

# Congratulations...

## PTA President/Parliamentarian!

Torrance Council IS your first information source to contact for any parliamentarian issue.

Torrance Council of PTAs Council  
Parliamentarian for 2018-19 school year

Terry Ragins, (310) 408-4482

[TCPTAParliamentarian@gmail.com](mailto:TCPTAParliamentarian@gmail.com)

[ragins@socal.rr.com](mailto:ragins@socal.rr.com)

Feel free to contact me at any time,  
re: Bylaws, Parliamentary Procedures, and  
Elections/Nominating Committees.

# Running an Event AND other Insurance and Legal Aspects of PTA

Torrance Council of PTAs Training Workshops, January 2019

## Event Planning (and Budgeting) Worksheet (Fillable Form from TCPTA)

See [www.CAPTA.org](http://www.CAPTA.org) Toolkit, Or [www.TorranceCouncilofPTAs.com](http://www.TorranceCouncilofPTAs.com) Council Fillable form

## Fiduciary Agreement ([www.TorranceCouncilofPTAs.org](http://www.TorranceCouncilofPTAs.org)) to use with donations to schools;

Donation checks should be written to/delivered to TUSD, NEVER made out to your school.

PTAs may pay for school staff via a donation to TUSD, earmarked for identified school staff.

## TUSD Requirements; available at [www.TUSD.org](http://www.TUSD.org), AND [www.TorranceCouncilofPTAs.org](http://www.TorranceCouncilofPTAs.org)

- Facilities Use permit
- Banner permit
- Food trucks – procedure & list
- Flyer approval process
- TB Screening Form and procedures
- Volunteer form w/Code of Conduct
- **Depts/Nutritional Services**
- Wellness Policy/Nutrition Standards

## PTA Insurance ([www.capta.org](http://www.capta.org) and [www.TorranceCouncilofPTAs.org](http://www.TorranceCouncilofPTAs.org))

Provided through CAPTA: Comprehensive General Liability with Extended Medical Payments, Professional Liability (Directors & Officers Liability), Fidelity Bond:

PTA Insurance Broker: **Changes in insurance; In effect as of 1/5/2019**

AIM Association Insurance Management, Inc.

8144 Walnut Hill Lane Suite 900 Dallas Texas 75231

(800) 876-4044, FAX (214) 360-0801

Email: [CAPTA@aim-companies.com](mailto:CAPTA@aim-companies.com)

DO NOT sign a hold harmless agreement (unless get permission from insurance company).

Insurance only covers your unit if proper procedures, financial and safety, are followed.

Insurance & Loss Prevention Guide--CAPTA Red light/Green light guide (on [www.CAPTA.org](http://www.CAPTA.org)):

- Red Light: activities and events that are prohibited
- Yellow Light: Activities and events which may require additional clearances; call insurance
- Green Light: approved activities and events
- Excess crime bond application
- TCPTA Addendum: Added TUSD limited events; [www.torrancecouncilofptas.org](http://www.torrancecouncilofptas.org)
- Hold Harmless Agreement
- Incident Report
- Parent's Approval and Student Waiver Form and Participant's Waiver Form

Do not use the Insurance version of these forms. Use the ones on the TCPTA website.

## Vendors/Concessionaires/Service Providers: Must approve all contracts at Association Mtg

- Vendor/concessionaire/service provider must sign PTA hold harmless agreement (found on insurance website and in CAPTA toolkit.)
- Evidence of insurance (\$1M policy required)
- Pre-approved vendor list, extensive listing, on [www.CAPTA.org](http://www.CAPTA.org) AIM Insurance info

## Contracts; See CAPTA toolkit [www.capta.org](http://www.capta.org) and [www.TorranceCouncilofPTAs.org](http://www.TorranceCouncilofPTAs.org)

- Conflict of Interest (Whistleblower) Forms for all Executive Board members annually
- Authorization from executive board before negotiating

# Running an Event AND other Insurance and Legal Aspects of PTA

Torrance Council of PTAs Training Workshops, January 2019

- Approval by PTA membership (association) before signing
- Signed by two elected officers, one of whom must be the president
  - “ABC PTA by Jane Smith, President and John Doe, (officer title)”
- Length of contract limited to current membership year

