

BYLAWS

Of

Parent Teacher Association of PS79, Inc.

Janine Moll
CO-PRESIDENT'S NAME

CO-PRESIDENT'S SIGNATURE

3-5-13
DATE

Karen Curzio
CO-PRESIDENT'S NAME

CO-PRESIDENT'S SIGNATURE

3-5-13
DATE

Jordana Velez
RECORDING SECRETARY'S NAME

RECORDING SECRETARY'S SIGNATURE

3-5-13
DATE

APPROVED BY THE MEMBERSHIP ON

February 26, 2013

Article I - Name

The name of the association shall be the **Parent Teacher Association of PS79, Inc.**

Article II – Objectives

The objectives of the Association are to provide support and resources to the school for the benefit and educational growth of the children; to develop a cooperative working relationship between the parents and staff of our school; to develop parent leadership and build capacity for greater involvement; to foster and encourage parent participation on all levels; and to provide opportunities and training for parents to participate in school governance and decision-making.

Article III – Membership

Section 1 Eligibility

Parents of students currently attending PS79 are automatically members of the Parent Teacher Association of PS79. Parents include parents by birth or adoption, step-parents, legally appointed guardians, foster parents, and persons in parental relation to a child currently attending PS79. Parents of a child who is attending PS79 full time while on the register of a citywide program are automatically members of the Parent Teacher Association of PS79. At the beginning of each school year, the association shall send a welcome letter to inform parents of their automatic membership status and voting rights.

Membership shall be open to all teachers, including and not limited to paraprofessionals, school aides, school secretaries, custodians and food service workers currently employed at the school.

Section 2 Donations

Donations are not a requirement for membership, voting or candidacy. Each member shall be requested to make a voluntary donation of \$20.00.

Section 3 Voting Privileges

Each parent of a child currently enrolled at PS79 shall be entitled to one vote only, even if the parent may have more than one child attending PS79. Proxy voting or absentee balloting is prohibited. Each teacher, paraprofessionals, school aides, school secretaries, custodians and food service workers currently employed at the school shall be entitled to one vote. The right of a member to vote may be limited by the Conflicts of Interest restrictions outlined in Chancellor's Regulation A-660 (CR A-660).

Article IV - Officers

Section 1 Titles

The officers of the association shall be: president or co-presidents (two willing members may serve provided that they have been nominated as a team and have been elected as a team), recording secretary, treasurer, 1st vice president, 2nd vice president, 3rd vice president and corresponding secretary. The association must elect the mandatory officers: president, recording secretary, and treasurer, in order to be a functioning PTA. There shall be no qualifications for any office other than to be a parent of a child attending PS79.

Section 2 Term of Office and Term Limits

The term of office shall be from July 1st through June 30th. All parent members are eligible to run for any office. Term limits for each officer position for the association shall be two consecutive one year terms. The candidate who has served the maximum number of terms may be elected to serve an additional term provided no other interested candidate is nominated and is willing to serve.

Section 3 Duties of Officers

President (Co-Presidents): The president shall preside at all meetings of the association and shall be an ex-officio member of all committees except the nominating committee. The president shall appoint chairpersons of PTA committees with the approval of the executive board. The president (co-presidents) shall delegate responsibilities to other PTA members and shall encourage meaningful participation in all parent and school activities. The president shall attend all regular meetings of the presidents' council and shall be a mandatory member of the school leadership team. The president shall meet regularly with the executive board members in accordance with these bylaws to plan and prepare the monthly agendas for the executive and general membership meetings. The president shall be one or the co-presidents shall both be eligible signatories on checks. The president shall attend Division of Family and Community Engagement (FACE) professional development seminars relating to association leadership. The president shall assist with the June transfer of PTA records to the incoming executive board. In the event that the association elects co-presidents, the remaining executive board members in consultation with the association will determine which co-president will serve as the core member on the school leadership team and which co-president will serve as the school's representative to the region/district presidents' council. The president (co-presidents) shall prepare a newsletter to all members which contain, at minimum, messages from the principal, PTA president/co-presidents, list of executive board members, all PTA meeting dates, student and parent events and any other material deemed appropriate. The president (co-presidents) is requested to be present for two picture day events and all PTA fundraisers. The president (co-presidents) is requested to attend two CEC meetings per school year.

Recording Secretary: The recording secretary shall maintain the official record (minutes) of the proceedings and actions of all association meetings. The recording secretary's responsibilities shall include the preparation of meeting notice, sign-in sheets and materials for distribution. The recording secretary shall prepare a draft of the previous month's minutes and shall distribute copies of the minutes at the next scheduled meeting for review and approval by the general membership. The recording secretary shall maintain custody of the association's records on school premises. The recording secretary shall incorporate all amendments into the bylaws and shall ensure that signed copies of the bylaws with the latest amendments are on file in the principal's office. The recording secretary shall assist with the June transfer of all PTA records to the incoming executive board. The recording secretary is requested to be present for two picture day events and all PTA fundraisers. The recording secretary is requested to attend two CEC meetings per school year.

Treasurer: The treasurer shall be responsible for all financial affairs and funds of the association. The treasurer shall also be responsible for maintaining an updated record of all income and expenditures on school premises and shall be one of the signatories on checks. The treasurer shall adhere to and implement all financial procedures established by the association. The treasurer shall be prepared to present and provide copies of financial reports at all association meetings. The treasurer shall also prepare and provide copies of the interim and annual financial reports. The treasurer shall make available all books or financial records for viewing by members upon request and for audit. A written treasurer's report must be given at every executive board and general membership meeting. This report must include a statement of all transactions, including income, refunds, reimbursements and other expenditures, and opening and closing balances for the reporting period. Copies of the PTA treasurer's reports must be given to the principal and posted on the parent bulletin board. The treasurer shall attend FACE professional development seminars relating to financial affairs. The treasurer shall assist with the June transfer of all PTA records to the incoming executive board. The treasurer is requested to be present for two picture day events and all PTA fundraisers. The treasurer is requested to attend two CEC meetings per school year.

1st Vice President: The 1st vice-president shall assist the president or co-presidents and shall assume the president's or co-presidents' duties in his/her or their absence or at the president's or co-presidents' request. The 1st vice-president is requested to be present for two picture day events and all PTA fundraisers. The 1st vice-president is requested to attend two CEC meetings per school year.

