

Kula Ohana Association PTA Bylaws

Adopted January 10, 2006

ARTICLE I: NAME

The name of this association is the **Kula Ohana Association PTA**, Kilauea, Hawaii. The association's principal place of business shall be the city of Kilauea in the county of Kauai, in the state of Hawaii, and the mailing address shall be 4551 Kapuna Road Kilauea, Kauai, Hawaii 96754. It is a local PTA unit organized under the authority of the Hawaii Congress of Parents, Teachers, and Students (the HSPTSA), a branch of the National Congress of Parents and Teachers (the National PTA).

** ARTICLE II: PURPOSES

Section 1. The purposes of the **Kula Ohana Association PTA** in common with those of the National PTA and the Hawaii State PTSA are:

- a. To promote the welfare of children and youth in the home, school, community, and place of worship (in any).
- b. To raise the standards of home life.
- c. To secure adequate laws for the care and protection of children and youth.
- d. To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth.
- e. To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social and spiritual education.

Section 2. The purposes of the National PTA, the Hawaii State PTSA and the **Kula Ohana Association PTA** are promoted through an educational program directed toward parents, teachers, and the general public; are developed through conferences, committees, projects, and programs; and are

governed and qualified by the basic policies set forth in Article IV.

Section 3. The organization is organized exclusively for the charitable, scientific, literary, or education purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code of 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 **Kula Ohana Association PTA** in common with those of the National PTA and the Hawaii State PTSA:

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The organization shall work with the schools to provide quality education for all children and youth, and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities.
- c. The 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. 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 III hereof.
- e. 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.

f. 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 which have established their tax exempt status under Section, 501(c)(3) of the Internal Revenue Code.

g. 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: Constituent Organizations of the National and State PTAs**

Section 1. The constituent organizations of the National PTA include

- a. Branches of National PTA that have been established in the 50 states of the united States, the District of Columbia, the U.S. Virgin Islands, and among schools for American dependents in Europe and the Pacific, hereinafter called state PTAs.
- b. Local PTAs (Parent-Teacher Associations) or PTSAs (Parent-Teacher-Student Associations) organized under the authority of the state PTAs in organized areas; and
- c. Local PTAs/PTSAs organized under the direct authority of National PTA when there is no state PTA/PTSA.

Section 2. The National board of directors shall determine criteria for establishing constituent organizations and setting standard for continuing affiliation with National PTA.

Section 3. There shall be no proxy voting by any constituent organizations of the National PTA.

Section 4. The purposes and basic policies of National PTA shall

in every case also be the purposes and basic policies of each constituent organization.

Section 5. Each constituent organization shall adopt bylaws for the government of the organization. Such bylaws shall not be in conflict with National PTA or state PTA bylaws. Such bylaws shall include an article on amendments and shall include a provision establishing a quorum.

ARTICLE V: RELATIONSHIP WITH NATIONAL PTA AND HAWAII STATE PTSA

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

A local PTA in good standing is one which:

- a. Adheres to the Objects and basic policies on the PTA;
- b. Remits the national portion of the dues through the Hawaii State PTSA to reach the National office by dates designated by the National PTA;
- c. Has bylaws approved according to the procedures of the Hawaii State PTSA; and
- d. Meets other criteria as may be prescribed by the Hawaii State PTSA.
- e. Remits the state portion of the dues and a membership roster to reach the Hawaii State PTSA office by the dates designate by the State PTSA.
- f. Remits the insurance premium to the Hawaii State PTSA office postmarked no later than December 15th annually.

**** Section 2.** Each local PTA shall include in its bylaws provisions corresponding to the provision of such of the Bylaws of the National PTA as are identified herein by a double star.

**** Section 3.** The adoption of an amendment to any provision of the Bylaws of the National PTA, identified by a double star, shall serve automatically and without the requirement of further

acting by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the amending process, the local PTAs shall promptly incorporate such amendments in their respective bylaws.

Section 4. Each local PTA shall include in its bylaws provisions corresponding to the provisions of such of these bylaws as are identified by the state symbol #.

Section 5. The adoption of an amendment to any provision of the Bylaws of the Hawaii State PTSA, identified by the state symbol #, shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the amending process, the local PTAs shall promptly incorporate such amendments in their respective bylaws.

**** Section 6.** The charter of this PTA shall be subject to withdrawal and the status of such organization as a PTA unit shall be subject to termination, in the manner and under the circumstances provided in the bylaws of the Hawaii State PTSA.

