

Bylaws Frequently Asked Questions



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Q: What is the difference between the Executive Committee and the Board of Directors? Why does it matter?

A: The Executive Committee consists of the four (sometimes more) elected officers of your PTA: president, vice president(s), secretary, and treasurer. The Board of Directors consists of the elected Executive Committee *plus* your committee chairs (for example, fall carnival chair, spirit gear chair, staff appreciation chair, etc). Holding two different groups responsible for the business of your PTA is a system of checks and balances. The Board of Directors is charged with making decisions between the meetings of the general membership of your PTA. The Board of Directors is a valuable source of future elected officers.

Q: What is the recommended term length for PTA leaders?

A: In your bylaws you may choose the term length for your PTA leaders. A term of one year is recommended, but not required. Usually an officer is allowed to serve two consecutive terms. When making this decision consider, for example, a fifth-grade parent at an elementary school. This parent may want to serve as an officer, but only has one year left at the school. By choosing one-year terms, this parent can serve without leaving in the middle of a term.

Q: Why are there items in the bylaws marked with a ** or #?

A: These items are rules for local membership and IRS best practices and provide for consistency within the association. Items also include information that is included in National PTA and New Mexico PTA's Articles of Incorporation. These items must not be removed.

Q: How many days' notice should we require to call special meetings?

A: In your bylaws you are given the choice of how many days' notice should be given to call three different kinds of special meetings:

- Article VIII Section 6 refers to special meetings of the **Board**;
- Article IX Section 2 refers to special meetings of the **Executive Committee**; and
- Article XI Section 2 refers to special meetings of the local PTA (the **General Membership**).

The “days’ notice” required for each type of special meeting can be different. When making that decision, consider the following: You will be able to gather smaller groups of people more quickly than a large group (the Executive Committee versus the General Membership). Waiting too long to meet may be ineffective. How long will it take for people to receive notification? You cannot guarantee that every member of your Board of Directors will check their messages every day.

Q: How many members should be required to call a special meeting?

A: In your bylaws you are given the choice of how many members it takes to call a special meeting. The PTA president can call a meeting at any time. The number of people required should not be your entire Executive Committee or Board of Directors – usually two or three people is a good number.

Q: How are changes made to the bylaws?

A: Refer to the NMPTA Bylaws Flow Chart in the ‘For PTA Leaders’ section of our web site.

Q: Who should have copies of the bylaws?

A: Every member of the board should have a copy of your current bylaws. Upon request, copies should be made available to all members. The secretary should have the official copy of the bylaws.

Q: What is a quorum, and how do I know what our PTA’s quorum is?

A: The quorum is the minimum number of members who must be present to conduct business at a PTA or board meeting. The number for your PTA is set by your bylaws. If a quorum is not met at a meeting, then a vote cannot be taken. You may hold a PTA meeting without a quorum, but a vote cannot be taken.

Q: Can ex-officio members vote, and are they counted in determining whether a quorum is present?

A: “Ex officio” is a Latin term meaning “by virtue of office or position.” Ex-officio members of boards and committees, are people who are members by virtue of some other office or position that they hold. For example, if your bylaws provide for a Committee on Finance consisting of the treasurer and three other members appointed by the president, the treasurer is said to be an ex-officio member of the finance committee. He or she is

automatically a member of that committee by virtue of the fact that he or she holds the office of treasurer.

Ex-officio members of boards and committees have exactly the same rights and privileges as do all other members, including, of course, the right to vote. One instance in which ex-officio members are not counted in quorum or in determining whether or not a quorum is present is in the case of the president, whenever the bylaws provide that the president shall be an ex-officio member of all committees (or of all committees with certain stated exceptions).

Unless restricted by the bylaws, ex officio members who are “under the authority” have all of the rights of membership on a board or committee; they are counted in quorum, they may attend and participate in meetings, and they may vote on all matters. Any limitation must be specifically stated in the bylaws. For example, if it is intended that an ex-officio member not vote, the bylaws must specify a “non-voting ex-officio member.”

Q: Can we ever ignore our bylaws?

A: Bylaws may not be set aside or changed without following the appropriate voting procedures. See the most recent edition of Robert’s Rules of Order for details.

Q: Where can I find the most recent template for New Mexico PTA local PTA bylaws?

A: Visit www.newmexicopta.org and search for the NMPTA Model Local Bylaws in the For PTA Leaders section of the web site. Find the yellow highlighted sections and customize the bylaws for your local PTA.

Q: What is the difference between bylaws and standing rules?

A: Standing rules outline the procedures of the association with specific details that are not included in the bylaws and must not conflict with the bylaws. Standing rules are a board document. Unlike bylaws which can be changed only by membership, standing rules can be changed more easily, by a majority of the board at a regularly scheduled board meeting.

Q: Where can I find a copy of my bylaws?

A: Your PTA’s secretary should have the official copy of the bylaws, although every board member should also have a copy. If they do not, contact New Mexico PTA at nmpta@newmexicopta.org to request a copy.

Q: What's the difference between a Standing Committee and a Special Committee?

A: A "standing committee" is permanent (for example, Reflections, Membership, Staff Appreciation, Family Socials, etc). A "special committee" is appointed for a special purpose and dissolves after achieving that purpose. For example, a committee that was created to research options for buying a new playground shade structure. They would conduct their research, report at a meeting, and then, having completed their task, that committee would dissolve and cease to exist.

Q: Where can I get more information about Parliamentary Procedure and Bylaws?

A: The National PTA website, www.pta.org, offers e-learning courses on a variety of topics, including "Parliamentary Procedure" and "Quick Guide to Taking and Approving Minutes." <https://www.pta.org/home/run-your-pta/elearning>