2nd Vice President: The 2nd vice-president shall assist the president (co-presidents) and the 1st vice-president. The 2nd Vice president shall assume the president's (co-presidents) or 1st vice-president duties in his/her or their absence or request. The 2nd vice-president is requested to be present for two picture day events and all PTA fundraisers. The 2nd vice-president is requested to attend two CEC meetings per school year.

3rd Vice President: The 3rd vice-president shall assist the president (co-presidents) the 1st vice-president or 2nd vice-president. The 3rd Vice president shall assume the president's (co-presidents), 1st vice-president or 2nd vice president duties in his/her or their absence or request. The 3rd vice-president is requested to be present for two picture day events and all PTA fundraisers. The 3rd vice-president is requested to attend two CEC meetings per school year.

Corresponding Secretary: The corresponding secretary shall be responsible for reviewing correspondence addressed to the PTA of PS79 with board approval. He/she shall make a copy of the bylaws and make available at all meetings upon request from any member. The secretary shall be responsible for reviewing, maintaining and responding to all correspondence addressed to the association. The corresponding secretary is requested to be present for two picture day events and all PTA fundraisers. The corresponding secretary is requested to attend two CEC meetings per school year.

Section 4.1. Election of Officers:

Officers shall be elected between the third Wednesday in May and the third Friday in June for a one-year term beginning July 1. Any timeline established by the PTA to complete the nominations and election process must adhere to this timeframe. The principal must be notified in writing of the date of the election by May 1. Annual PA/PTA elections must be conducted by the last day of the school year.

- a. The PTA may request guidance in conducting an election from the appropriate Presidents' Council or the school's parent coordinator

- b. The PTA is responsible for determining the most inclusive and appropriate means of conducting elections in a fair and unbiased manner

4.2. Nominating Committee:

A nominating committee must be established during the February's general membership meeting. The nominating committee shall consist of three to five members. The majority of the committee members must come from the general membership. The remaining members of the nominating committee shall be selected by the president, subject to the approval of the executive board. The nominating committee shall choose one of its members to serve as chairperson. No person employed at PS79 shall be eligible to serve on the nominating committee.

No person who is running for office may serve as a member of the nominating committee. The nominating committee shall solicit candidates from the membership in writing, in English and other languages as appropriate, for recommendations of candidates for all offices. The nominating committee will also be responsible for conducting the election meeting. This includes the following:

1. canvassing the membership for eligible candidates;
2. preparing and distributing all notices of any meeting pertaining to the nomination and election process, in accordance with CR A-660. Notices should be translated into languages spoken by parents in the school whenever possible;
3. preparing ballots, attendance sheets, a ballot box, tally sheets and all other materials pertaining to the election;
4. verifying the eligibility of all interested candidates prior to the election;
5. ensuring that an opportunity is provided to all members allowing for nominations, including self-nomination, to be taken from the floor and then officially closed during the May or June meeting;
6. scheduling the election at a time that ensures maximum participation;
7. ensuring that only eligible members receive a ballot for voting;
8. ensuring that the PTA Election Certification form is signed by the principal or his/her designee to certify that the nomination and election process was conducted in accordance with this regulation and the bylaws by signing **before** the election meeting is adjourned
9. the personal telephone numbers and email addresses of the mandatory PTA officers will be shared with the appropriate Presidents' Councils, unless those officers decline to have their information released by so indicating on the certification form;
10. the original, signed Election Certification form must be retained by the PTA executive board, and a copy must be filed in the principal's office.
11. the principal or his/her designee must update the School-Parent Leader Contact Information System within 5 calendar days of the election Certification of Elections. The certification form is available at <http://schools.nyc.gov/Offices/FACE/filesandresources.htm>. The parent coordinator cannot be the principal's designee.

The appropriate Presidents' Council and/or FACE must conduct an expedited election if a nominating committee cannot be formed.

4.3. Notices:

The meeting notice and agenda for the spring general membership election meeting shall be distributed in accordance with CR A-660's notice requirements. All meeting notices and agendas shall be available in English and translated into languages spoken by parents in the school whenever possible. The distribution date shall appear on all notices. The election meeting notice shall list all candidates in alphabetical order by surname under the office for which they are nominated.

4.4. Contested Elections and Use of Ballots:

- Written ballot shall be used in all contested elections.
- Names of candidates shall appear on the ballot in alphabetical order by surname under the title of the office(s) for which they were nominated. Names of candidates for the positions of co-presidents must be listed as a team.
- Ballots shall be printed with voting instructions in English and other languages spoken by parents in the school whenever possible.
- Ballots shall be distributed once voter eligibility has been established.
- Ballots shall be counted immediately following the election and in the presence of the members.
- Ballots shall be retained for six months by the chairperson of the nominating committee or if there is no nominating committee, by an officer. If the chairperson will no longer be an eligible member after June 30, the ballots shall be turned over to the incoming recording secretary.

4.5. Uncontested Elections:

If there is only one candidate for an office, a member must make a motion for the recording secretary to cast one vote to elect the candidate for office. A vote of the membership is required for approval of the motion. The result of the motion must be recorded in the minutes.

4.6. Officer Vacancies:

All officer vacancies must be filled by succession of the next highest ranking officer. For example, a vacancy in the position of president will be filled by the vice-president or next highest ranking officer. In the event that an office cannot be filled through succession, an expedited election must be held to fill the vacancy. Officers who wish to resign their positions once an election has been certified must submit their written resignation to the recording secretary and immediately turn over all association records. The ranking of officers for succession purposes shall be: president (co-presidents), 1st vice-president, 2nd vice-president, 3rd vice-president, corresponding secretary, treasurer and recording secretary. The PTA executive board must notify the membership in writing of any vacancy within 5 calendar days, and specify whether the vacancy will be filled by succession or expedited election.

4.7. Expedited Election Process:

Expedited elections shall be held to fill vacancies in the event they cannot be filled through succession. The executive board shall be responsible for announcing vacancies and distributing written notice of the expedited election. If the election is contested, written ballots must be used in accordance with Section 4.4 of these bylaws. The PTA executive board may request guidance from the appropriate Presidents' Council or the school's parent coordinator when filling a vacancy.

An expedited election should be held as expeditiously as possible pursuant that the PTA election meeting may be chaired by a parent member who is not seeking office.

