

## **BASICS OF REVIEWING AND AMENDING PTA BYLAWS**

California State PTA provides up-to-date, standardized bylaws, which are compliant with law and corporate code, to be customized and used by each unit, council, and district PTA. Every PTA is responsible for keeping its bylaws current and for complying with its bylaws.

California State PTA issues a new edition of the standard bylaws annually. When submitting bylaws for approval, use only the current edition, as indicated by the date on the front cover. California State PTA issues a new edition of the standard bylaws near the start of its fiscal year (generally July).

PTA districts and councils need to review and submit bylaws at least once every two years. PTA unit bylaws must be reviewed and submitted at least every five years, though they should be examined every year and may be amended more frequently.

### **BASIC BYLAWS UPDATE PROCESS**

1. A bylaw review committee (generally 3-5 people) is appointed by the president and chaired by the parliamentarian. The committee reviews the existing bylaws and standing rules and suggests amendments or recommends no changes. Amendments may include meeting date changes, the addition or reduction of officers, or ensuring the use of inclusive language. Even if no changes are recommended, the content should be transferred to the most recent version of the bylaws.
2. The executive board considers any changes recommended by the committee. If the board votes to approve, the updated bylaws and standing rules are sent through channels (unit to council, council to district).
3. If the California State PTA parliamentarian approves the updated bylaws, the new bylaws are signed and returned through channels to the PTA for adoption.
4. At a duly noticed meeting the association votes to adopt the new bylaws, requiring a 2/3 vote. The notice must be provided at least 30 days in advance, and a list of proposed amendments must be included.
5. Following adoption by the association the president *and* secretary sign and date the master set of bylaws, which is kept by the secretary. Copies should also be kept by the president and parliamentarian. Copies of the signature page (usually an electronic scan) shall be sent through channels.
6. Additional copies of the bylaws and standing rules are made for each member of the executive board, including the principal, and a copy of these bylaws shall be made available to any member of this association upon request.

### **STANDING RULES UPDATE PROCESS**

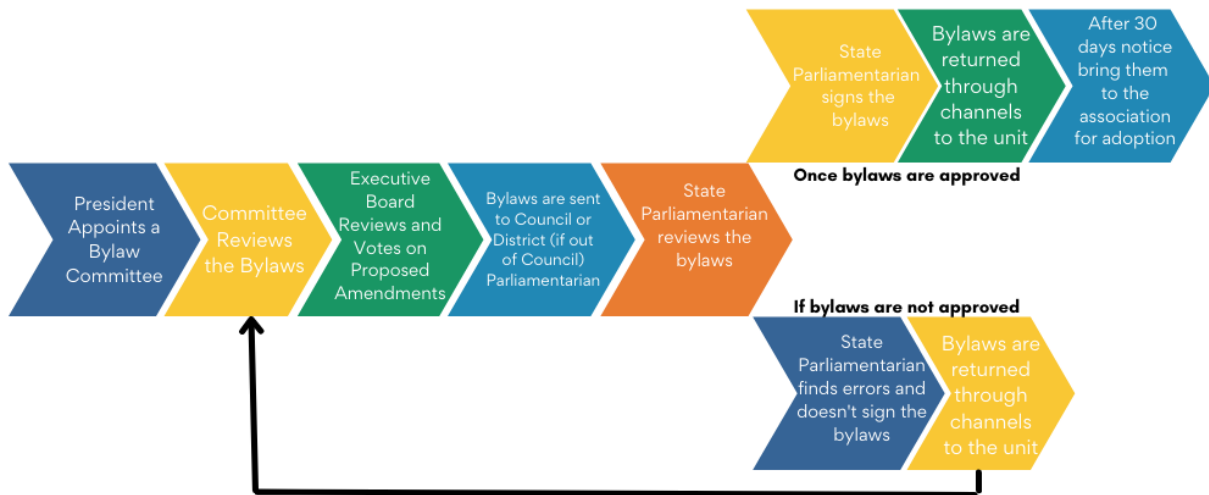
1. Standing Rules may be adopted by a majority vote of the members present at any Association meeting. Amendments to Standing Rules require a two-thirds (2/3) vote of the members present without prior written notice, and a majority vote of the members present with such notice. Standing Rules should be procedural rather than parliamentary and may not conflict with or supersede the bylaws.

2. After Standing Rules have been adopted by the Association, a copy (usually an electronic scan) shall be sent through channels, but does not require prior approval by the California State PTA parliamentarian.

#### METHODS FOR UPDATING BYLAWS

1. **eBylaws**, California State PTA's online system, is the preferred method of updating bylaws.
2. **Fillable PDF**.
3. **Paper Manual Fill-In Copy**.

