

South Carolina



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South Carolina Congress  
of Parents and Teachers, Inc.

# BYLAWS

Adopted April 9, 2011

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**BYLAWS**

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# BYLAWS

## South Carolina Congress of Parents and Teachers, Inc.

### ARTICLE I: NAME

The name of this association is SOUTH CAROLINA CONGRESS OF PARENTS AND TEACHERS, INCORPORATED. It is commonly known and will be referred to in these Bylaws as the "South Carolina PTA" or "SCPTA."

### ARTICLE II: PURPOSES

Section 1: The Purposes of the SCPTA, in common with those of the National PTA, are:

- (a) To promote the welfare of children and youth in home, school, community, and place of worship;
- (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, so that parents and teachers may cooperate intelligently in the education of children and youth; and
- (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 National PTA and South Carolina PTA are promoted through an advocacy and 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 3.

Section 3: The association is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code or corresponding Section of any future federal tax code (hereinafter referred to as "Internal Revenue Code").

### ARTICLE III: BASIC POLICIES

The following are basic policies of the SCPTA, in common with those of the National PTA:

- (a) The association shall be noncommercial, nonsectarian, and nonpartisan.
- (b) The association 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 association shall work to promote the health and welfare of children and youth, and shall seek to promote collaboration among parents, schools, and the community at large.
- (d) No part of the net earnings of the association shall inure to the benefit of, or be distributable to, its members, directors, trustees, officers, or other private persons except that the association 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 2 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 association exempt from federal income tax under Section 501(c) (3) of the Internal Revenue Code, or (ii) by an association, contributions to which are deductible under Section 170(c) (2) of the Internal Revenue Code.
- (f) Upon the dissolution of this association after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed to one or more nonprofit funds, foundations, or associations that have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with National PTA.

- (g) The association 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: STATE OFFICE**

- (a) SCPTA shall maintain an office in the greater Columbia area, which shall serve as the center from which all state services radiate.
- (b) This office shall be under the direction of the Executive Committee.
- (c) This office shall keep on file, for at least seven years, or as required by law, or for historical reasons, records of the SCPTA which shall include: copies of all minutes of the Convention, Board of Directors, Executive Committee, annual statistical reports, state budgets, bylaws, financial review forms, resolutions, bulletins, programs of convention, and Legislative Conference and plans of work for reference and training.

**ARTICLE V: CONSTITUENT ASSOCIATIONS**

Section 1. The constituent associations of SCPTA include:

- (a) Local PTAs (Parent Teacher Associations) or PTSAs (Parents Teacher Student Associations) organized under the authority of the SCPTA.
- (b) Council PTAs/PTSAs organized under the direct authority of the SCPTA; and
- (c) District PTAs/PTSAs organized under the direct authority of the SCPTA.

Section 2. The SCPTA shall determine criteria for establishing constituent associations and setting standards for continuing affiliation with the SCPTA and National PTA.

Section 3. There shall be no proxy voting by any constituent association of SCPTA.

**ARTICLE VI: MEMBERSHIP AND DUES**

- (a) Every individual who is a member of a Local, Council, District, or State PTA chartered by SCPTA is, by virtue of that fact, a member of National PTA and of SCPTA, and is entitled to all the benefits of such membership. Membership shall be open without discrimination to anyone who believes in and supports the mission and purposes of National PTA.
- (b) Each Local PTA shall conduct an annual enrollment of members but may admit individuals to membership at any time.
- (c) Each member of a Local PTA shall pay the annual dues prescribed by that Local PTA. The amount of such annual dues shall include the annual dues payable to SCPTA (the "state portion") and the annual dues payable to the National PTA (the "national portion"). The state portion of each member's dues shall be one dollar (\$1.00). The Local PTA shall remit the state and national portions to SCPTA at least three times a year (October 1, December 1, and March 1), and the SCPTA shall submit the national portion to the National PTA.
- (d) The membership year of SCPTA shall begin on July 1 and end on the following June 30.

**ARTICLE VII: STATE OFFICERS AND DISTRICT PRESIDENTS – ELECTIONS AND VACANCIES**

Section 7.1 – The State Officers of SCPTA

The State Officers of the SCPTA shall be the President, President-Elect, Vice-President for Membership/Field Services, Vice-President for Legislation, Vice-President for Programs, Secretary and Treasurer. Except as otherwise provided by this Article for President and President-Elect, no person shall serve more than two consecutive full terms in the same office. All officers shall serve until their successors shall have been elected and qualified. Except as otherwise provided in these Bylaws, the President-Elect becomes President on July 1 of odd-numbered years and serves a term that continues until his/her successor assumes office on July 1 of the next odd-numbered year.

Except as otherwise provided in these Bylaws, State Officers, other than the President, shall be divided into two groups for the purpose of determining the time of their election and their term of office, as follows:

- (a) *Group One* (1) shall consist of the President-Elect, the Vice-President for Programs, and the Vice-President for Legislation. Except as may be provided otherwise in these Bylaws, these officers shall be elected by the voting delegates at the annual convention in odd numbered years, and their term of office will commence on July 1 of that year and continue until his/her successor assumes office on July 1 of the next odd-numbered year.
- (b) *Group Two* (2) shall consist of the Vice-President for Membership/Field Services, Secretary, and Treasurer. Except as may be provided otherwise in these Bylaws, these officers shall be elected by the voting delegates at the annual convention in even-numbered years, and their term of office will commence on July 1 of that year and continue until his/her successor assumes office on July 1 of the next even-numbered year.

#### Section 7.2 District Presidents and District President Representative

- (a) District Presidents shall be nominated by a district nominating committee and elected in their respective districts, and the term of office served will be according to the District's Bylaws.
- (b) The District President Representative and the District President Alternate shall be elected by a majority of the District Presidents, who will be in office as of July 1<sup>st</sup>, at the SCPTA Post-Convention Board Meeting.

#### Section 7.3 – Eligibility Requirements

The following provisions shall govern the eligibility of individuals to be elected as State Officers of SCPTA:

- (a) All State Officers must be members of a Local PTA.
- (b) State Officers, with the exception of the Vice-President for Legislation, Secretary, and Treasurer, must be current SCPTA Board members or must have served on the SCPTA Board of Directors.
- (c) No state officer may serve simultaneously in more than one elected position on the SCPTA Board of Directors.

#### Section 7.4 – Election of State Officers

- (a) The elected officers shall be elected at the annual convention or any other official business meeting, by the voting body of the convention.
- (b) The vote shall be conducted by ballot and a plurality vote shall elect. When there is only one candidate for any office, that election may be held by voice vote.
- (c) Any person intending to run from the floor for any office shall give written notice to the SCPTA President and the Nominating Committee Chair thirty (30) days notice prior to the start of the SCPTA annual convention.

#### Section 7.5 – Vacancies

- (a) A vacancy occurring in the office of President shall be filled for the remainder of that un-expired term by the President-Elect.
- (b) If the office of President-Elect becomes vacant before the annual convention in the first year of a President-Elect's term, the voting delegates at that annual convention shall elect a President-Elect who will serve the remainder of the previous President-Elect's un-expired term and then become President.
- (c) If the office of President-Elect becomes vacant after the annual convention in the first year of a President-Elect's term, the voting delegates at the next annual convention shall not fill that vacancy, but shall elect a President and a President-Elect to assume office on July 1 following that convention.
- (d) If there is ever a simultaneous vacancy in the offices of President and President-Elect, the Vice President of Membership/Field Services shall serve as President for the balance of the previous President's un-expired term, and the person so elected shall meet the eligibility requirements for that office set forth in Article 7, Section 7.3 – Eligibility Requirements.
- (e) Except as may be provided otherwise in these Bylaws, the Board of Directors shall fill a vacancy in any officer position, other than President or President-Elect, by electing a Board member to serve the remainder of that officer's un-expired term, and the person so elected shall meet the eligibility requirements for that office set forth in Article 7, Section 7.3 – Eligibility Requirements.

#### Section 7.6 – Removal from Office

A SCPTA State Officer may be removed from office without cause by the Board of Directors upon the affirmative vote of two-thirds (2/3) of the Board members present at a board meeting at which a quorum has been established.

#### Section 7.7 – Resignation

A SCPTA State Officer may resign by giving written notice to the President and Secretary, who shall notify the Executive Committee within five (5) days, and such notice shall specify the effective date of such resignation.

#### Section 7.8 – Compensation

SCPTA shall not compensate State Officers or District Presidents for services but, in the discretion of the Board of Directors or Executive Committee, may authorize reimbursement of actual expenses incurred by Board members in attending meetings representing SCPTA or otherwise representing SCPTA or conducting SCPTA business.

#### Section 7.9 – Duties of President

- (a) Preside at all meetings;
- (b) Serve as an ex officio member of all committees except the nominating committee;
- (c) Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the board of directors, or executive committee;
- (d) Shall represent the SCPTA at all meetings designated by National PTA.

#### Section 7.10 – Duties of Other State Officers and District Presidents

The duties and responsibilities of other State Officers and the District Presidents shall be described and set forth in the Standing Rules.

### **ARTICLE VIII: BOARD OF DIRECTORS**

#### Section 8.1 – Authority and Duties

The Board of Directors shall manage the affairs of SCPTA in accordance with the requirements of South Carolina law, the Articles of Incorporation, these Bylaws, the Standing Rules, and the current Board-approved budget.

#### Section 8.2 – Composition

Only members of Local PTAs in South Carolina shall be eligible to serve on the Board of Directors. The Board of Directors shall be comprised of the following:

- (a) State Officers;
- (b) District Presidents;
- (c) Committee Chairs.

#### Section 8.3 – Removal from Office

A SCPTA Board member may be removed from office without cause by the Board of Directors upon the affirmative vote of two-thirds (2/3) of the Board members present at a board meeting at which a quorum has been established.

#### Section 8.4 – Resignation

A Board member may resign by giving written notice to the President and Secretary. Such notice shall specify the effective date of the resignation. The President and Secretary shall inform the Board of Directors of the resignation within five (5) days of receiving the written notice.

#### Section 8.5 – Compensation

SCPTA shall not compensate Board members for services but, in the discretion of the Board of Directors or Executive Committee, may authorize reimbursement of actual expenses incurred by Board members in attending meetings representing SCPTA or otherwise representing SCPTA or conducting SCPTA business.

#### Section 8.6 – Rights of Inspection

Board members, at any reasonable time, may inspect the SCPTA's books, records, documents, or other assets at the SCPTA offices.

## **ARTICLE IX: MEETINGS OF THE BOARD OF DIRECTORS**

### Section 9.1 – Annual and Other Regular Meetings

The Board shall have four regular meetings each year, one of which shall be the annual meeting.

### Section 9.2 – Special Meetings

Special meetings of the Board of Directors may be called by the President or upon a written request of five (5) members of the Board of Directors with at least ten (10) days written notice to each member of the Board of Directors.

### Section 9.3 – Quorum

A majority of the members of the Board of Directors, then in office, shall constitute a quorum.

### Section 9.4 – Meeting Rules

Rules and procedures related to the meetings of the Board of Directors shall be set forth in the Standing Rules.

## **ARTICLE X: COMMITTEES**

### Section 10.1 – Creation of Committees; Appointment of Members and Chairs

The Standing Committees of the SCPTA shall be: Awards and Goals, Bylaws and Standing Rules, Communications, Convention, Diversity, Finance, Health and Wellness, Helen Stokes Memorial Scholarship, Leadership Training, Legislative and Resolutions, Membership, Nominating and Leadership Development, Parent Involvement, Programs, Reflections, Resource Development, SCPTA Facility and Youth.

The Board of Directors may create one or more committees comprised of Board members. The creation of a committee shall be approved by the Board. Except for the Executive Committee, the members and chairs of committees shall be appointed by the President, subject to the approval of the Board. The President and President-Elect shall be ex-officio voting members of all committees except the Nominating Committee, notwithstanding the size limits for committees that may be specified in these Bylaws or the Standing Rules. Each committee shall have two or more members, and committee members serve at the pleasure of the Board. In addition to the committees created and appointed by the Board, the President may name other committees to perform specific tasks; these committees shall cease to exist when the task is completed. The SCPTA's current committees including the name, current members and chair, special composition requirements, qualifications for membership, terms of members and chairs, date created, duration, purpose and duties, methods for removal and filling of vacancies, meeting rules and any special instructions or operating rules or other information regarding each such committee, shall be set forth in the Standing Rules. No committee, except the Executive Committee as provided herein, shall have the authority to act for the Board of Directors.

### Section 10.2 – Executive Committee

The Executive Committee shall be comprised of the State Officers, District President Representative or District President Alternate. The Executive Committee shall have general supervision of the affairs of the SCPTA between meetings of the Board of Directors and shall act with the authority of the Board in the management of the SCPTA, except that the Executive Committee **shall not**:

- (a) Recommend to members or approve dissolution, merger or the sale, pledge, or transfer of all or substantially all of the corporation's assets;
- (b) Adopt, amend, or repeal the Articles of Incorporation or Bylaws.

The Executive Committee **shall**:

- (a) Take no action in conflict with any action taken by the Board of Directors;
- (b) Employ and oversee the Executive Director of the SCPTA;

- (c) Hold election for a District President in unorganized districts or appoint a sitting District President to service the unorganized district.

The Executive Committee's other duties and operating rules shall be set forth in the Standing Rules.

## **ARTICLE XI: SCPTA GERRY PFAEHLER ENDOWMENT FUND**

The SCPTA has an Endowment Fund, which is held and administered by a separate board known as the *South Carolina PTA Gerry Pfaehler Endowment Fund*. The purpose of the SCPTA Gerry Pfaehler Endowment Fund is to actively solicit donations from corporations, individuals, foundations, and other sources to provide grants for projects to assist public schools, their students, and teachers in the State of South Carolina. The management of the South Carolina PTA Gerry Pfaehler Endowment Fund is entrusted to a Board of Trustees, which is under the auspices of the SCPTA Board of Directors.

## **ARTICLE XII: ANNUAL STATE CONVENTION and OTHER OFFICIAL MEETINGS OF THE SCPTA**

### Section 12.1 – Time and Place

There shall be an annual state convention and other official meetings of SCPTA at a time and place to be determined by the Executive Committee. Except as provided otherwise in these Bylaws, the voting delegates at the annual convention shall elect State Officers as provided in these Bylaws and the Standing Rules, receive reports and hear speakers regarding the status of public education in South Carolina and the work of SCPTA, attend workshops regarding leadership development and other matters, and conduct such other business as may come before the convention. Voting delegates may consider and act upon proposed bylaws or legislative platform revisions at any official meeting of the SCPTA provided thirty days notice of the proposed change has been given.

### Section 12.2 – Notice of Meeting

The President shall send notice of the annual convention at least sixty(60) days before the annual convention and at least (45) days prior to any other official meeting of the SCPTA to all Local PTA and Council Presidents and members of the Board of Directors.

### Section 12.3 – Absence of Quorum for Business Session; Action by Board

Fifty (50) accredited voting delegates, representing at least four districts, shall constitute a quorum for the transaction of business. In the absence of a quorum in the meeting room at the opening of any business session, the President, in his/her sole discretion, may delay the opening of the business session to provide time to obtain a quorum. If the President, in his/her sole discretion concludes that it is impractical or impossible to obtain a quorum for a business session during the time scheduled, the President shall so inform the voting delegates present. In such event, and notwithstanding other provisions in these Bylaws, the Board of Directors shall have authority to take actions that would have been submitted to the voting delegates, including, but not limited to, the election of State Officers and the amendment of these Bylaws or the Legislative Platform.

### Section 12.4 – Voting Delegates

Voting delegates at the annual convention or other official meetings of the SCPTA shall include the following:

- (a) Each Local PTA in good standing shall be entitled to be represented at the annual convention or other official meetings of the SCPTA by three (3) officers or their alternates, and one additional voting delegate for every fifty (50) members of such local PTA, or major fraction thereof, as shown on the books of the SCPTA Treasurer as of March 1 for convention and a date determined by the Executive Committee for other official meetings.
- (b) Each SCPTA Council and District in good standing shall be entitled to be represented by its President or an alternate chosen by their respective boards.
- (c) Members of the SCPTA Board of Directors shall be voting delegates at the convention or other official meetings of the SCPTA. All voting delegates must have proper voting credentials. The method of obtaining such credentials at or before the convention and other official meetings of the SCPTA, and the documentation required, will be described in the Standing Rules
- (d) Past SCPTA State Presidents shall be voting delegates at the convention or other official meetings of the SCPTA as long as they have the proper credentials.

#### Section 12.5 – Voting and Manner of Acting

Each Voting Delegate shall have one (1) vote on all matters that come before the annual convention. Unless a higher vote is required by the SCPTA Articles of Incorporation or these Bylaws or the South Carolina Nonprofit Corporation Act, the act of the majority of the voting delegates present and voting shall be the act of the annual convention. As provided in these Bylaws, proxy voting shall not be allowed.

#### Section 12.6 – Eligibility for Attending and Voting

The SCPTA annual convention and other official meetings shall be open to all PTA members in South Carolina. A registration fee may be required by the Board of Directors, and if such fee is required, it shall be set forth in the meeting notice. Only duly qualified delegates who have presented a credential card and membership card shall be allowed to vote at these meetings.

#### Section 12.7 – Rules and Procedures

The Board of Directors shall adopt rules and procedures for the nomination and election of State Officers at the convention and for the conduct of other business at the convention or other official Meetings.

#### Section 12.8 – Minutes

Within thirty (30) days following the annual convention or other official meetings, the Secretary shall send the minutes to the Board of Directors.

### **ARTICLE XIII: NATIONAL PTA CONVENTION**

The rules governing accredited delegates, and other matters related to the National PTA Convention, shall be set forth in the Standing Rules.

### **ARTICLE XIV: AMENDMENTS**

Except as may be provided otherwise herein, these Bylaws may be amended at a SCPTA membership meeting by a 2/3 vote of the voting delegates present and voting, provided that the proposed amendment has been approved by the Board of Directors and notice of such proposed amendment has been sent, by any usual means of communication including mail, email or fax, to Local PTA and Council Presidents at least thirty (30) days prior to the membership meeting. During the consideration by the voting delegates of an amendment, a related amendment may be offered by a voting delegate provided such related amendment does not enlarge or restrict the scope of the original proposed amendment.

### **ARTICLE XV: GENERAL PROVISIONS**

- (a) Depository and Disbursement of SCPTA Funds – All SCPTA funds shall be deposited in a depository approved by the Board of Directors and disbursed under the supervision and control of the Treasurer as provided in these Bylaws.
- (b) Fiscal Year – SCPTA's fiscal year shall begin on July 1 and end on June 30 of the following year.
- (c) Proxy Voting – Proxy voting shall not be allowed in any meeting of SCPTA or its constituent associations including meetings of all committees.
- (d) Standing Rules – The Board of Directors shall have the responsibility to adopt and revise rules, policies, and procedures related to the organization, governance, management, meetings, public policy positions, and overall work of SCPTA and its committees and constituent associations. All such rules, policies, and procedures shall be collected in a document to be entitled Standing Rules.
- (e) Loans – No loans or other indebtedness shall be contracted on behalf of SCPTA and no evidences of indebtedness shall be issued in its name unless authorized by the Board of Directors. Notwithstanding the foregoing, no loan, guaranty, or other form of security shall be made or provided by SCPTA to or for the benefit of any of its board members, officers, employees, or agents.
- (f) Custody and Inspection of SCPTA Records, Documents, Funds and Other Property – All SCPTA records, documents, funds and other property are the property of SCPTA. Such materials may be inspected at any time at the offices of SCPTA by any officer or District President with fifteen (15) days notice to the Executive

Director. All such materials that may be in the possession of any officer or District President shall be returned, within ten (10) days after vacating such office, to the SCPTA office.

- (g) Financial Review – All SCPTA financial records and accounts shall be reviewed each year by a certified public accountant approved by the Board of Directors.
- (h) Nondiscrimination – SCPTA and its Board members, officers, committees, constituent associations and staff shall comply with all National PTA guidelines regarding diversity and discrimination.
- (i) Parliamentary Authority – SCPTA and its committees and constituent associations shall conduct their meetings in accordance with Robert’s Rules of Order, Newly Revised (current edition) to the extent that it does not conflict with South Carolina law or SCPTA’s Articles of Incorporation, Bylaws, Convention Rules, and Standing Rules.

These Bylaws were amended on April 9, 2011 by the South Carolina Congress of Parents and Teachers, Inc. at Annual Convention, Sumter, South Carolina.

\_\_\_\_\_  
President’s Name (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Secretary’s Name (please print)

\_\_\_\_\_  
Signature