Officer vacancies which arise before the start of the school year and which are not the result of resignations (e.g., vacancies resulting from a failure to elect any person to the office from the outset) must be filled by October 15. Officer vacancies which arise after the start of the school year (e.g., vacancies resulting from resignations) should be filled as soon as possible after the vacancy occurs, taking into account the unique circumstances and logistics of the situation. Upon request, FACE will provide guidance regarding what may constitute timely scheduling of an expedited election in a particular situation.

- a. Written Expedited Election Notice – The PTA is responsible for ensuring that written notification of the expedited election meeting is provided to all members. Notice must be sent at least 10 calendar days prior to the expedited election meeting. Listing all available officer positions, term limits and that all nominations must be taken from the floor.
- b. Uncontested Offices - a member must make a motion to cast one vote to elect an uncontested candidate to office. A vote of the membership is required for approval of the motion. The result of the motion must be recorded in the minutes.
- c. Contested Offices – When there is more than one nominated candidate for any office:
Determine Voter Eligibility – All members of the PTA at the time of the election are eligible to vote. Individuals who will begin their membership the following school year may not vote (i.e., parents of incoming students). The principal or her/his designee must verify each individual's eligibility to vote by confirming that the individual qualifies as a member of the PTA. This verification must occur prior to the distribution of ballots.
Use of Ballots – Voting by proxy or absentee ballots is not permitted. A ballot template is available in the languages covered by Chancellor's Regulation A-663 at <http://schools.nyc.gov/Offices/FACE/filesandresources.htm>. If a ballot template is needed in a language that is not readily available, the school should contact the DOE's Translation and Interpretation Unit. Ballots must remain in the meeting room until the election meeting has been adjourned. Ballots must be counted immediately following the conclusion of voting and in the presence of any members and observers. In the event that candidates receive an equal number of votes, and no other candidate has a higher number of votes, a run-off election must be conducted. Only the candidates tied for the highest number of votes may participate in the run-off election. Retention of Ballots – Ballots must not be removed from the school. The PTA must retain ballots on school premises for one year following the date of the election or until the determination of any grievance filed concerning the election, whichever is later.

4.8. Officers' Contact Information

The PTA executive board must make a list of elected PTA officers available to the membership. The list must include names and either a phone number or email address where parents may contact officers. The list may not include officers' home addresses. A means of contacting the PTA executive board (e.g., the DOE-issued PTA email address or the PTA's telephone extension at the school) must also be provided. The list must be available in the principal's office and at every PTA meeting. The list will be posted in the school at the beginning of the school year and made available to any PTA member upon request.

Section 5.1. Establishing PTA Bylaws

The PTA must adopt a set of bylaws by a vote of the parent members. Bylaws should be amended as needed.

In the event that the PTA's bylaws contain any provision that conflicts with this regulation, the provisions of this regulation shall be deemed controlling. All remaining provisions of the PTA bylaws that are not in conflict with this regulation shall remain in full force and effect. Any PTA member may present a motion at a general membership meeting to amend a provision of the bylaws that is not in compliance with this regulation. Amendments that bring the bylaws into compliance must be voted on immediately after the motion is presented and require approval by two-thirds of the members present.

These bylaws may be amended at any regular meeting of the association by a two-thirds vote of the members present, provided the amendment has been presented in writing to the membership at the previous meeting, and appears in the notice of the meeting at which it is to be amended.

The PTA must review their bylaws every three years and upon revision of this regulation. Robert's Rules of Order-Newly Revised may serve as a reference to assist with interpreting PTA bylaws. The PTA must give the principal a copy of its bylaws and related amendments. The principal will ensure that the bylaws and amendments are available in her/his office. The PTA must make a copy of its bylaws and related amendments available at every meeting and to members upon reasonable request. Wherever possible, bylaws should be made available in the languages parents speak other than English. A bylaws template is available in the languages covered by CR A-663 at <http://schools.nyc.gov/Offices/FACE/filesandresources.htm> . If a bylaws template is needed in a language that is not readily available, the principal must contact the Translation and Interpretation Unit.

Section 5.2. Accessing Information and Consulting with School Officials

Whenever possible, principals should consult parents at each stage of planning initiatives for the school. Regular communication between school officials and the PTA is essential for the PTA to achieve their goals. The PTA must receive information in a manner that allows them to be heard on matters that affect their schools except in emergency situations for which immediate action is required.

- a) Information - The PTA have the right to receive full and factual information relating to student achievement and the school operation from the principal. No later than December 15th of each year, the principal must provide the PTA executive board with an abridged summary of the school safety plan, discipline code, and attendance plan. No later than October 15th of each year, the principal must provide the PTA executive board with a written report of all school fundraising activities, including income and expenditures, for each month of the previous year, as well as all anticipated fundraising income for each month of the current school year. The PTA may request the principal to present information relating to the school-based budget, including the Comprehensive Educational Plan (CEP) and the public view of the budget from the DOE's Galaxy budgeting system available on the school's portal. The PTA president is responsible for the ongoing dissemination of information discussed at School Leadership Team (SLT) meetings to the PTA members. Upon request, the principal will provide the PTA executive board with full and factual information pertaining to student testing schedules and student achievement data, as well as copies of the Chancellor's Regulations. PTA denied any of the above information may submit their complaints to FACE.
- b) Consultation –
 - 1) PTA Consultation with the Principal - Principals must meet at least quarterly with their PTA executive board. The PTA are encouraged to satisfy this requirement by inviting their principals to attend all or part of their regular executive board meetings. Topics for quarterly meetings may include setting school and the PTA goals, planning fundraising activities, and reviewing Interim and Annual Financial Reports.
 - 2) PTA Consultation with the Superintendent and CEC - Each superintendent and CEC is required to meet at least quarterly with the officers of the PTA within their jurisdiction.

