (“Alabama PTA”), a branch of National Congress of Parents and Teachers (“National PTA”), and a branch of the Alabama PTA.

School Name: Forest Avenue Academic Magnet Elementary School

Street Address: 1700 West Fifth St.

City: Montgomery

Zip: 36106

Article II: Purposes

Section 1. Objectives. The purposes (Objects) of the FAAM PTA, which the corporation will hereafter pursue, are:

- a. To promote the welfare of children and youth in home, school, place 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 engage the public in united efforts to secure the physical, mental, emotional, spiritual, and social well-being of all children and youth; and
- e. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

Section 2. Awareness. The purposes of the 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. Federal Status. 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 referred to as “Internal Revenue Code”).

Article III: Basic Policies

The following are basic policies of the FAAM PTA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The name of the FAAM PTA or the names of any members in their official capacities shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the Purposes of the association.
- c. The organization shall work with the schools and community to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities.
- d. 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.
- 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. Prior to scheduling a vote regarding the dissolution of the FAAM PTA, Alabama PTA must be contacted. 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 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.

Article IV: Relationship with National PTA and Alabama PTA

Section 1. Authority and Good Standing. The FAAM PTA shall be organized and chartered under the authority of the Alabama PTA in the area in which the FAAM PTA functions, in conformity with such rules and regulations, as the Alabama PTA may in its bylaws prescribe. The Alabama PTA shall issue to the FAAM PTA an appropriate charter evidencing the due organization and good standing of the FAAM PTA.

The board of directors of Alabama PTA shall make all decisions regarding the recognition and good standing of local PTAs/PTSAs. A PTA/PTSA must be in good standing in order to participate in scholarship, grant, and awards programs.

A local PTA/PTSA in good standing is one that:

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

Section 2. Approval of Bylaws. The FAAM PTA shall adopt such bylaws for the governance of the organization. These bylaws are subject to the approval of Alabama PTA. Such bylaws shall not be in conflict with the National PTA Bylaws or the bylaws of the Alabama PTA.

Section 3. Proxy Voting. Bylaws of the FAAM PTA shall prohibit voting by proxy.

Section 4. Financial Records. The FAAM PTA shall keep permanent books of account and records sufficient to establish gross income, receipts, and disbursements,

including the number of members and dues collected from members. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the Alabama PTA or the National PTA.

- Section 5. Withdrawal of Charter.** The charter of the FAAM PTA shall be withdrawn, and the PTA dissolved according to provisions in Alabama PTA Bylaws. FAAM PTA is obligated, upon withdrawal of its charter by Alabama PTA to:
- a. Surrender all books, records, assets, and property to Alabama PTA, an agency designated by Alabama PTA, or another local PTA organized under the authority of Alabama PTA;
 - b. Cease to use the copyrighted name PTA that implies association with or status as a constituent organization of National PTA or Alabama PTA; and
 - c. Carry out promptly, under the direction of Alabama PTA, all proceedings necessary for the purpose of dissolving.

- Section 6. Organizing/Chartering.**
- a. Local PTAs shall be organized in the state as units of National PTA and Alabama PTA for the purpose of promoting the objectives of National PTA and Alabama PTA.
 - b. Each local unit shall be authorized to make its own rules for the transaction of its business provided they are not in conflict with National PTA Bylaws or Alabama PTA Bylaws.
 - c. A local organization shall become a PTA unit upon receipt in the state office of (i) national and state dues, (ii) two copies of proposed local unit bylaws, subject to approval by Alabama PTA, and (iii) the names of charter members and a list of officers.
 - d. The Board of Directors of Alabama PTA shall make all decisions regarding the recognition and status of organized units.

- Section 7. Procedures for Dissolution.** The charter of a local PTA may be withdrawn in the following manner:
- a. The executive committee (or other body that, under its bylaws, manages the affairs of the local PTA) shall adopt a resolution recommending dissolution and directing that the question of dissolution be submitted to a vote at a special meeting of members having voting rights. Written notice stating the purpose of the meeting is to consider the advisability of dissolution shall be given to each member entitled to vote at the meeting at least thirty (30) days prior to the date of the meeting.

- b. Written notice of the adoption of the resolution, accompanied by a copy of the notice of the special meeting of members, shall be given to the president of Alabama PTA at least twenty (20) days before the date of the meeting.
- c. Only those persons who were members in good standing on the date of adoption of the resolution and who continue to be members in good standing on the date of the special meeting shall be entitled to vote on the question of dissolution.
- d. Approval of dissolution shall require the affirmative vote of two-thirds (2/3) of the members present and entitled to vote, a quorum being present.