## Forms specific to TUSD/TCPTA ([www.TorranceCouncilofPTAs.org](http://www.TorranceCouncilofPTAs.org))

- TCPTA Addendum to PTA insurance guidelines: TUSD exceptions to Insurance Guidelines.
- TUSD-PTA Media Release Form: Combines TUSD and CAPTA media release forms. Use only version on TCPTA website.
- TUSD – TCPTA Fiduciary Agreement: Adapted from CAPTA form in CAPTA toolkit. Use ONLY version on TCPTA website.
- TUSD-PTA Student Participation Permission/Waiver Form: Combines the TUSD and CAPTA permission/waiver forms. Use this form for each individual event that requires a waiver. This form is distributed by principals and teachers and is available to them from TUSD. (Form revision in progress in conjunction with TUSD; New form to be available ASAP.)

## Raffles Forms and information on conducting a legal raffle: [www.ag.ca.gov/charities/raffles.htm](http://www.ag.ca.gov/charities/raffles.htm) And [www.TorranceCouncilofPTAs.org](http://www.TorranceCouncilofPTAs.org)

- A completed registration form and registration fee must be submitted by September 1 (or at least 60 days before your raffle) of each year (September 1 through August 31) during which a raffle is expected to be conducted.
- A Nonprofit Raffle Report must be completed for the raffles conducted during a reporting year (September 1 through August 31). Reports are due on or before October 1.

## Alcohol and PTA Events Approval and permission must be given by the Supt., or designee, prior to any alcohol being brought onto any TUSD school campus.

- **Selling Alcohol:** In accordance with the California State PTA insurance program, PTAs may not engage in the sale of alcoholic beverages. Donated alcohol may be used as auction items provided the auction is held at a non-school site location and the contents are not decanted during the event or on the premises.
- **Serving of Alcohol at PTA Events:** The California State PTA strongly urges PTAs to refrain from serving alcoholic beverages at PTA functions. Any alcoholic beverages must be provided and served by a licensed establishment or catering company that has the appropriate permits and insurance. The PTA may not collect for the cost of the alcoholic beverages through ticket sales. This cost must be paid separately to the licensed establishment.

## Advertising

Do not advertise or endorse any product or service, though you can recognize and thank donors. TUSD Wellness Policy limits publicizing food-related fundraisers at school sites.

## Accepting contributions

Your PTA is a 501(c)3 nonprofit. Any donation/gift may qualify as a charitable donation for federal income tax purposes; be careful NOT to say definitively that, ‘your contribution is tax deductible.’

# The Election

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 [toolkit.capta.org/running-your-pta/nominations-and-elections/the-election/](http://toolkit.capta.org/running-your-pta/nominations-and-elections/the-election/)

1. The election of officers for the ensuing year shall be conducted no later than the second week of April. This will afford the president-elect an opportunity to register and attend convention representing the association. Additionally, the transition process for all officers can begin and required reports can be submitted in accordance with due dates established by councils, PTA districts and the California State PTA.
2. Thirty (30) days' advance written notice of the election meeting must be provided to the membership (Association Meetings).
3. The president presides at the election meeting.
4. The privilege of voting shall be limited to members of the association who are present, whose dues are paid, and who have been members of the association for at least thirty (30) days.
5. Election of officers is held at the annual meeting and will come under "new business" on the agenda. The president calls upon the parliamentarian to read the sections of the bylaws pertaining to nominations and elections. (Article V, Sections 1, 2, 3a, 3b, 3c, 3d, 3g, 4, 5, 6, 7, and 11)
6. After the parliamentarian has finished, the president calls upon the chairman of the nominating committee to read the report of the committee. If a nominee has withdrawn prior to the election and another nominee has been selected, the chairman will read a revised report to inform the membership of the new nominee.
7. The president restates the slate of nominees and asks each one to stand. The president conducts the election of officers even if (he/she is) nominated for an office. The president thanks the nominating committee for its report and states:

"According to our bylaws, nominations from the floor are now in order."