Section 5.3. Posting and Distributing PA/PTA Literature

The PTA may request assistance from principals to facilitate a mailing to parents. Under the Family Educational Rights and Privacy Act (FERPA), the school may not give the PTA the names, addresses, or any other contact information of students or parents without the parents' written consent. All parent contact information must only be used for legitimate PTA purposes and not for personal communication. The PTA has the right to post printed material in the school at places designated by the principal. Materials for posting or distribution may include printed literature such as special editions, bulletins, flyers, notices, posters and buttons. The PTA has the right to post meeting notices on the school's website. The PTA may also submit a request to principals to post additional information on the school's website, such as the organization's bylaws, flyers and bulletins. The PTA is expected to exercise reasonable judgment when it comes to the appropriateness of material posted in schools, displayed on the schools' websites, or placed in students' hands. All materials to be posted and distributed must be shown to the principal and the principal must render a decision no more than 24 hours after receiving the material to be posted or distributed. The principal is responsible for reviewing materials only to ensure that unsuitable or inappropriate material is not posted or distributed. Unsuitable or inappropriate material includes material that is defamatory, obscene or age-inappropriate, or is disruptive to the educational process. The Principal may not censor or edit the content of PTA meeting notices or other material to be distributed. The principal's name and signature must not be affixed to PTA material.

Section 6 Community and Citywide Education Council Selectors

Community Education Councils ("CECs") – Selectors of the parent members of each CEC shall be the three mandatory PTA officers from every school in the community school district. Presidents and officers of the PTA who are candidates in the selection process shall not be eligible to cast votes in the selection process. The PTA shall select a member to vote in the place of each such president or officer for the purposes of the selection process. (See Chancellor's Regulation D-140). In the case of co-presidents, the remaining executive board members will vote to choose who will be the CEC, CCSE, CCELL or CCHS selectors.

Section 7 June Transfer of Records

The outgoing PTA executive board shall arrange for the orderly transfer of records and information of the PTA, which shall include an overview of all PTA transactions for the school year, to the incoming executive board. At least one meeting will be scheduled during the month of June for this purpose. Any member of the executive board may request the assistance of the presidents' council during this process.

Section 8 Disciplinary Action

Presidents' Councils are independent parent leadership organizations that empower parents and provide assistance to the PTA on a district, borough, or citywide level. Presidents' Councils are required to provide assistance to the PTA while complying with all laws, policies, rules and regulations in a way that respects the rights of students, parents and staff.

A. PTA DISPUTE RESOLUTION PROCESS

The PTA may agree to alternative dispute resolution processes, provided that all agreements reached are in accordance with applicable laws, policies, rules and regulations. As autonomous and self-governing organizations, the PTA is responsible for resolving their own disputes.

- a. **Disputes between PTA Members** - The PTA must attempt to resolve disputes internally. PTA disputes include differences of opinion or disagreements that have bearing on PTA affairs or functioning. A PTA member alleging a violation of this regulation or the bylaws must do so during a general membership or special membership meeting. (See Section I.G.4.c). The PTA general membership must discuss the alleged violation and vote on an appropriate resolution. If the matter cannot be resolved internally, the PTA must request assistance in writing from the appropriate Presidents' Council. (See Section V.B).
- b. **Disputes between PTA Members and DOE Employees** - To file a complaint against a DOE employee, PTA or Presidents' Council members must follow the process outlined in the NYC DOE Parent Complaint and Resolution Procedures. Allegations of criminal wrongdoing or misconduct against a DOE employee must be reported to SCI at (212) 510-1500.

B. PTA REQUESTS FOR ASSISTANCE

When all avenues of internal dispute resolution have been exhausted, a member may submit a request for assistance to address a perceived violation of the bylaws or other applicable law, policies or regulations. The PTA's request for assistance must be submitted to the appropriate Presidents' Council.

1. Timeliness

A written request for assistance must be submitted no more than 30 calendar days after the event occurs or reasonably should have been discovered, and only after an attempt has been made to resolve the dispute at a general membership or special meeting.

2. Response

Upon receipt of a request for assistance from the PTA, the Presidents' Council must make arrangements to gather information about the dispute. The Presidents' Council will review the dispute and shall, within 30 calendar days, provide guidance to the PTA that conforms to the PTA's bylaws and this regulation.

3. Final PTA Dispute Resolution

In extraordinary instances where the PTA is unable to resolve a dispute, even after receiving assistance from the appropriate Presidents' Council, a member may submit a written summary of the dispute to FACE. FACE will review the dispute, gather necessary information, and issue a final and binding decision.

- a. **Timeliness** - The appeal to FACE must be submitted no later than 15 calendar days after the Presidents' Council provides a final recommendation.

b. Decisions - FACE will issue a written decision no more than 30 calendar days after receipt of an appeal. The decision of FACE is final and binding. The decisions will be available to the public upon request. Students' names or other personally identifiable student data must be deleted from issued decisions.

4. PTA Election Disputes - To ensure that the PTA functions and operates effectively, without unnecessary disruption, disputes involving the election process must be addressed at a general membership or special membership meeting (see Section I.G.4.c) no more than 15 calendar days after the election.

In extraordinary instances where the PTA is unable to resolve an election dispute a member may submit a written summary of the election dispute to FACE. FACE will review the election dispute, gather necessary information, and issue a final and binding decision.

a. Timeliness - The appeal to FACE must be submitted no later than 3 calendar days after the election dispute is discussed at a general or special membership meeting.

b. Decisions - FACE will issue a written decision no more than 7 calendar days after receipt of an election dispute. The decision of FACE is final and binding.

5. Internal Resolution for Officer Negligence - PTA officers found to be negligent in their duties and responsibilities as outlined in the bylaws or regulations are subject to removal.

a) Any officer who fails to attend three (3) consecutive executive board or general membership meetings shall be removed from office by recommendation of the executive board or motion from a member and two-thirds vote of the membership present. The officer shall be given the opportunity to submit in writing an explanation showing good cause which explains his/her reason for not attending these meetings for the Board's consideration.

b) PTA officers may also be removed for unsatisfactory performance by following the procedure outlined below:

- At any general membership meeting, a PTA member may make a motion to begin the process of removing an executive board member for unsatisfactory performance. If the motion is approved by two-thirds of the assembled members, the PTA must select a review committee by majority vote. Executive board members may not serve on the review committee.
- The review committee will gather relevant information and present its findings to the general membership to allow the members to make an informed decision about the motion. Findings must be presented in writing at a general membership meeting within 30 calendar days of the date the motion was presented. The PTA's notice and agenda must indicate that a vote will be taken by the general membership regarding the removal of a PTA executive board member.
- The result of the motion must be submitted in writing to the principal, which the principal must forward to the appropriate superintendent and the CFEO.