Article V: Membership and Dues

- Section 1.** Every individual who is a member of the FAAM PTA is, by virtue of that fact, a member of the National PTA and of the Alabama PTA by which the FAAM PTA is chartered, and is entitled to all the benefits of such membership.
- Section 2.** Membership of the FAAM PTA shall be made available without regard to race, color, creed, or national origin to any individual who subscribes to the purposes and basic policies of PTA.
- Section 3.** The FAAM PTA shall conduct an annual enrollment of members, but persons may join at any time.
- Section 4.** Only members of the FAAM PTA shall be eligible to participate in the business meetings or to serve in any of its elective or appointive positions.
- Section 5.** Each member of the FAAM PTA shall pay annual dues determined by the association. The amount of such annual dues shall include the portions payable to the Alabama PTA and the portion payable to the National PTA. As of July 1, 2020, the dues are \$3.25 per member: \$1.00 for Alabama PTA and \$2.25 for the National PTA.
- Section 6.** The state and national portions of dues paid by each member of the FAAM PTA shall be set aside by the FAAM PTA and remitted to the Alabama PTA as state bylaws provide. The Alabama PTA shall pay to the National PTA the national portion of dues paid by all members of the FAAM PTA.
- Section 7.** The local treasurer shall keep the record of the national and state portion of the membership dues separate from the record of general funds of the FAAM PTA.

Section 8. When remitting dues, the local treasurer shall send the names, telephone numbers and/or email addresses of PTA members for whom dues are being paid, via Memberhub.

Section 9. The FAAM PTA shall make at least one remittance of state and national dues by December 1. Remittances made on or before March 1 shall determine (i) voting delegate representation at state convention and (ii) eligibility for state awards.

Article VI: Officers

Section 1. The officers of the FAAM PTA shall be a president, two (2) vice presidents, a secretary, and a treasurer. The Board of Directors, at its discretion, may allow an additional co-Vice President position, in extenuating circumstances.

Section 2. Officers shall be elected in the month of April or during the last general membership meeting of the year.

- a. If elections are not completed by May, the nomination and election process will be completed as early as possible at the start of the new school year.
- b. Elections of officers at general membership meetings may occur in person or by participating in a conference call, video conference, or similar communications equipment, as long as all participants can hear and communicate with each other at the same time.

Section 3. The vote may be cast for each individual candidate or for the entire slate of candidates presented to the FAAM PTA by the Nominating Committee.

- a. If there is only one candidate for an office after taking nominations from the floor, voting may take place by a voice vote.
- b. If there is more than one candidate for an office, there will be a separate vote for that office only. Voting may take place in person by ballot.
- c. In extenuating circumstances when the FAAM PTA cannot meet in person, voting may take place by phone or video conference, by an online voting platform, in writing, or by e-mail.
- d. Proxy voting is not allowed.
- e. Majority vote shall elect.

Section 4. The following provisions shall govern the eligibility of individuals to be officers of the FAAM PTA:

- a. Each officer shall be a member of the FAAM PTA;
- b. No officer may be eligible to serve more than two (2) consecutive terms in the same office; however, the board of directors, at its discretion, may waive the term limits in extenuating circumstances; and
- c. A person who has served in an office for more than one half (1/2) of a full term shall be deemed to have served a full term in such office.
- d. The officer list, including contact information, will be updated every fiscal year, via Memberhub.

Section 5. Officers shall assume their official duties following the close of the board of directors meeting in May and shall serve for a term of one (1) year or until their successors are elected.

Section 6. A vacancy occurring in the office of president shall be filled for the remainder of the unexpired term by the executive vice president. A vacancy in any office other than president shall be filled by the executive committee.

Section 7. There shall be a nominating committee composed of a minimum of three (3) members who shall be elected by the FAAM PTA at a regular general membership meeting at least one (1) month prior to the election of officers, as outlined in Article VI, Section 2.

- a. The nominating committee shall elect its own chair.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its slate of nominees at the regular general membership meeting in April, or during the last membership meeting of the year, at which time additional nominations may be made from the floor.
- c. Only those individuals who are current members of the FAAM PTA and who have signified their consent to serve if elected shall be nominated for, or elected to, such office.
- d. The election of Nominating Committee members Voting may take place in person, by phone or video conference, in writing, or by e-mail; proxy voting is not allowed.

Article VII: Duties of Officers

Section 1. The president shall:

- a. Preside at all meetings of the FAAM PTA;
- b. Serve as an ex officio member of all committees except the nominating committee;

- c. Coordinate the work of the officers and committees of the FAAM PTA in order that the purposes may be promoted;
- d. Update the FAAM PTA officer list, including contact information, via Memberhub;
- e. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the board of directors or executive committee.

Section 2. The executive vice president shall:

- a. Act as an aide to the president;
- b. Perform the duties of the president in the president's absence or inability to serve;
- c. Oversee committees including, but not limited to, Awards Committee, Hospitality Committee, and Programs Committee; and
- d. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, or the board of directors, or the executive committee.