## Procedure for Bylaw Review



## SUBMITTING UNIT BYLAWS FOR APPROVAL

Bylaws may be prepared for submission using one of three options:

### EBYLAWS - PREFERRED

1. The unit president, parliamentarian, or other officer designated by the president, will request a login and password from California State PTA to access the eBylaws utility (see: <https://capta.org/pta-leaders/services/ebylaws/>).
2. Once a login and password have been issued, the user may access the system and enter proposed changes.
3. When all desired changes have been entered, the user will save the bylaws changes as entered in the system.
4. Download the completed bylaws document from the eBylaws utility by clicking “bylaws.”
5. Review the PDF document as downloaded to ensure that the bylaws are accurate, and all proposed changes are reflected as approved by the executive board.
  - a. Downloaded bylaws with a “Draft” watermark are not acceptable for submission, and the errors must be corrected before the bylaws can be submitted for approval. The council or district should be contacted for assistance, if needed.
  - b. If additional changes are needed in the document, make changes in the PDF using a PDF editor or similar software. The council or district should be contacted for assistance, if needed.
  - c. Additional standing rules should be saved to a PDF document and combined with the original bylaws document.
6. Once changes have been verified and bylaws are complete, attach the saved document to an email to submit through channels for approval.
7. Send the downloaded bylaws through the appropriate channels to be signed by the California State PTA parliamentarian.
  - a. If in council, email the downloaded bylaws document to the council parliamentarian or other representative as designated by the council.
  - b. If out of council, email the downloaded bylaws document to the district parliamentarian or other representative as designated by the district.
8. Once approved, bylaws will be signed by the California State PTA parliamentarian and returned through channels.
9. If bylaws are not approved by the California State PTA parliamentarian, the bylaws will be returned through channels **unsigned**, and must be resubmitted once changes are made.

## **FILLABLE PDF DOCUMENT ISSUED BY CALIFORNIA STATE PTA**

1. The unit president, parliamentarian, or other officer designated by the president will request a copy of the current fillable bylaws document from California State PTA. **The current standard bylaws template must be used for all bylaws submissions**, and may be obtained from the council or district parliamentarian.
2. Upon receipt, the designated officer will enter proposed changes in the spaces provided.
3. When all desired changes have been entered as approved by the executive board, the user should review the document to ensure all fields are complete and appear as intended. Verify that all areas, words, or phrases requiring strike-through reflect appropriately and are consistent throughout the entire document.
4. Using the “print” function, the user will select “print to PDF” to create a static and complete PDF document. If additional changes are needed in the document, make changes in the PDF using a PDF editor or similar software. The council or district should be contacted for assistance, if needed.
5. Once changes have been verified and bylaws are complete, attach the saved document to an email to submit through channels for approval.
6. Send the downloaded bylaws through the appropriate channels to be signed by the California State PTA parliamentarian.
  - a. If in council, email the downloaded bylaws document to the council parliamentarian or other representative as designated by the council.
  - b. If out of council, email the downloaded bylaws document to the district parliamentarian or other representative as designated by the council.
7. Once approved, bylaws will be signed by the California State PTA parliamentarian and returned through channels.
8. If bylaws are not approved by the California State PTA parliamentarian, the bylaws will be returned through channels unsigned, and must be resubmitted once changes are made.

## **PAPER MANUAL FILL-IN COPY**

1. The unit president, parliamentarian, or other officer designated by the president will obtain the most recent copy of the bylaws from the council or district.
2. Upon receipt, the designated officer will manually make the proposed changes in the spaces provided. All blanks should be filled in legibly using blue or black ink or typed.
3. For items in italics, use a ruler and blue or black ink to line out the undesired optional provisions in bylaws. Do not use white out or a wide-tipped marker- a narrow line in ink is sufficient. Do not use pencil, black marker, or any other ink color. Do not use a slash or an X to strike. All blanks must be completed or lined out.
4. When using the Bilingual English/Spanish version of the bylaws, begin with one language and fill out the entire form, then complete the other language to ensure both sides match.
5. It is preferred that unit bylaws are scanned and emailed through channels to the State PTA Parliamentarian. The council or district should be contacted for assistance, if needed.

## INSTRUCTIONS FOR COMPLETING THE STANDARD BYLAWS

The current standard bylaws **must** be used when submitting bylaws for approval, and may be obtained from the council or district parliamentarian. The California State PTA prints the date on the front cover and at the bottom of each page. **Using outdated standard bylaws templates is cause for the bylaws to be returned unsigned.**

Bylaws and standing rules may be modified to meet the needs of the association. Use of the eBylaws system found on the California State PTA website is encouraged and preferred. Standard bylaws are available in printed form or fillable PDF. **Any version other than the standard version will not be accepted.** The bylaws are a legal document and additions and/or bylaws changes must be written legibly in blue or black ink or typed. Additional copies of the eBylaws or standard bylaws may be photocopied using the legally required double-sided format.