6. CORRECTIVE AND DISCIPLINARY ACTION - While self-determination is essential to the functioning of PTA, there are circumstances that require corrective or disciplinary action for their protection. Corrective or disciplinary action is appropriate when a PTA member's conduct violates laws, policies, rules, and regulations or threatens the rights of students, parents and staff. This conduct may include:

1) **Criminal Wrongdoing or Misconduct** - Complaints or allegations of criminal wrongdoing must be reported to the police, the Special Commissioner of Investigation for the New York City School District (SCI). Allegations of criminal wrongdoing and misconduct must be reported to SCI for that office's review, and for whatever action it deems appropriate, including possible referral to the DOE's Office of Special Investigations. Contact SCI at (212) 510-1500 and FACE.

Allegations of misconduct which do not involve penal law must be reported to SCI and FACE. PA/PTA or Presidents' Council members under investigation by officers of the law may be removed from PTA office and prohibited from subsequently serving on any PTA executive board, school or district leadership team, school or district Title I Parent Advisory Council, CEC, CCSE, CCHS, CCELL, or D75 Council. Decisions to remove officers and restrict future service will be determined on a case-by-case basis by the Chancellor or the Chancellor's designee.

- 2) **Financial Discrepancies or Wrongdoing** - Complaints or allegations of financial wrongdoing must be reported to the police, SCI and FACE. FACE may recommend specific action and suspend fundraising activities of PTA where members are found responsible for financial discrepancies, financial wrongdoing, inappropriate financial practices, recklessness or failure to safeguard PA/PTA or Presidents' Council funds. PA/PTA or Presidents' Council members engaging in such conduct may be removed from PTA office and prohibited from subsequently serving on any PTA executive board, school or district leadership team, school or district Title I Parent Advisory Council, CEC, CCSE, CCHS, CCELL, or D75 Council. Decisions to remove officers and restrict future service will be determined on a case-by-case basis by the Chancellor or the Chancellor's designee.
- 3) **Threat or Risk to Others** - Complaints or allegations of threatening behavior by a PTA officer must be reported to the police, SCI and FACE. PTA members whose conduct presents a threat or risk to members of the school, district or borough community may be removed from PTA office. This includes frequent verbal abuse and unnecessary aggressive speech during meetings, which serves to intimidate and causes others to have concern for their personal safety. PTA members who have been removed from office for their conduct may be prohibited from subsequently serving on any PTA executive board, school or district leadership team, school or district Title I Parent Advisory Council, CEC, CCSE, CCHS, CCELL, or D75 Council by decision of the Chancellor or the Chancellor's designee on a case-by-case basis.
- 4) **Officer Negligence** - PTA officers found to be negligent in their duties and responsibilities as outlined in the bylaws or this regulation are subject to removal. The PTA bylaws must include a mechanism for the removal of officers for negligence.

Article V - Executive Board

Section 1 Composition

The executive board shall be composed of the elected officers of the association. Employees of **PS79** shall be ineligible to serve as an elected officer of the association. Officers shall be expected to attend all executive board and general membership meetings.

Section 2 Meetings

Regularly scheduled meetings of the executive board shall be held monthly, September through June, with consideration of school calendar events, never on a legal or religious holiday.

Section 3 Voting

Each member of the executive board shall be entitled to one vote.

Section 4 Quorum

A majority of members of the executive board shall constitute a quorum, allowing for official business to be transacted.

Section 5 Teacher Representatives

Two (2) Teachers shall serve as Representatives to the “Executive Board”. Either or both Teacher Representatives shall attend Executive Board meetings and General meetings whenever possible. The two (2) Teacher Representatives shall be enrolled members of the association, chosen by the faculty. If the faculty cannot come up with two Teacher representatives, the PTA Executive Board can ask for teacher volunteers. The UFT Representative shall give the names of the Teacher Representatives to the PTA by September 30th. If a vacancy occurs in the position of Teacher Representative, it shall be filled (as soon as possible, for the balance of the school year) by the same method previously employed. Teacher Representatives are chosen for a term of one (1) year. They may serve unlimited times as long as they are chosen each year. They shall be introduced to the membership at the first meeting they are able to attend.

Article VI – General Membership

Section 1 General Membership Meetings

1.1 General Membership Meetings - The PTA must hold at least 9 monthly general membership meetings per school year.

1.2 Timing of Meetings - General membership meetings of the association shall be held once a month. On any given day (Monday thru Thursday), 8:30 am, 12:00pm or 7:00pm. from September through June, unless such day falls on a legal or religious holiday, subject to change, with notice and/or in accordance to parent survey or upon review of the bylaws.

1.3 Notice - Written notice of each membership meeting shall be distributed in languages spoken by parents at the school, whenever possible. If a meeting notice template is needed in a language that is not readily available, the principal must contact the Translation and Interpretation Unit. Notice must be sent at least ten calendar days prior to the scheduled meeting. The date of distribution shall appear on all notices. The PTA executive board is responsible for ensuring that notifications of meetings are sent in a manner calculated to reach all parents (e.g., backpack, postal mail, automated call, email). Multiple means of communication may be necessary to ensure that all parents are notified.

1.4 Location of Meetings - All PTA meetings, including committee and executive board must be held at PS 79. If an appropriate, handicap-accessible place of assembly exists within the school, meetings should be held in that location. Under no circumstances are PTA meetings to be held in private residences or commercial venues (e.g. restaurants and private clubs).

1.5 Conducting Meetings – Meetings must proceed according to Robert’s Rules of Order – Newly Revised. All eligible members may attend and participate during general membership meetings and may speak to agenda items subject to restriction in these bylaws. Observers may speak and otherwise participate, if acknowledged by the president (co-presidents).

Section 2 Order of Business

The order of business at meetings of the association, unless changed by the executive board shall be:

- Call to Order
- Reading and Approval of Minutes
- Principal's Report
- School Leadership Team Report
- President's Report
- Treasurer's Report
- Committee Reports
- Old Business
- New Business
- Adjournment

Section 3 Quorum

A quorum of eight (8) members of the association shall be required in order to conduct official association business. The quorum for a general membership meeting must consist of representation by at least eight (8) PTA members, including a minimum of two (2) executive board members and six (6) parent/teacher members.

Section 4 Minutes

Minutes of the previous meeting shall be available in written form and read by the membership for approval at every general membership meeting. The minutes of any association meeting must be made available upon request to any member.