The privilege of nominating from the floor is extended to members of the association who are present, whose dues are paid, and who have been members of the association for at least 30 days. An eligible member may nominate him- or herself.

Nominations do not require a second, only the nominee's consent.

The president can:

- a. Ask for additional nominations for all positions in the order in which they are listed in the *Bylaws for Local PTA/PTSA Units*, Article V, Section 2, before closing nominations for all elected offices and then proceed with the election; or
- b. Ask for additional nominations for each position, one at a time, in the order in which they are listed in the *Bylaws for Local PTA/PTSA Units*, Article V, Section 2, and then proceed to elect the officer after nominations are closed on each position.

The president says,

“ \_\_\_\_\_ has been nominated for president, are there further nominations for president?”  
(Pause.)

“ \_\_\_\_\_ has been nominated for vice president, are there further nominations for vice president?” (Pause.) This procedure is used for each office.

The president then says,

“Are there further nominations for any of these offices?” (Pause.) “Hearing none, I declare the nominations closed. The bylaws state that where there is but one nominee for an office, the ballot may be dispensed with, and the election held by voice. Is there any objection to this procedure?” (Pause.) “Hearing none, the following are presented for election: \_\_\_\_\_ for president, \_\_\_\_\_ for vice president, etc.” After all offices have been presented say the following: “All those in favor say ‘aye,’ those opposed say ‘no.’”

The president says,

“The ayes have it, and you have elected the following officers.” (The president restates names and offices.)

If only one candidate has been nominated for an office, the president may declare the nominees elected by acclamation.

Officers are elected by a majority vote of those present and eligible to vote, providing the **quorum** as stated in the bylaws has been met.

## Voice Vote

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If there is but one nominee for any office, the ballot vote for that office may be dispensed with, and the election held by voice vote, as described above.

A member who wishes to vote by ballot for any office may move that the vote be taken by ballot. The motion to vote by ballot must be recognized and voted upon immediately without debate. A majority vote is required for adoption of the motion to vote by ballot.

## Two or More Nominees for Office

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When there are two or more nominees for an office, the election shall be held by ballot, as stated in the bylaws. The secretary should have ballot slips available. Even if the nominating committee presents only one name for each office, there is the possibility that nominations will be presented from the floor.

## Ballot Vote

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1. When there are two or more nominees for an office, the election is held by ballot. To verify eligibility to vote, the membership list must be checked before ballots are distributed. The secretary has the official membership list. If a membership list is not available, all adults present will be allowed to vote. If it is known prior to the election meeting that there will be two or more nominees for any office, ballots may be distributed at a registration table as members

arrive for the meeting and present their membership cards.

2. The president appoints a tellers committee, including a chairman and at least two (2) tellers, whose duties are to distribute, collect, and count the ballots. Ballots may also be collected in a ballot box.

3. The president requests all members eligible to vote to rise and be counted. This count will determine the number of ballots to be tallied.

4. A nominee for an office cannot be involved in the election procedure as a teller who collects ballots and counts votes.

5. Blank ballots are not counted.

6. Illegal ballots are counted to determine the number of votes cast, but are not applied as a vote for or against any nominee. Ballots are considered illegal if:

- They are unintelligible;
- They contain the name of a nominee who is not a member; or
- Two or more filled out ballots are folded together. These are recorded as one illegal vote.

7. In a contested election, each nominee may designate a person as an observer at the time the ballots are counted.

8. If another vote is necessary, the voting members must be recounted to establish the number of ballots to be tallied. If a member eligible to vote was not present when the original ballot was cast but arrives in time for another vote, the member is entitled to vote.

9. The results of the voting are reported by the chairman of the tellers, in writing to the president, as follows:

Number of members eligible to vote \_\_\_\_\_

Number of votes cast \_\_\_\_\_

Number needed to elect \_\_\_\_\_

(Nominee) \_\_\_\_\_ Received \_\_\_\_\_

(Nominee) \_\_\_\_\_ Received \_\_\_\_\_

10. This procedure is repeated for each contested office. The president announces who has been elected to office. Unless requested, the president does not have to announce the number of votes cast for each nominee, but the complete Tellers' Report must be recorded in the minutes. Following the announcement of the vote, the chairman of the tellers moves that the ballots be destroyed.

11. It is permissible to use these two procedures in one election by using voice vote for uncontested offices and a ballot for those that have two or more nominees.

12. With few exceptions, a challenge to procedures or outcome must be made during the election meeting. An election must be declared "null and void" whenever discovery is made

that the individual elected did not meet the qualifications for office as stated in the bylaws. Refer to *Roberts Rules of Order Newly Revised, latest edition, Contesting the Announced Results of an Election* and *Point of Order* sections. For assistance contact the district PTA.

### **Voting Rights of Officers**

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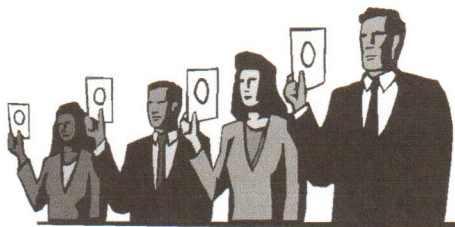
All PTA officers, including the parliamentarian, have the same voting privileges as other members. The president's impartiality is protected by voting only when the vote is by ballot.

### **Previous Nominating Committee Members**

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Make a list of nominating committee members and the year(s) in which they served. This will serve as a written reference for the PTA. The names of the nominating committee members must be placed in the PTA minutes as the official record.

## SCRIPT FOR CONDUCTING ELECTIONS



Terry Ragins, here, from Torrance Council.

Wishing a good day to all, TCPTA Presidents and Parliamentarians.

It is that time of year... for PTA elections, of course!

Below you will find an effective elections script to use for those elections, straight from CAPTA: the script below contains all necessary items PLUS an added section on conducting an election by ballot. This script IS available on-line at CAPTA, in the CAPTA toolkit, and on the TCPTA website, at [www.TorranceCouncilofPTAs.org](http://www.TorranceCouncilofPTAs.org).

If there is an indication of a possible ballot election at your PTA unit, **PLEASE** contact Torrance Council in advance of your election. Torrance Council is here to provide assistance and direction.

Feel free to contact me directly, Terry Ragins, Torrance Council Parliamentarian, [ragins@socal.rr.com](mailto:ragins@socal.rr.com) or your TCPTA mentor, or the TCPTA President. We want to support and assist you in this important process.

### SCRIPT begins here:

**PRESIDENT:** “We will now conduct our elections. Would the parliamentarian please read the sections of the bylaws pertaining to elections?”

**PARLIAMENTARIAN:** (The parliamentarian reads aloud the following sections of the unit bylaws: Article V, Sections 1, 2, 3a, 3b, 3d, 3g, 4, 5, 6, 7, and 11.)

**PRESIDENT:** “Will the chairman of the nominating committee please present the committee report?”

**CHAIRMAN:** (The chairman reads the prepared report that states the slate of nominees, the nominating committee members and the date of the report. The chairman’s part in the elections is concluded.)

**PRESIDENT:** “Thank you.” (The president then rereads the report of the nominating committee and asks each nominee to stand.)

“According to our bylaws, nominations from the floor are now in order. For president, \_\_\_\_\_ is nominated. Are there further nominations from the floor?” (Give a few moments for response.) “Seeing none, the nominations for president are closed.

“\_\_\_\_\_ has been nominated for executive vice president. Are there further nominations from the floor? (Give time for response.) Seeing none, the nominations for executive vice president are closed.”



(The president then goes through each elected position as specified in the bylaws asking for nominations from the floor. Should a nomination be received for an office that has no candidate, that election can be held by voice vote. Should a nomination be received for an office with a candidate, a ballot election must then be held for that office or offices; a ballot election must also be held at the request of any member of the association. See section below for information regarding a ballot.)

**PRESIDENT:** *(The president then reads off the candidates and offices.)* “As our bylaws allow, since there are single candidates for each office (if there are), we will conduct the elections by voice vote. Is there any objection to this procedure? (If no one has called for a ballot vote, elections continue.)

All those in favor of electing \_\_\_\_\_ as president, \_\_\_\_\_ as executive vice president.... (reads all the names) say ‘Aye.’ Those against, say ‘No.’ IF the vote is a majority of ayes, then the president will say: “The ayes have it and you have elected the following officers.”

(The president then restates the names and offices of those elected. The “voice vote” election is concluded.)

### **IF A BALLOT VOTE BECOMES NECESSARY:**

1. When there are two or more nominees for an office or when a member requests it, the election is held by ballot. To verify eligibility to vote, the membership list must be checked before ballots are distributed. The secretary should have the official membership list. If a membership list is not available, all present must be allowed to vote. The secretary should have ballot slips available. If it is known prior to the election meeting that there will be two or more nominees for any office, ballots may be distributed at a registration table as members arrive for the meeting and present their membership cards.
2. The president appoints a tellers committee, including a chairman and at least two (2) tellers, whose duties are to distribute, collect, and count the ballots. Ballots may also be collected in a ballot box.
3. The president requests all members eligible to vote to rise and be counted. This count will determine the number of ballots to be tallied.
4. A nominee for an office cannot be involved in the election procedure as a teller who collects ballots and counts votes.
5. Blank ballots are not counted.
6. Illegal ballots are counted to determine the number of votes cast, but are not applied as a vote for or against any nominee. Ballots are considered illegal if:
  - They are unintelligible;
  - They contain the name of a nominee who is not a member; or
  - Two or more filled out ballots are folded together. (These are recorded as one illegal vote.)

- 7. In a contested election, where there is more than one candidate on the slate, each nominee may designate a person as an observer at the time the ballots are counted.
- 8. If another vote is necessary, the voting members must be recounted to establish the number of ballots to be tallied. If a member eligible to vote was not present when the original ballot was cast but arrives in time for another vote, the member is entitled to vote.
- 9. The results of the voting are reported by the chairman of the tellers, in writing, to the president, as follows:

*Number of members eligible to vote:*

*Number of votes cast:*

*Number needed to elect:*

*(Nominee)* \_\_\_\_\_

*Votes Received* \_\_\_\_\_

*(Nominee)* \_\_\_\_\_

*Votes Received* \_\_\_\_\_

- 10. This procedure is repeated for each contested office.  
The president announces who has been elected to each office.  
**Unless requested, the president does not have to announce the number of votes cast for each nominee**, but the complete Tellers' Report must be recorded in the minutes.  
Following the announcement of the vote, the chairman of the tellers moves that the ballots be destroyed.
- 11. **It is permissible to use these two procedures in one election by using voice vote for uncontested offices and a ballot for those that have two or more nominees.**
- 12. A challenge to the election procedure or outcome must be made during the election meeting.
- 13. For additional information, see *Robert's Rules of Order*– Point of Order section.

I have also attached a second "word for word" script, with spaces highlighted that need specific information from YOUR unit bylaws to be filled in. Once your unit specific information is added, you are good to go. Enjoy. THAT is it...simple as...well, it is not simple but pretty easy to get through the process.

Please, feel free to contact me, or your Torrance Council mentor or President; with questions or issues about elections, or anything else that might come up, but **especially** if there is some indication that there might be the need for a ballot election.

Torrance Council is here to advise and help you to be sure that proper procedures are followed with accuracy and efficiency.

Best wishes for a quick and easy, and uncontested election! PTA rocks and so do you!

Terry Ragins, Torrance Council Parliamentarian, [ragins@socal.rr.com](mailto:ragins@socal.rr.com), 310-408-4482

## Script for conducting elections

It can be nerve-racking to stand in front of your membership and conduct elections. What do you say and, how do you say it? Consider the following.

**PRESIDENT:** “We will now conduct our elections. Would the parliamentarian please read the sections of the bylaws pertaining to elections?”