Section 3. The vice president(s) of fundraising shall:

- a. Act as aide to the president;
- b. Perform the duties of the president or executive vice president in the absence or inability of those officers to serve;
- c. Oversee committees including, but not limited, to, Back-to-School Bash Committee and Fundraising Committee; and
- d. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, or the board of directors, or the executive committee.

Section 4. The secretary shall:

- a. Record the minutes of all meetings of the FAAM PTA, including, but not limited to, general membership, board of directors, and executive committee meetings;
- b. Be prepared to read the records of any previous meetings;
- c. File all records;
- d. Have a current copy of the bylaws;
- e. Maintain a membership list and submit membership list and dues to the Alabama PTA;
- f. Oversee assigned committees; and

- g. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.

Section 5. The treasurer shall:

- a. Have custody of the funds of the FAAM PTA;
- b. Maintain a full account of the funds of the FAAM PTA;
- c. Make disbursements as authorized by the president, the executive committee, or the FAAM PTA, or in accordance with the budget adopted by FAAM PTA;
- d. Have checks or vouchers signed by two (2) **authorized** people: the treasurer and one (1) other officer, except an officer related by blood or marriage or residing in the same household as the treasurer or any other check signer;
- e. Cause to be kept a full and accurate account of the receipts and disbursements in the books belonging to the FAAM PTA, specifically the PTA's Employee Identification Number (EIN), password, and acknowledgement;
- f. Provide a written financial statement to the board of directors at each meeting and the general membership at their meetings;
- g. Present an annual report of the financial condition of the organization;
- h. Submit the books annually for an audit by an auditing committee selected by the board of directors **at the end of the fiscal year, or when deemed necessary**;
- i. Report the findings of the annual audit to the board of directors and to the membership; and
- j. Prepare the return for the "Organization Exempt from Federal Income Tax," Form 990, 990N, 990EZ, and ensure its timely return to the IRS for the unit.
- k. Under current State Department of Education guidelines, no school employee may handle funds of a school-related organization; therefore, if a school employee is elected to serve as president, he or she **may** not be authorized as a signatory for checks; nor should a school employee be elected to serve as a treasurer or be placed in charge of a fundraising activity.
- l. File insurance.

Article VIII: Board of Directors

Section 1. The affairs of the FAAM PTA shall be managed by the board of directors in the intervals between the FAAM PTA general membership meetings.

Section 2. Each board member shall be a member of the FAAM PTA.

Section 3. The members of the board shall be:

- a. All elected officers,
- b. All committee chairs and coordinators,
- c. The principal or designated school representative, and
- d. The teacher representative.

Section 4. The president may appoint a parliamentarian, subject to the approval of the executive committee of the FAAM PTA.

Section 5. Duties of the board of directors shall be to:

- a. Carry out such business as may be referred to it by the membership of the association;
- b. Appoint standing committee chairs and members;
- c. Create special committees;
- d. Approve the plans of work of the committees;
- e. Create a report at the regular general membership meetings of the FAAM PTA;
- f. Select an auditor or an auditing committee to audit the treasurer's accounts;
- g. Prepare and submit an annual budget to the FAAM PTA's general membership for adoption; and
- h. Approve payment of routine bills within the limits of the approved budget.

Section 6. If any member of the board of directors shall at any time cease to meet the qualifications or fulfill the duties of the position, that person may be removed from the board of directors by resolution adopted by the board of directors.

Section 7. Regular meetings of the board shall be held with the date and time to be fixed by the board at its first meeting of the year.

Section 8. Special meetings of the board may be called by the president or when requested by two (2) members upon three (3) days' written notice to each member of the board.

Section 9. At all meetings of the board, three (3) officers shall constitute a quorum, present either through the physical presence of a specific number of members, or presence through remote communication technology, for the transaction of business. Members may meet in person or by participating in a conference call, video conference, or similar communications equipment, as long as all participants can hear or communicate with each other at the same time.

Section 10. Voting may take place in person, by phone or video conference, in writing, or by e-mail; proxy voting is not allowed.

Section 11. Upon the expiration of the term of office or when individuals cease to hold the position that entitles them to be a member of the board, they shall automatically cease to be a member of the board and shall be relieved of all duties and responsibilities incident to such membership. All records, books, and other materials pertaining to the position shall be turned over to the president, and all funds pertaining to the position shall be returned to the treasurer within fourteen (14) days.

Article IX: Executive Committee

Section 1. There shall be an executive committee of the FAAM PTA, the members of which shall be

- a. All elected officers and
- b. Principal or designated school representative.

Section 2. Special meetings of the executive committee may be called by the president or upon written request of **two (2)** members with three (3) days' notice to each member of the executive committee.