Section 5 Special Membership Meetings

5.1 A special membership meeting may be called to deal with a matter of importance that cannot be postponed until the next general membership meeting. The president may call a special membership meeting with a minimum of 48 hours written notice to parents stating precisely what the topic of the meeting will be.

5.2 Upon receipt of a written request from five PTA members, the president must call a special membership meeting within five calendar days of the request and with 48 hours written notice to parents.

Section 6 Parliamentary Authority

Meeting rules of order should be adopted for use as a guide and included in these bylaws. Where no meeting rules of order are adopted, *Robert's Rules of Order – Newly Revised* will be deemed to apply, provided that it is consistent with laws, policies, rules, and regulations.

Article VII – Fundraising Affairs

- 1. Prohibited Fundraising Activities for the PTA** - a) Sale of Movie and Theater Tickets – The sale of tickets to movies and theaters for children's attendance is prohibited, unless the project is coordinated with teachers and/or instructional coaches and is directly connected to the curriculum. b) Door-to-Door Solicitation - Door-to-door solicitation of funds by children is prohibited unless the children are accompanied by a parent. c) Raffle Tickets – The sale of raffle tickets to or by children is prohibited. Any sale of raffle tickets must be done in compliance with the provisions of the New York State General Municipal Law and applicable regulations of the New York State Racing and Wagering Board. d) Gambling – All forms of gambling, including bingo, are prohibited. The law and regulations prescribe the application and licensing requirements and the conditions regarding when a raffle may be conducted and how the proceeds of a raffle may be used. Only a PTA in existence for 3 years, qualify to hold any raffle events. A PTA in existence for at least 3 years immediately preceding the raffle may be exempt from the application and licensing requirements if a single raffle event has net proceeds of less than \$5,000 and cumulative raffle events in a calendar year have net proceeds of less than \$20,000. The PTA must comply with the rules setting forth the conditions under which a raffle may be conducted and the proceeds used. These requirements do not apply to free raffle ticket drawings (e.g., door prizes).
- 2. PTA Fundraising Planning** – a) Fundraising Activities Involving Students-During Instructional Hours - PTA fundraising activities involving students during instructional hours are restricted to 2 per year. There are no restrictions on the number of fundraising activities during non-instructional hours. Non-instructional hours are defined as time during the school day when students are not engaged in the instructional process (e.g., lunch time). Distribution of information (e.g., bulletins, newsletters, notices, order forms or envelopes) related to the PTA fundraising activities during instructional hours does not constitute a violation of this provision of the regulation. b) Principal Approval - The principal's written consent is only required when the fundraising activity is held during school hours or on school property. c) Fundraising Approval Plans for all fundraising activities conducted by the PTA must be approved by their membership during a regularly scheduled meeting where a quorum is achieved. Membership approval must be reflected in the minutes of the meeting. Failure to obtain membership approval before initiating a fundraising activity is a violation. d) PTA Fundraising Outreach – a) Contacting Parents and Students – As stated in the Chancellors Regulations the PTA may not obtain a list of students' or parents' names, addresses or any other contact information from the school, district, or borough for any purpose, including fundraising. b) Outreach Assistance – the PTA is responsible for fundraisers and any resulting funds. The PTA may request assistance from the parent coordinator in publicizing fundraising activities. Parent coordinators may not handle PTA funds.
- 2. PTA Fundraiser Proceeds** - a. Deposit of Funds – PTA must make every effort to deposit all cash received from a fundraising activity within one business day, but in any event, no longer than three business days. All raffle proceeds must be deposited consistent with these requirements but no later than Wednesday of each week. If the deposit will not be made immediately on the same day as the fundraising activity, the PTA must ensure that all funds are secured in a locked location on school premises (e.g., the school safe). The PTA must obtain a written acknowledgement from the principal when PTA funds are secured in the school. Fundraising Activity Report –PTA executive board must prepare a Fundraising Activity Report, available at <http://schools.nyc.gov/Offices/FACE/filesandresources.htm> following the completion of each fundraising activity. The report must include the total amount of funds raised and related expenses and must be distributed to members at the next scheduled general membership meeting. The PTA executive boards must report which program goals the funds will be used to

support. A copy of the PTA Fundraising Activity Report must be provided to the principal no more than 5 calendar days after the fundraising activity.

Article VIII - Committees

Section 1 Standing Committees

The president (co-presidents) will appoint standing committee chairpersons with the approval of the executive board. Ad-hoc committees shall be established by executive board approval. The standing committees of the association are the following:

- A. Audit
- B. Budget
- C. Bylaw (formed every three years for thorough review of these bylaws)
- D. Fifth Grade Graduation
- E. Fifth Grade Yearbook
- F. Fundraising
- G. Hospitality
- H. Membership
- I. Nominating
- J. School Leadership Team
- K. School Store
- L. Vision

A. Audit -- The audit committee shall conduct an internal audit or shall recommend that an external audit of all financial affairs of the organization be conducted based upon their initial findings. The treasurer shall make all books and records available to them. The audit committee shall prepare a written report or provide copies of the external report to be presented to the membership at a general membership meeting or upon completion of their review and investigation.

Check signatories cannot serve on the audit committee. Audit committee shall be responsible for conducting an audit of all financial affairs of the association two (2) times a year (October & March).

B. Budget – the Treasurer shall be the chairperson of the budget committee, as per Chancellor's Regulations. They shall be responsible for drafting 1) a proposed budget each spring for approval by the membership, 2) a written review of the prior year's budget, both of which must be presented for vote at the May membership meeting, and 3) presenting the budget process. (See Article VIII, Sec 3.)

C. Bylaw – In accordance with Chancellor Regulations, bylaws must be reviewed by the membership at least once every three years or earlier if there are revisions to the Chancellor's Regulations. A committee with the co-chairs of the President / (Co-Presidents) shall serve as one of the co-chairs on this committee. The bylaw committee will be responsible for reviewing P.S. 79's current bylaws and revising them in compliance with Chancellor's Regulations. Amended bylaws must be adopted by vote of the general membership. The committee will be responsible for providing a copy of adopted bylaws to the Recording Secretary in both printed and electronic form if possible. Three (3) printed copies are to be given: one for the file of the Principal; one for the file of the Superintendent and FACE and one for the file of the Parent Coordinator.

D. Fifth Grade Graduation Committee -- The committee shall be responsible to design or create or purchase the graduation gift for the fifth grade graduates. After the Executive Board has approved the gift, this committee shall be in charge of ordering and putting together the appropriate keepsake gift. All notices must be approved by the PTA President/Co-Presidents.

E. Fifth Grade Yearbook -- The Yearbook committee shall be responsible for providing the fifth grade teachers with cameras, developing the film, and together with other parent volunteers arranging the fifth grade yearbook. All notices must be approved by the PTA President/Co-Presidents.

F. Fundraising -- The fundraising committee shall assist and coordinate PTA fundraisers throughout the year. As per Chancellor's Regulations, all fundraisers should be tied to the goals of the PTA including school-related purposes. The chairperson of fundraising shall be familiar with the A-610 and A-660 regulations. Proceeds from fundraisers must be used to supplement or complement the educational, social and cultural programs of the school. The fundraising committee will ensure that all regulations and policy issues are followed in planning a fundraiser. Approval will be secured by the principal for fundraisers taking place during school hours or involving the children. They will research proposed fundraisers. The fundraising committee will ensure that a consent form is on file in the Principal's office for each child photographed for picture day. The committee will also make themselves available to assist the Principal with his/her fundraisers if requested.

The Chairperson(s) shall be responsible for the collecting and recording of monies under the supervision of any or all board member(s) until such is turned over to the Treasurer for deposit. Monies collected should be counted by two persons, initialed for and kept in the safe for the Treasurer to deposit. The committee shall also be responsible for maintaining a list of donations. All notices must be approved by the PTA President/Co-Presidents.

G. Hospitality -- The committee shall be responsible for arranging light refreshments at meetings of the membership and at any of its activities, as appropriate. It is also the responsibility of the hospitality committee to maintain appropriate stock in the PTA room. As per Chancellor's Regulations, PTA members may only be reimbursed for PTA out-of-pocket expenses if they submit receipts, and the check is made payable to the PTA member.

H. Membership --The membership committee shall be responsible for encouraging parent participation, outreach and recruitment. The Chairperson for the Membership committee shall make every effort to coordinate their outreach efforts and strategies with the school's Parent Coordinator. The membership committee shall also be responsible for maintaining a current list of members which shall be available without home addresses and telephone numbers at every membership meeting.

The membership committee shall be responsible for the distribution and collection of enrollment envelopes, The Chairperson(s) shall be responsible for the collecting and recording of monies under the supervision of any or all board member(s) until such is turned over to the Treasurer for deposit. Monies collected should be counted by two persons, initialed for and kept in the safe for the Treasurer to deposit. The committee shall also be responsible for maintaining a list of donations. All notices must be approved by the PTA President/Co-Presidents.

I. Nominating - The nominating committee shall be responsible for running the yearly election in accordance with Article IV, Section 4.1 of these bylaws. All notices must be approved by the PTA President/Co-President.

J. School Leadership Team -- The president or co-president of the association shall be a core member of the School Leadership team making sure that the general membership is kept informed of all procedures. Selection for membership of this committee will be volunteers who are elected by the membership. They will be five (5) in number, plus the president or co-president. There will be a three (3) year term limit, provided the team member(s) is eligible to serve in accordance with the Chancellor's Regulations A-655. Team members may not serve more than two consecutive terms, unless no new interested member volunteers. Parents shall volunteer at the April meeting and anytime thereafter. The membership shall approve the volunteers by vote at the May meeting. As per Chancellor's Regulations, a minimum of ten (10) days notice is required prior to the PTA's election of its SLT members. Only parent members of the school's association may vote to elect parent representatives for the SLT. SLT elections are to be held after the PTA elections in the spring. Any empty chairs may be filled in September of the following school year. As per SLT bylaws, members who miss more than two (2) consecutive meetings without rendering in writing a good and valid excuse will be subject to removal of the team or be asked to resign.

If a parent-member of the SLT committee is accused of misconduct or neglect of duty, they may be removed only in accordance with Article IV, Section 7 of these by-laws for Disciplinary Action. In the event of a resignation, there will be an election of all interested parents for a three-year term as stated in these bylaws.

K. School Store -- The committee shall be responsible for ordering supplies for inventory and sale. The chairperson shall ensure that the monthly budget voted on by the membership under the direction of the Budget committee is followed.

The Principal must deem all supplies appropriate. The Chairperson(s) shall be responsible for the collecting and recording of monies/profits under the supervision of any or all board member(s) until such is turned over to the Treasurer for deposit. Monies collected should be counted by two persons, initialed for and kept in the safe for the Treasurer to deposit. All notices must be approved by the PTA President/Co-Presidents.

L. Vision -- It shall be the responsibility of the Committee to test and record the results of each student's vision in accordance with standards set by the Department of Education in compliance with the Department of Health. The Chairperson or designee is expected to attend the meeting at the District Office, and should begin testing by the end of October. The committee shall be responsible for submitting written results to the Principal. All notices must be approved by the PTA President/Co-Presidents.

Article IX - Financial Affairs

Section 1 Fiscal Year

The fiscal year of the association shall run from July 1 through June 30.

Section 2 The PTA Bank Account

1. The PTA Checking Account

A checking account must be maintained in the name of the PTA. All PTA funds must be deposited into the checking account. A checkbook that provides a stub or carbon copy of each check must be used. The PTA that wishes to use an alternate form of checks (e.g., checks printed from financial software) must obtain permission from FACE. If the PTA has difficulty opening a checking account, it must contact FACE for assistance.

a. Employer Identification Number (EIN) – The PTA is a separate entity, may not use the DOE’s EIN. The PTA must obtain their own EIN from the Internal Revenue Service for bank account applications.

b. Signatories – The PTA checks must be signed by 2 officers. The PTA bylaws must indicate at least 3 officers to be eligible signatories. The 2 signatories of a check may not be related by blood or marriage. Under no circumstances may spouses, siblings, in-laws or other relatives or members of the same household sign the same PTA check.

The PTA member may not sign a check if she/he has any direct or indirect interest in the expenditure. The PTA EIN must be on file with the principal.

c. Payees – No checks may be written payable to “petty cash” or “cash”. Signatories may not approve such checks.

2. ATM Cards and Withdrawal Slips

The PTA may not possess or use automated teller machine (ATM) cards, debit cards, or withdrawal slips. ATM cards, debit cards, and withdrawal slips obtained in connection with the opening of the PTA bank account must be immediately destroyed. The Chancellor or designee may immediately remove any officer complicit in the violation of this provision.

Section 3 Budget

The Executive Board in conjunction with the Budget committee shall be responsible for:

- Preparing a proposal budget for review by the Executive Board at the May General Meeting
- Supplying written review of the prior year’s budget for discussion at the May membership meeting.
- The outgoing Executive Board must review the current budget, annual financial status, accounting, expenditures and outstanding bills and prepare a proposed budget for the next school year. The proposed budget must be presented to and approved by the membership no later than the June meeting.
- The incoming Executive Board must review the proposed budget in September for presentation and discussion during October meeting. Budget amendments may be proposed at this time.
- The budget may be amended by vote of the general membership at any time during the fiscal year.
- All expenditures not included in the budget at the time of its adoption must be approved by the membership.

All funds shall be deposited in the bank account by authorized executive board members within 24 hours of receipt, whenever possible. No funds shall be kept in a member’s home but shall be secured and locked in the school. PTA funds must be taken to the bank for deposit by at least 2 executive board members (one of these members must be the Treasurer). Documentation related to every transaction must be maintained at the school (e.g., cancelled checks, deposit receipts, purchase orders, PTA minutes related to the financial transactions, etc.)

Section 4 Audit

4.1 The president shall request volunteers to form an audit committee of 3 to 5 persons. Executive board members who are not eligible signatories on association checks may serve on the audit committee. The majority of the committee shall be comprised from the general membership.

4.2 The audit committee shall conduct an audit of all financial affairs of the association with the help of the treasurer who shall make all books and records available to them. The audit committee may also recommend that an external audit of the association's financial records be conducted.

4.3 Additional duties of the audit committee may include the examination of all relevant financial statements and records of disbursements, verification of all association equipment and ensuring compliance with bylaw provisions for the transaction of funds.

4.4 The audit committee shall prepare a written report or provide copies of the external report to be presented to the membership at a general membership meeting or upon completion of their review and investigation. This report shall be included for review and discussion during the June transfer of records.

4.5 External audit by the Chancellor or the Chancellor's designee may conduct an audit when serious allegations of financial impropriety are raised, or a grievance or complaint is filed relating to the financial practices of the PTA. The Chancellor and/or the Chancellor's designee shall have access to all PTA financial records.

Section 5 Financial Accounting

5.1 The treasurer shall prepare the Interim Financial Report by January 31st and the Annual Financial Report by the June 30th, of each school year, including all income, expenditures, and other transactions. These reports shall be presented and reviewed by general membership. Copies of these reports shall be provided to the principal. The principal is responsible for submitting the PTA's financial information and reports to FACE upon request. The PTA is responsible for distributing copies of the Interim and Annual PTA Financial Reports to all members.

5.2 The treasurer shall be responsible for all funds of the association and shall keep accurate records in a form consistent with these bylaws and applicable Regulations of the Chancellor. In accordance with Chancellor's Regulation A-610, the PTA must obtain approval from the principal before collecting fundraiser proceeds from students. The treasurer shall transport all funds to the bank, and deposit slips shall identify the source of all deposited funds. All parties involved shall initial the funds collection receipt which the treasurer attaches to the deposit slips. All records of the association including checkbooks, ledgers, cancelled checks, invoices, receipts etc., shall be maintained and secured on school premises. As per Chancellor's Regulations, PTAs are prohibited from writing blank checks or checks payable to "cash" and "petty cash".

Section 6 PTA Financial Transactions

1. PTA Membership Approval

All expenditures of funds by PTA must be approved by their membership during a regularly scheduled meeting where a quorum is achieved. Membership approval must be reflected in the minutes of the meeting. Failure to obtain membership approval before initiating expenditure is a violation of Chancellor Regulation. Members must abide by Section I.E.4 of CR-A660, concerning conflicts of interest that may arise during the approval of PTA expenditures.

2. Emergency PTA Executive Board Expenditures

Any executive board member shall alert the PTA president /(co-president) in the event of an emergency to call an emergency Executive Board meeting to discuss and vote on expenditures pertaining to issues that time is of the essence. Majority vote of the Executive Board that warrants the expenditure as an emergency, not to exceed \$700.00, must be then reported at the next scheduled general membership meeting. The general membership will be given the opportunity to vote on whether the emergency expenditure was an appropriate use of the funds.

3. Out-of-Pocket Expenditures

A PTA may be reimbursed for out-of-pocket expenses if she/he submits receipts. Reimbursement must be made by check payable to the member, and not in cash.

4. Expenditures

The executive board is authorized to make expenditures not to exceed \$100.00. These expenditures shall be reported to the general membership at the next association meeting.

Article X – Liquidation or Dissolution

In the event of liquidation or dissolution of the PTA all of the residual assets shall be assigned and transferred to P.S. 79 or Community School District 25 if P.S. 79 is not in existence. Both are operated and duly qualified under the provision and limitation of Section 501(c) (3) of the internal revenue code. The residual assets become sole property of PS 79 or District 25 Community School Board.

Article XI – Amendments and Regular Review of Bylaws

These bylaws may be amended at any regular meeting of the association by a two-thirds vote of the members present, provided the amendment has been presented in writing to the membership at the previous meeting, and appears in the notice of the meeting at which it is to be amended. Amendments are effective immediately unless otherwise specified. A thorough review of these bylaws shall be conducted every 3 years. All provisions of these bylaws must conform to CR A-660 and Department of Education guidelines. Any PTA member may present a motion at a general membership meeting to amend a provision of the bylaws that is not in compliance with CR A-660. Amendments that bring the bylaws into compliance must be voted on immediately after the motion is presented. A two-thirds vote of the membership is required for approval. In the event that the PTA bylaws contain any provision that conflicts with regulations, the provisions of CR A-660 shall be deemed controlling. All remaining provisions of the PTA bylaws that are not in conflict regulations shall remain in full force and effect.

These bylaws as set forth above have been voted on and approved by the membership. The most recent amendment was approved, in accordance with the provisions of Article IX, at the membership meeting held on Wednesday, **February 26, 2013**.

Signed By:

Co-President

Co-President

Recording Secretary

March 5, 2013
(Month) (Day) (Year)

Filed with the Principal on March 5, 2013
(Month) (Day) (Year)