1. **Do not alter, change, or add to any articles or sections with stars except for completing blank lines.** Authority for the articles and sections marked with stars are from the California State PTA bylaws (\*\*\*) or are required by the Corporation Code of the State of California (\*\*) and shall be included in all unit bylaws.
2. Several sections refer to information in the *California State PTA Toolkit* and may not be altered. These are policies or procedures of the California State PTA.
3. Words in *italics* indicate optional provisions and should be lined out when not applicable.
4. To line out, neatly draw a single, straight, horizontal line through each word and/or sentence which does not apply. Do not use a slash, an X, or a strike. Do not use correction tape or fluid, and do not use marker.
5. Words in brackets [ ] are for information or directions only. They have been pre-lined out, e.g.:  
\_\_\_\_\_ ~~{month}~~, but the directions provided must be followed.
6. Use the association's full legal PTA or PTSA name on the cover: *Selena Sloan Butler PTA* not *Butler PTA*; or *Phoebe Apperson Hearst High School PTSA*, not *Hearst High PTSA*. The association name is located on the charter. Contact council or district for assistance, if needed.
7. Spell out all words; do not use abbreviations, e.g.: Sept – September; 2nd - second; VP - vice president. Use the long form for dates – February 7, 2022.
8. Write numbers as words with place figures in parentheses, e.g.: one (1); twenty (20), five dollars (\$5.00); twenty-five cents (\$0.25). Do not duplicate words already included in the printed text.
9. Consider using inclusive language such as “chair” instead of gender specific “chairman.”
10. The following articles and sections require special attention:
  - a. Article I – If out-of-council, line out “*of the*” and insert “out of” in blank.

- b. Article IV, Section 4 – Line out unused blanks. Consult with council/district parliamentarian regarding faculty, student and/or family memberships or membership/donations.
- c. Article V, Section 4c – With a nominating committee of three elected members, a majority would be 2 members. Two members would be charting the course for the PTA for the coming PTA term. Consider a larger group (5-7 members) for a more representative committee.
- d. Article V, Section 7 must agree with Article VII, Section 2. Set the election month early enough to allow the president-elect to attend the California State PTA Convention held in late April/early May (Article V, Section 9) and meet the council/district deadline for directory data (Standing Rules).
- e. Article VIII, Section 2 – Audits are required at the following times: year-end, mid-year, financial officer or checksigner change, term-end, fiscal year-end, if bank accounts change/close.
- f. Article VII, Section 5b – The voting power of the association is equal to all members as stated in Article VII, Section 6. The quorum must ensure general member participation beyond that of the executive board. The minimum quorum for an association meeting is the number of officers plus four (4), or eleven (11), whichever is greater. Officers are listed in Article V, Section 2. To ensure that there is participation by standing committee chairs in association meetings, the following calculation will determine the number to add to the quorum: if there is a combination of ten (10) or more standing committee chairs that number will be divided by two (2) and added to the association quorum.
- g. Article VIII, Section 1 – Standing committees are those committees that function all year, e.g. hospitality, membership, programs, ways and means, fundraising, etc. Standing committees are listed in Standing Rule #17.
- h. Article VIII, Section 7b – The minimum quorum for an executive board meeting is based on the number of executive board members, including the principal and teacher representative (majority = more than half) or five (5) whichever is greater.
- i. Article IX – Follow channels for assistance. If in council, consult with council parliamentarian to verify agreement with council bylaws.
- j. Article XII – Attach copy of articles of incorporation, if an incorporated association.
- k. Article XIII – Associations are required by law to have a federal Employer Identification Number (EIN), a state Franchise Tax Board (FTB) number, a Registry of Charitable Trust (CT) number, and are required to file annual forms with the appropriate agency. Insert the corporation number if the association is incorporated. Follows channels for assistance and contact your council or district PTA for assistance.
- l. Standing Rule #5– Use this section for an executive vice president, or a vice president if there is no executive vice president and only one vice president.

- m. Standing Rule #6– Set the first meeting of the fiscal year early enough in the school year to ensure that the PTA program and budget are approved by the association *prior to beginning PTA programs or spending PTA funds.*
- n. Standing Rule #10 – There must be 14 days between an executive board meeting and the general association meeting that addresses the business conducted by the executive board
- o. Standing Rule #12 – Guidelines for the expenditure of unbudgeted funds is as follows (*California State PTA Toolkit*, Finance section, Unbudgeted Expenditures):
  - i. Eight or more association meetings per year – up to \$500.00
  - ii. Five to seven association meetings per year – up to \$750.00
  - iii. iii. Four or fewer association meetings per year – up to \$1000.00
- p. Standing Rule #17 - Standing committees are those committees that meet all year long, e.g. membership, health and safety, and hospitality. The chair of a standing committee is a member of the executive board. In order to ensure that there is participation by standing committee chairs in executive board meetings, the following calculation will determine the number to add to the quorum. If there are ten (10) or more standing committees, that number will be divided by two (2) and added into the calculations for the executive board quorum.
- q. Standing rules must be attached and may not conflict with or supersede bylaws. Do not restate bylaws or *Toolkit* sections in the standing rules.