**** Section 7.** This local PTA is obligated, upon withdrawal of its charter by the Hawaii State PTSA:

a. To yield up and surrender any property belonging to the Hawaii State PTSA or to such agency as may be designate by the Hawaii State PTSA or to another local PTA organized under the authority of the Hawaii State PTSA;

b. To cease and desist from the further use of any name that implies or connotes association with the National PTA of the Hawaii State PTSA or status as a constituent organization of the National PTA; and

c. To carry out promptly, under the supervision and direction of the Hawaii State PTSA, all proceedings necessary or desirable for the purpose of dissolving this PTA.

**** Section 8.** This PTA shall collect dues from its members and shall remit a portion of such dues to the Hawaii State PTSA as provided in Article VI hereof.

**** Section 9.** This 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 amount of dues remitted to the Hawaii State PTSA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the Hawaii State PTSA or, where directed by the committee on state and national relationships, by a duly authorized representative of the National PTA.

Section 10. All units for which dues and insurance premiums have not been paid by March 1st shall be notified in writing by the Hawaii State PTSA treasurer that all services of the State and National PTAs will be terminated on March 31. Service shall be reinstated after payment of delinquent dues and insurance premiums.

Section 11. Membership cards will not be issued to a local unit that did not send dues and rosters and/or insurance payments for the premiums fiscal year(s). Cards will be issued after payment of delinquent dues and/or insurance premiums and receipt of rosters.

Section 12. The charter of all units who remain delinquent for one (1) year beyond the March 31st termination of services will be revoked at the next Board of Directors meeting held after the second March 31st deadline.

Section 13. This [PTA/PTSA] may dissolve and wind up its affairs in the following manner:

a. The Executive Committee (or other body that, under the bylaws, manages the affairs of this PTA) shall adopt a resolution recommending that this PTA be dissolved and directing the question of such dissolution be submitted to a vote at a special meeting of the member having voting rights. Written or printed notice stating that the purpose of such meeting is to consider the advisability of dissolving this PAT shall be given to each member entitled to vote at such meeting at least thirty (30) days prior to the date of such meeting.

b. Written notice of the adoption of such resolution, accompanied by a copy of the notice of the special meeting of members, shall be given to the president of the Hawaii State PTSA at least twenty (20) days before the date fixed for such special meeting of the members.

c. Only those persons who were in good standing of the PTA 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 of the local PTA shall require the affirmative vote of at least two-thirds (2/3) of the members present and entitled to vote at the special meeting, a quorum being present.

e. Notification of the result of the vote to dissolve must be provided in writing to the Hawaii State PTSA president within five (5) days of the vote, at which time all proceedings as outlined in the bylaws, Article V, section 7 shall be carried out.

ARTICLE VI: MEMBERSHIP AND DUES

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

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

Section 3. Membership in this PTA is open to all who would engage in activities that promote and foster community spirit and mutual understanding within the school and among its various constituents, especially the children.

*** Section 4.** This PTA shall conduct an annual enrollment of members, but may admit persons to membership at any time.

**** Section 5.** Only members of a local PTA who have paid dues for the current membership year may participate in the business of that association.

**** Section 6.** Each member of a local PTA shall pay annual dues as may be determined by the organization. The amount of the dues shall include the portion payable to the state PTA as determined by the Hawaii State PTSA and approved by a two-thirds (2/3) majority of the voting body at the Hawaii State PTSA Annual Convention, and the portion payable to National PTA as recommended by the board of directors and approved by a two-

thirds (2/3) majority of the voting body at the National PTA Annual Convention.

Section 7. The Hawaii State PTSA portion of each member's dues shall be one dollar (\$1.00) per annum.

Section 8. Each member of this PTA shall pay annual dues of \$5.00 to the organization. The amount of such annual dues shall include the portion payable to the State PTA and the portion payable to the National PTA.

** **Section 9.** The State and National PTA portions of the dues paid by each member of this PTA shall be set aside by this PTA and remitted to the Hawaii State PTSA through such channels and at such times as the State bylaws may provide. Each state PTA shall pay to the National PTA the amount of the national portion of dues paid by all members of local PTAs in its area.

Section 10. The Hawaii State PTSA membership year shall be October 1 to September 30 annually.

ARTICLE VII: OFFICERS AND THEIR ELECTION

** **Section 1.** Each officer or board member of a constituent organization shall be a member of a local PTA within its area.

** **Section 2.** Each officer or board member shall be a member of this PTA.

Section 3.

a. The officers of this organization shall consist of a president, two vice presidents, a recording secretary, a corresponding secretary, a treasurer, and an assistant treasurer.

b. Officers shall be elected by ballot at the General Membership meeting to be held in the month of May. However, if there is but one nominee for any office, election for that office may be by voice vote.

c. Notification of said election and nominees for office to have been given to the general membership at least thirty days prior to the election.

d. Officers shall assume their official duties on July 1 and shall serve one year or until their successors are elected.