Section 3. A majority of the executive committee shall constitute a quorum, **present either through the physical presence of a specific number of members, or presence through remote communication technology,** for the transaction of business. Members may meet in person or by participating in a conference call, **video conference,** or similar communications equipment, as long as all participants can hear or communicate with each other at the same time.

Section 4. Voting may take place in person, by phone **or video conference,** in writing, or by e-mail; proxy voting is not allowed.

Section 5. Duties of the executive committee shall be to:

- a. Transact business referred to it by the board;
- b. Appoint standing and special committee chairs and members;
- c. Approve the work of the committees;
- d. Act in emergencies between meetings of the board; and
- e. Make a report at each board meeting.
- f. The executive committee shall take no action in conflict with any action taken by the board of directors.

Article X: Committees

- Section 1.** Only members of the FAAM PTA shall be eligible to serve in any elected or appointive positions.
- Section 2.** The standing committees of the FAAM PTA shall be: Awards Committee, Back-to-School Bash Fundraising Committee, Communications Committee, Hospitality Committee, Fundraising Committee, and Spirit Store Committee.
- Section 3.** The board of directors may create such special committees, as it may deem necessary to promote the purposes of the PTA and carry on the work of the FAAM PTA.
- Section 4.** The term of office of a committee chair shall be one (1) year or until the selection of a successor by the board of directors. No chair may be eligible to serve more than two (2) consecutive terms in the same position; however, the board of directors, at its discretion, may waive the term limits in extenuating circumstances.
- Section 5.** Upon approval by the executive committee, the chair of each committee shall coordinate its committee work with the executive committee.

Article XI: General Membership Meetings

- Section 1.** Regular general membership meetings of the FAAM PTA shall be held on the **last Tuesday of each month**, beginning in October, unless otherwise provided by the FAAM PTA, the board of directors, or the executive committee. Five (5) days' notice shall be given to the membership of any change of date.
- Section 2.** Special meetings of the FAAM PTA may be called by the president or by a majority of the board of directors, five (5) days' notice having been given.
- Section 3.** **The annual meeting of the FAAM PTA shall be held in conjunction with the first general membership meeting in October.**
- Section 4.** A majority of no less than ten (10) FAAM PTA members shall constitute a quorum for the transaction of business in any general membership meeting of the FAAM PTA.

Section 5. FAAM PTA members may meet in person or by participating in a conference call, video conference, or similar communications equipment, as long as all participants can hear and communicate with each other at the same time.

Section 6. Voting may take place in person, by phone or video conference, by an online voting platform, in writing, or by e-mail; proxy voting is not allowed.

Article XII: Montgomery County Council Membership

Section 1. The FAAM PTA shall be represented in meetings of the Montgomery County Council PTA by the president, or appointed alternate, and by **two (2)** delegate(s) or alternate(s).

- a. All representatives to the Montgomery County Council PTA must be members of the FAAM PTA.
- b. Delegates and their alternates shall be appointed by the board of directors.
- c. Delegates to the Montgomery County Council PTA shall serve for a term of one (1) year.

Section 2. The FAAM PTA shall pay annual dues of \$50.00 to the Montgomery County Council PTA, as provided in the Montgomery County Council PTA bylaws.

Article XIII: Alabama PTA Convention

Section 1. The FAAM PTA, if in good standing with the Alabama PTA, shall be represented at the annual meeting of the Alabama PTA by the president, or appointed alternate, and one (1) voting delegate for each fifty (50) members or major fraction thereof. All representatives to the Alabama PTA convention must be members of the FAAM PTA. Delegates and their alternates shall be appointed by the board of directors.

Article XIV: Fiscal Year

The fiscal year of the FAAM PTA shall be from July 1 to June 30.

Article XV: Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the FAAM PTA in all cases in which they are applicable and in which they are not in conflict with the National PTA Bylaws, the Alabama PTA Bylaws, and special rules of order or Articles of Incorporation.

Article XVI: Amendments

- Section 1.** These bylaws may be amended at any regular general membership meeting of the FAAM PTA by a two-thirds (2/3) vote of those present and voting, provided the amendments have been approved by the board of directors and notice of proposed amendments has been provided to the membership five (5) days prior to the meeting.
- Section 2.** The executive committee or the board of directors by a majority vote may authorize the Committee on Bylaws to submit a revised set of bylaws as a substitute for the existing bylaws.
- Section 3.** Submission of amendments or revised bylaws for approval by the Alabama PTA shall be in accordance with the bylaws or regulations of the Alabama PTA.

Submitted to FAAM PTA Executive Committee

By Lori DuBois

FAAM PTA Chair of Bylaws Committee

October 15, 2020

Approved by the FAAM PTA Executive Board:

October 15, 2020

Approved by the FAAM PTA:
