

Frequently Asked Questions

Overview

This section contains the most frequently asked questions of Texas PTA board members and staff.

How to Use

Look in this section's table of contents to find the topic that pertains to your question. Browse the entire section to obtain additional information.

You may also find more information in the index.

If you have further questions, contact your Council, Area, or Texas PTA.

Who Should Use

- Board members
- Individual members

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Membership Questions

1. In order to be a member of a PTA, must I have children at that school?

No. Anyone who subscribes to the basic policies and Purposes of PTA is eligible for membership (student members must be in the 9th grade or above).

2. My children attend different schools. Since I have paid the National and Texas PTA dues portions already, do I just pay the Local PTA dues portion at the other PTAs?

No, you must pay all three portions of dues at each Local PTA. This allows the National PTA and Texas PTA to service each Local PTA to which you belong.

3. Can an individual person send their \$3.00 to the Texas PTA Office without joining through the school PTA?

No, the bylaws state that a member pays National, Texas and Local PTA portions of dues for any and all Local PTAs they join. However, an individual may join the Star Spangled PTA by submitting dues to the state office. Contact Texas PTA at 1.800.TALK.PTA or visit the Web site for the amount of dues.

4. I'm a Texas Life Member. What do I pay?

You pay the National and Local PTA portions of your dues. You are exempt from the state portion of dues. Texas Life Membership can only be claimed through one Local PTA. Full membership dues must be paid for additional memberships.

5. If I have more than one Texas Life Membership, am I exempt from the state portion of dues at more than one PTA?

If you have more than one PTA Honorary membership and belong to more than one Local PTA, you may claim exemption from the Texas PTA portion of your dues from the same number of Local PTAs as you have honorary memberships. It does not matter which Local PTAs awarded your honorary memberships, you may claim the exemption from whichever Local PTA you choose.

6. I'm a National PTA Life Member but not a Texas Life Member. What are my dues?

You must pay all three portions of dues. National PTA does not exempt you from the national portion of your dues.

7. I'm a National Life Member and a Texas Life Member. What are my dues?

A National Life Member is honorary only and is not exempt from any portion of the dues. You may claim your Texas Life Membership but must pay the National and Local PTA dues portions. Texas Life Membership can only be claimed through one Local PTA.

8. When my child was in elementary school, the PTA gave me a Texas Life Membership. My child is now in middle school. Can I transfer my life membership to the middle school?

No formal transfer is needed. Simply join the middle school as a life member. If you still want to be a part of the school that presented you with the life membership, you may join that PTA as a regular member. You may use your Texas PTA Life Membership at one Local PTA only.

9. Is there a special form you want us to use to list the members' names?

We provide a sample membership list form in the Local PTA mailing; however, we strongly encourage a computer-generated list. If this is not possible, you may use notebook or typing paper. Please use 8½ by 11-inch paper, if possible. When listing the life members, please put a checkmark in the LM box beside their names.

10. Do we have to alphabetize the membership lists?

No, but it is of considerable help when you're trying to locate a member's name on the list and will be appreciated if you can do so.

11. Do the membership lists need to be typed?

While it is not required, if the lists can't be typed or printed by a computer, please print legibly.

12. How much is a family membership?

Texas PTA does not recognize family memberships. Membership is on an individual basis.

13. When do we receive membership cards?

Membership cards are distributed by the Texas PTA during the posted times at Summer Leadership Seminar or after August 15, provided the president's name and address are on file at the Texas PTA office. As cards are shipped via UPS, please be sure to provide a physical street address – UPS does not deliver to Post Office boxes.

14. How do you know how many cards to send us?

The amount of cards you will receive is based on your Local PTA's membership total for the past year.

15. What if we need more membership cards?

Notify the Texas PTA Office that you need more cards, how many, your Local PTA name and where to mail them. More cards will be sent if the membership dues have been received in the state office.

16. What if we ordered and received too many membership cards?

Fill out only enough membership cards to get you through your current membership drive. You should return the **unused** cards to the Texas PTA Office as soon as you realize you have more than you will need.

17. Do I hold the membership list and dues until October 15?

No, send the names and dues in when enrolled. Members' names must be in the Texas PTA Office before the membership cards are valid. October 15 is a reporting deadline used to determine membership awards and voting representation at state convention. Membership campaigns should be ongoing through March 15. Mail your membership list and check by certified mail, return receipt requested, especially if your check is for a large amount. Be sure to keep copies of the membership list for the president, secretary, treasurer and membership chairman.

18. Are officers of a Local PTA exempt from paying dues?

No. In Local PTA bylaws *Article VIII, Section 1., "Each officer shall be a member of this Local PTA."

19. What are the deadlines for reporting our membership dues to the Texas PTA Office to qualify for membership awards?

Dues must be postmarked on or before October 15 for the fall campaign and March 15 for the spring campaign.

20. What will happen if we miss a deadline?

If you miss the October 15 deadline date, your Local PTA delegates will **NOT** be eligible to vote at state convention nor receive any fall membership awards. If you miss the October 15 and the March 15 deadline date, your PTA will be considered inactive, will lose its tax-exempt status and service from the Texas and National PTA will cease.

21. If someone joins our PTA after March 15, what do we do?

Process the new memberships as you normally would. Membership is accepted at any time during the year. Membership dues and names received in the Texas PTA Office after March 31 will be posted to the new membership-reporting year.

22. What kinds of membership awards can a PTA qualify for?

Refer to the awards forms available on the Texas PTA Web site.

23. When someone is nominated for a position, do they have to be a member?

No, refer to your Local PTA bylaws Article VIII, Section 2.c., "An individual must be a member of the Local PTA prior to taking office."

Bylaws Questions

1. What do we do if our president resigns?

Refer to your Local PTA bylaws, *Article VIII, Section 4.b., "In case a vacancy occurs in the office of president, the first vice president shall serve notice to the executive board of the election."

2. What is the difference between an amendment and a revision?

Amendments are changes made to bylaws. A revision is the substitution of an entirely new set of bylaws. A revision is more complicated, because your existing bylaws, as well as the newly

proposed bylaws, are opened up for changes as well. A vote has to be taken on which set of bylaws the Local PTA wishes to adopt. Amendments are much easier to deal with even if there are a significant number of them.

3. How often does our Local PTA need to send in our bylaws?

Local PTAs operate under bylaws that have been approved by the Texas PTA. Mandatory amendments adopted by the Texas PTA are automatically part of your Local PTA bylaws. However, your Local PTA must submit its bylaws to the Texas PTA for reaffirmation every five years (Article XVII, *Section 2). If the Local PTA makes a change at the Local PTA level, your bylaws must be submitted to the Texas PTA for approval.

4. Do we have to send in a Bylaws Submission Form when resubmitting our bylaws?

Yes. The form provides the necessary contact information, which may have changed since the bylaws were last submitted. Use the form whether you are resubmitting bylaws with required corrections (i.e., the bylaws were received from Texas PTA with “Approval Pending”), or are simply resubmitting the bylaws in order to receive a clean, stamped copy without any notations.

5. If a quorum was not present at a general meeting and we voted on officers, is that a legal election?

No, business cannot be conducted at any meeting at which a quorum is not present. If the presiding officer ignores the fact, any member should call attention to the lack of a quorum before any business or elections take place. If a quorum is not present at any meeting required in the bylaws such as election of nominating committee or officers, you must fix the time for an adjourned meeting. An adjourned meeting may be held any time prior to the time of the next regular meeting. Example: If nominating committee is to be elected in March and there is not a quorum present, you should adjourn the March meeting to a specific time prior to the April meeting. When the meeting is held, it is the Adjourned March Meeting. If a quorum is present, conduct the business just as you would have at the regular March meeting and this satisfies the requirement of the bylaws to elect the

nominating committee at the March meeting. The same applies to the election meeting; if no quorum is present, you must schedule an adjourned meeting.

6. If you are not aware that a quorum is no longer present, business is conducted, and no one present calls the fact to your attention, is the business legal?

If a member or the president realizes that there is no longer a quorum and business is unfinished that must be done, stop here and set an adjourned meeting. If it is not noticeable and business is completed, the action stands because of the difficulty likely to be encountered in determining exactly how long the meeting was without a quorum.

7. How long do officers and chairmen serve in one position?

Refer to your Local PTA bylaws:

*Article VIII, Section 2.d. “Officers shall assume their official duties following the close of the school year and shall serve a term of one year.”

*Article VIII, Section 2.e. “No officer shall serve in the same office for more than two (2) consecutive terms. One who has served more than one-half of a term shall be credited with having served that term.”

Article XII, *Section 4. “No chairman shall serve in the same office for more than two consecutive terms. One who has served more than one-half of a term shall be credited with having served that term.”

8. Are amendments to standing rules approved by the membership the same as bylaws?

No, standing rules and their amendments may be amended by a two-thirds affirmative vote without previous notice or a majority vote with such a notice.

9. Who can attend executive board meetings?

Refer to your Local bylaws Article XI, Section 1, which outlines the members of your executive board.

10. Are executive board meetings open to everyone?

Executive board meetings are open only to members of the board. Individuals or groups may address the board with the approval of the president. However, they are not able to take part in discussion, and, after they have completed their business, they must leave the meeting.

Financial Questions

1. When do I have to collect sales tax?

The first criteria is to determine if the Local PTA is the seller or the vendor is the seller and the Local PTA is acting as their agent. For a Local PTA to be the seller, they must first purchase the merchandise and then determine the selling price. In instances where Local PTA is the seller, the general rule is; sales tax is collected on any tangible item sold other than at the two tax-free days. This would include, but is not limited to, T-shirts, school supplies, holiday gift shop gift items and books at book fairs. It does not include food items, admission fees (when all of the proceeds go to Local PTA), or any writings or publications such as cookbooks or student directories of the Local PTA. ("Of the Local PTA" means the Local PTA must have been responsible for the publication of the works even if they had a commercial printer print and bind the publication.)

2. When is an audit required?

An audit is required at the end of each fiscal year or any time authorized check signers change. Additionally, an audit can be conducted at any time the association feels one is needed.

3. When does the new treasurer take over the books?

According to Local PTA bylaws, *Article VIII: Officers and Their Election, Section 2.d. states: "Officers shall assume their official duties following the close of the school year and shall serve a term of one year." However, procedure books and materials must be given to newly elected officers no later than 15 days after they assume their duties. Treasurers should receive books directly from the audit committee upon completion of the audit.

4. Can we pay sales tax when we purchase our merchandise for sale so we don't have to collect it when we sell it?

No, sales tax must be collected from the end user (customer) on the retail price, not the wholesale price.

5. Are cookbooks, directories or yearbooks taxable?

No, not if produced by the Local PTA. It is considered "produced" by Local PTA if Local PTA members decide the content, even if printed by a commercial printer.

6. When do I have to file a Form 990?

If your gross receipts average more than \$25,000 per year based upon a three-year average, you are required to file a Form 990(EZ) within 4½ months after the end of your fiscal year. For PTAs averaging \$100,000 or more per year based upon a three-year average, you are required to file a Form 990 within 4½ months after the end of your fiscal year. Beginning with the 2007-2008 fiscal year, PTAs whose gross receipts average \$25,000 or less will be required to file a 990-N E-Postcard electronically within 4½ months after the end of your fiscal year.

7. Can we have a fundraiser to raise money for a student who needs an operation?

No. Funds cannot be raised through the Local PTA for an individual, no matter how worthy the cause. The student's family may be encouraged to apply to the Texas PTA Emergency Relief Fund. Local PTAs are encouraged to donate to this fund, but contributions *may not* be earmarked for a specific individual. (An Emergency Relief Fund form can be found in the "Resources and Forms" section of this handbook.)

8. Do I have to pay sales tax on prizes purchased as giveaways at a carnival?

No, items purchased for Local PTA use are exempt from sales tax. As these items are not sold, sales tax would not be collected.

9. Can our gift-wrap fundraiser be a tax-free day since we sell over a period of one month?

Yes, provided certain criteria are met. First, the Local PTA must purchase inventory AND determine the selling price. Then, if all merchandise purchased is based upon advanced order sales and all merchandise is ordered at the same time and all merchandise is delivered to the

Local PTA on one day by the supplier the State Comptroller's Office has stated that you may consider this a one-day event even if delivered over a reasonable amount of time.

10. If we make no profit on our school supplies, do we have to collect and pay sales tax?

Yes, profit is not a factor in determining what items you must collect sales tax on.

11. How much money can we carry over to next year?

There is no established minimum or maximum amount. It will vary from Local PTA to Local PTA based upon when each holds its fundraisers. If you have no fund-raiser until spring, you will need to carry over more than if the major fundraisers are in the early fall. However, a Local PTA should not raise more funds than is necessary to carry out its tax-exempt function.

12. A local business wants to make a contribution to our Local PTA but needs proof of our tax-exempt status. What do I give him?

Give them a copy of our IRS determination letter. (A copy of the letter can be found in the "Resources and Forms" section of this handbook.) You are also required to provide them with a receipt.

13. Who can conduct an audit?

Refer to your Local PTA bylaws, *Article XV, Section 2 "An audit committee consisting of not less than three (3) members, who are not authorized signers, shall be appointed by the executive board at least thirty (30) days before the last meeting of the year."

Parliamentary Procedure Questions

1. If the president really wants the Local PTA to approve something, can he speak on its behalf?

Yes, but the president must step down from presiding at a general meeting and let the vice president conduct the meeting until the matter is resolved. At a more informal meeting, such as the executive board, the president should wait until everyone else has given their opinion, and, then, he may give his opinion.

2. Can the president vote?

The president may vote on a pending question when the vote would change the outcome; that is, to make or break a tie. The president may vote in all cases where the voting is by ballot, but may vote only once.

3. How and when do we use ballot voting?

A ballot can be a slip of paper on which a choice is written, or it can be prepared in advance and handed out at the appropriate time. A ballot vote can be specified in the bylaws, or it can be used when it is felt that a secret vote will give a truer indication of the assembly's will.

4. Does the Council PTA president have the authority to attend Local PTA meetings within the Council PTA without invitation?

Yes. As a matter of courtesy, the Council PTA president should contact the Local PTA president to request permission to attend. We must remember that our meetings are open to anyone believing in our Purposes. Only paid members can vote or enter into discussion.

5. If the Council PTA president is at a Local PTA meeting and obviously incorrect information or procedures are occurring, can the Council PTA president stand up and point out their errors?

No. The Council PTA president should talk to the president after the meeting or, if the proceedings are really going to cause a problem like an illegal election, then the Council PTA president can call for a point of information.

Yearbook/Directory Questions

1. Does our Local PTA need a yearbook?

Yes, if you want a publication that will serve as a useful communication tool for present Local PTA members and will preserve the year-by-year history of the Local PTA.

A yearbook provides a reference guide on questions of PTA organization and operation.

2. What goes in a yearbook?

Here is a suggested guide, although you can modify and expand it to suit your own situation:

Cover: Any color, attractive illustration (PTA emblem or school mascot), name of your PTA, name of Council (if applicable), Area PTA number and year.

Size: Any that fits your needs.

Content:

- Title page -- name repeated, date of organization of Local PTA, school colors, mascot, day, time and place of meetings, school address, school telephone number, name of superintendent, name of principal;
- Dedication page;
- Acknowledgement of cover artist;
- PTA inspiration;
- PTA Purposes;
- Order of business of meeting;
- Local PTA officers and committee chairmen (office, name, telephone number);
- Past presidents of Local PTA (names and years);
- Life Memberships presented by Local PTA (names and years);
- Names of National, Texas, Area and Council PTA presidents;
- School board members;
- Program and events for the year—day, date, time and purpose of the meetings;
- Dates of Council PTA meetings, theme and program for each meeting (if a member of a Council PTA);
- Helpful information--daily time schedule for school students (arrival, departure, lunch, etc.), absence policies, rules and regulations, school parties, cafeteria prices, cafeteria policies, list of items sold at school supply room;
- Faculty and staff—grade levels, special teachers, staff members and names of all personnel;
- Directory of students—grade level, room number, teacher, room chairmen, names of students and parents, alphabetically. Proper permission must be secured if any telephone numbers are included;

- Explanation of how directory was compiled (by use of a special form to secure permission to use information);
- Bylaws and standing rules/procedures (if you have standing rules); and
- School calendar.

3. How can I get samples of good yearbooks?

Sample yearbooks may be obtained from the following sources:

- Copies from other Local PTAs in your Council PTA
- Your Area PTA president will have copies sent for yearbook judging if your Area PTA has an award

4. Are there any “Do’s and Don’ts?”

A few suggestions might include:

1. Written permission from parents should be secured before listing addresses and telephone numbers. A form can be developed for parents to sign.
2. Directories should be available as early in the school year as possible. No one wants to get a yearbook three months before the end of school!
3. Yearbooks with only PTA information included are usually made available to all members of a Local PTA at no cost to the members.
4. Directories with extensive lists of school personnel and students’ names and addresses are sometimes sold to all parents and students at a nominal cost to recover expenses.
5. Some Local PTAs sell advertising in the directories to offset printing costs. (Be sure to adhere to noncommercial policies of National PTA.)

Nominating Committee and Election Questions

1. When is the Nominating Committee formed?

According to Local PTA bylaws *Article VIII, Section 3.a., “There shall be a nominating committee elected by the general body at a regular meeting at least one month prior to the election of officers.” Refer to your Local PTA bylaws to

determine the month your Nominating Committee is elected.

2. How many people are on the Nominating Committee?

Local PTA bylaws, *Article VIII, Section 3.a., states, “The committee shall be composed of *{three (3), five (5), or seven (7)}* members.” Refer to your Local PTA bylaws for the number of members on your Nominating Committee.

3. How may I get on the Nominating Committee?

Ask someone to nominate you. You must be elected to the committee.

4. If an original member of the Nominating Committee can’t make the first meeting, what do we do?

Local PTA bylaws, *Article VIII, Section 3.a., states, “*{One (1), Two (2) or Three (3)}* _____ alternates shall be elected to serve in the event a member is unable to serve.” An alternate serves in the event a member is unable to attend the first meeting or resigns. The alternate then becomes the member of the committee.

5. Does the original member who couldn’t make the first meeting attend any additional meetings if more are necessary?

No, once an alternate is used, the original member has been replaced and does not serve at all.

6. If the Nominating Committee comes up with a slate of officers and then one of them backs out, does the Nominating Committee leave it blank?

If the nominee resigns before the election, then the Nominating Committee meets again to try to name a nominee for the position.

7. If someone resigns after the election meeting, does the Nominating Committee have to meet again to fill that position?

No. According to Local PTA bylaws, *Article VIII, Section 4.a., “A vacancy occurring in any elected office shall be filled for the unexpired term by a person elected by a majority vote of the executive board, notice of such election having been given.”

8. What if the Nominating Committee can’t fill all the positions?

If the Nominating Committee can’t fill the position, then nominations are taken from the floor at the election meeting. If they still can’t fill the position, then the executive board must fill the vacancy. Refer to Local PTA bylaws, *Article VIII, Section 4. Responsibilities of the office may be assumed by existing board members.

9. If I’m on the Nominating Committee, may I be considered for an office?

Yes, unless your bylaws or standing rules state otherwise. You may have your name put forth for a position. You should leave the room while the committee determines your qualifications. The vote for the nominee for that position should be decided by a ballot vote.

10. What happens if not all the committee members agree on the slate?

A majority needs to agree on the slate. You must keep balloting until you have a majority vote. If you do not agree with the final report, you do not have to sign it.

11. Can a member of the Nominating Committee nominate someone from the floor?

Not if the Nominating Committee member signed the committee report, which means that they agree with the slate of officers the committee recommends.

12. The Nominating Committee was unable to fill a position, and no one ran from the floor. What can be done?

A position not filled by election is considered a vacancy. According to the Local PTA bylaws, *Article VIII, Section 4, the executive board fills the position by a majority vote with notice of the election having been given. Other board members may share the responsibilities of the vacant position until the position is filled.

12. Who reads the slate of officers at the general meeting?

The Nominating Committee Chairman reads the report and hands the report to the president who reads the report again and conducts the election.

13. Does the executive board have to approve the slate of officers before presentation to the general membership?

No. The executive board does not approve the slate of officers. They just accept the Nominating Committee's report.

14. Should the list of nominees be publicized or is it confidential until the meeting?

The slate of officers is not confidential. It is a courtesy to let the president know the slate before it is posted. Refer to Local PTA bylaws, *Article VIII, Section 3.b., "The report shall be publicized to the Local PTA membership through regular publicity channels at least seven (7) days before the election meeting."

15. Who reads the qualifications of the nominees?

Usually the Nominating Committee Chairman reads the qualifications.

16. If someone is nominated from the floor, who reads their qualifications?

The qualifications for a candidate running from the floor may be read by that nominee, the person making the nomination, the Nominating Committee Chairman, or by another means determined by the membership.

17. Whose job is it to call the prospective nominees to see if they are willing to serve if elected?

The chairman of the Nominating Committee should call the nominees or assign a committee member to help with the calling.

18. Can a husband and wife be nominated for offices?

Texas PTA recommends that a husband and wife not both be nominated for elected positions. Officers should represent a cross section of the membership. Husband and wife should never both be authorized signers on the bank account.

19. Is there an election of officer's script that the president can follow?

Refer to "Resources and Forms" section of this handbook for a sample script.

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