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

Section 4. Nominating Committee

** a. Members of the nominating committee for officers of a constituent organization shall be elected by membership, Board of Directors/managers, Executive Board or Executive Committee.

b. There shall be a nominating committee composed of three (3) members and two alternates who shall be elected by the Executive Board at a regular meeting at least one month prior to the election of officers. The committee shall elect its chairman.

c. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular meeting in May, at which time additional nominations may be made from the floor.

d. Only those people who have signified their consent to serve if elected shall be nominated for or elected to such office.

Section 5. Vacancies:

A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the executive board, notice of such election having been given. In case a vacancy occurs in the office of president, the first vice-president shall service notice of the election.

ARTICLE VIII: DUTIES OF OFFICERS

Section 1. The president shall:

a. Preside at all meetings of the Executive Committee and at General Meetings;

b. Perform such other duties as may be prescribed in these bylaws or assigned by the association;

c. Be a member ex officio of all committees except the nominating committee;

d. Coordinate the work of the officers and committees of the association in order that the objects may be promoted;

e. Attend Region meetings or appoint a Board Representative to such;

f. Assist the principals in school development as called upon.

Section 2. The Vice-President(s) shall:

a. Act as aides to the president;

b. (in their designated order) perform the duties of the president in the absence or inability of that officer to serve;

c. Be individually designated as elementary and secondary vice-presidents;

d. The secondary vice president shall be designated as first to perform the duties of the president at need. The elementary vice president shall be designated as second to perform the duties of the president at need;

e. The secondary vice president shall preside over the meetings of the secondary school committees and members;

f. The elementary vice president shall preside over meetings of the elementary school committees and members.

Section 3. The Recording Secretary shall:

a. Record the minutes of all meetings of the association, both general and executive board;

b. Have a current copy of the bylaws;

c. Maintain a current membership list;

d. Record minutes of the meeting of the secondary school committees and members;

e. Perform other delegated duties as assigned.

Section 4. The Corresponding Secretary shall:

- a. Be responsible for all official correspondence of the association;
- b. Keep a copy of all official correspondences of the association on file for members to review upon request;
- c. Record minutes of the meetings of the elementary school committees and members;
- d. Perform other delegated duties as assigned.

Section 5. The Treasurer shall:

- a. Have custody of all the funds of the association;
- b. Keep a full and accurate account of receipts and expenditures;
- c. Make disbursements as authorized by the president, executive board, or association in accordance with the budget adopted by the association;
- d. Have checks or vouchers signed by two persons, the treasurer and one other officer;
- e. Present a financial statement at every general and executive board meeting of the association and at other times when requested by the executive board;
- f. Make a full report at the meeting at which new officers officially assume their duties (usually the annual meeting);
- g. Be responsible for the maintenance of such books of account and records as conform to the requirements of Article V, Section 12, of these bylaws;
- h. Have the accounts examined annually or upon change of treasurer by an auditor or an auditing committee of not fewer than three (3) members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.
- i. Submit the books annually for an audit by an auditing committee selected by the executive board at least two weeks before the meeting at which new officers assume

duties.

j. Keep a roster of membership and chair the membership committee.

Section 6. The assistant Treasurer shall;

a. Keep accounting and records for the elementary committees of the PTSA.

b. Assist the Treasurer as necessary.

Section 7. All officers shall perform the duties outlined in these bylaws and those assigned from time to time. Upon the expiration of the term of office or in case of resignation, each officer shall turn over to the president, without delay, all records, books, and other materials pertaining to the office, and shall return to the treasurer, without delay, all funds pertaining to the office.

ARTICLE IX: EXECUTIVE BOARD

Section 1.

a. The executive board shall consist of the officers of the association, the standing committee chairs, and the principal of the school or a representative appointed by the principal. The chairs of the standing committees shall be selected by the officers of the association.

b. The president may appoint a parliamentarian, subject to the approval of the officers of the association.

c. The principal/principal representative shall serve as an advisor only and, as such, shall be a nonvoting member of the board.

**** Section 2.** A PTA member shall not serve as a voting member of a constituent organizations board at the local, council, district, region, state or national level while serving as a paid employee of or under contract to that constituent organization.

Section 3. The duties of the executive board shall be:

a. To transact necessary business in the intervals between association meetings and such other business as may be referred to it by the association;

- b. To create special committees;
- c. To approve the plans of work of all committees;
- d. To present a report at the regular meetings of the association;
- e. To select an auditor or an auditing committee to audit the treasurers accounts;
- f. To prepare and submit to the association for adoption a budget for the year;
- g. To approve routine bills within the limits of the budget.

Section 4. Regular meetings of the executive board shall be held monthly during the school year, the time to be fixed by the board at its first meeting of the year. A majority of the executive board members shall constitute a quorum. Special meetings of the executive board may be called by the president or by a majority of the members of the board, a minimum of twenty-four hours notice being given.

ARTICLE X: MEETINGS

Section 1. Regular meetings of the association shall be held quarterly during the school year, unless otherwise provided by the association or by the executive board, seven (7) days notice having been given of change of date.

Section 2. Special meetings of the association may be called by the president or by a majority of the executive board, seven (7) days notice having been given.

Section 3. The annual meeting shall be held in either September or October.

Section 4. Ten (10) members shall constitute a quorum for the transaction of business in any general meeting of this association.

ARTICLE XI: COMMITTEES

Section 1. Only members of the association shall be eligible to serve in any elective or appointive positions.

Section 2. The term of each chair shall be one year or until the selection of a successor.

Section 3. The standing committees of this unit shall be designated by the Executive Board at its first meeting of each year.

Section 4. The chair of each committee shall present a plan of work to the executive board for approval. No committee work shall be undertaken without the consent of the executive board.

Section 5. The executive board may create such special committees as it may deem necessary to promote the Objects and carry on the work of the association.

Section 6. The president shall be a member ex officio of all committees except the nominating committee.

ARTICLE XII: STATE CONVENTION & REGION DIRECTOR ELECTION

Section 1. Each local unit shall be entitled to be represented at the annual convention of the Hawaii State PTSA by its president and three (3) other officers, or their alternates, and one (1) additional delegate for every fifty (50) members in good standing per rosters and dues submitted to the Hawaii State PTSA office and postmarked at least forty-five (45) days prior to the first day of convention. Local units formed within the forty-five (45) day period shall be entitled to full representation at convention based upon the number of members in good standing as shown on the books of the treasurer of the Hawaii State PTSA twenty-four (24) hours before the start of convention.

Section 2. The annual convention of the Hawaii State PTSA shall be open to members of the Hawaii State PTSA and guests, but the privileges of making motions, debating and voting shall be limited to members of the Board of Directors and to the delegates from each local unit and region. No member shall have more than one (1) vote.

Section 3. The region director shall be elected by the local units from within the boundaries of the geographically designated regions. Each local unit shall have votes as follows: the local unit president plus one vote per fifty (50) members as recorded on the records of the Hawaii State PTSA treasurer as of March 31st of the election year. All votes shall be cast at a region meeting scheduled for the purpose of electing a region director. Representative from 25% of the local units in good

standing within the regions will constitute a quorum for this meeting. The vote shall be conducted by ballot. When there is but one (1) candidate for an office, the ballot for that office maybe dispensed with and election held by voice vote.

ARTICLE XIII: FISCAL YEAR

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

ARTICLE XIV: 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, the bylaws of the Hawaii State PTSA, and the bylaws of the National PTA, or the articles of incorporation.

ARTICLE XV: AMENDMENTS

Section 1.

- a. These bylaws may be amended at any regular meeting of the association by a two-thirds vote of the members present and voting, provided that written notice of the amendment has been given to the membership at least thirty (30) days prior and that the proposed amendment shall be subject to approval of the Hawaii State PTSA.
- b. A Committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws by a majority vote at a meeting of the association, or by a two-thirds vote of the executive board. The requirements for adoption of a revised set of bylaws shall be the same as in the case of an amendment.
- c. Submission of amendments or revised bylaws for approval by the Hawaii State PTSA shall be in accordance with the bylaws or regulations of the Hawaii State PTSA.

**** Section 2.** The adoption of an amendment to any provision of the Bylaws of the National PTA identified by a double star shall serve automatically and without the requirements of further action by the local PTA to amend correspondingly the bylaws of each local PTA. Notwithstanding the automatic character of the

amending process, the local PTAs shall promptly incorporate such amendments in their respective bylaws.

Section 3. The adoption of an amendment to any provision of the bylaws of the Hawaii State PTSA identified by a number (3) symbol shall serve automatically and without the requirement of further action by the local PTA to amend correspondingly the bylaws of each local PTA.

These amended bylaws were passed by a unanimous vote at the General Membership meeting held January 10, 2006.