**PARLIAMENTARIAN:** *(The parliamentarian reads aloud the following sections of the unit bylaws: Article V, Sections 1, 2, 3a, 3b, 3d, 3g, 4, 5, 6, 7 and 11.)*

**PRESIDENT:** “Will the chairman of the nominating committee please present the committee report?”

**CHAIRMAN:** *(The chairman reads the prepared report that states the slate of nominees, the nominating committee members and the date of the report. The chairman’s part in the elections is concluded.)*

**PRESIDENT:** “Thank you.” *(The president then rereads the report of the nominating committee and asks each nominee to stand.)* “According to our bylaws, nominations from the floor are now in order. For president, \_\_\_\_\_ is nominated. Are there further nominations from the floor?” *(Give a few moments for response.)* “Seeing none, the nominations for president are closed.” “\_\_\_\_\_ has been nominated for executive vice president. Are there further nominations from the floor?” *(Give time for response.)* Seeing none, the nominations for executive

vice president are closed.”

The president then goes through each elected position as specified in the bylaws asking for nominations from the floor. Should a nomination be received for an office that has no candidate, that election can be held by voice vote. Should a nomination be received for an office with a candidate, a ballot election must then be held for that office or offices; a ballot election must also be held at the request of any member of the association. See section below for information regarding a ballot.

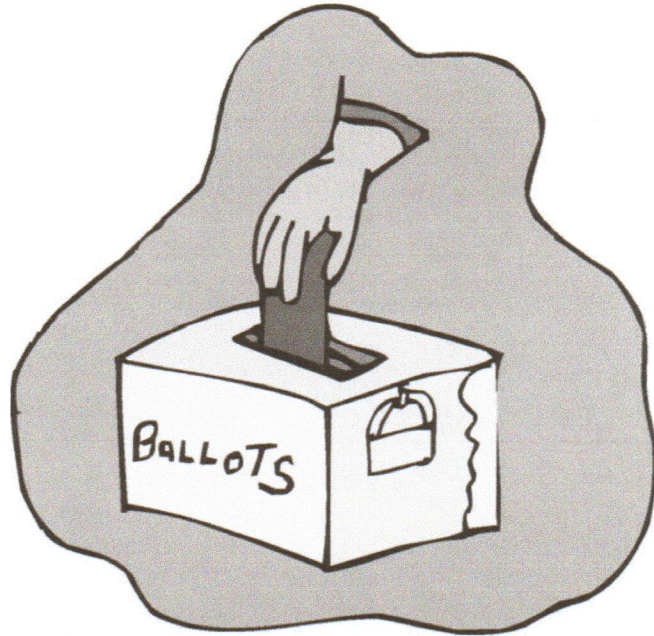
**PRESIDENT:** *(The president then reads the candidates and offices.)* “As there are single candidates for each office (if there are), we will conduct the elections by voice vote. Is there any objection to this procedure? *(If no one has called for a ballot vote, elections continue.)* All those in favor of electing \_\_\_\_\_ as president, \_\_\_\_\_ as executive vice president ... *(reads all the names)* say ‘Aye.’ Those against, say ‘No.’ The ayes have it and you have elected the following officers.” *(The president then restates the names and offices of those elected. The “voice vote” election is concluded.)*

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### If a ballot vote is necessary

1. When there are two or more nominees for an office or when a member requests it, the election is held by ballot. To verify eligibility to vote, the membership list must be checked before ballots are distributed. The secretary should have the official membership list. If a membership list is not available, all present must be allowed to vote. The secretary should have ballot slips available. If it is known prior to the election meeting that there will be two or more nominees for any office, ballots may be distributed at a registration table as members arrive for the meeting and present their membership cards.

2. The president appoints a tellers committee, including a chairman and at least two (2) tellers, whose duties are to distribute, collect and count the ballots. Ballots may also be collected in a ballot box.
3. The president requests all members eligible to vote to rise and be counted. This count will determine the number of ballots to be tallied.
4. A nominee for an office cannot be involved in the election procedure as a teller who collects ballots and counts votes.
5. When a ballot vote is cast, a candidate must be chosen, or the ballot will be disqualified.
6. Illegal ballots are counted to determine the number of votes cast, but are not applied as a vote for or against any nominee. Ballots are considered illegal if:
  - They are unintelligible;
  - They contain the name of a nominee who is not a member; or
  - Two or more filled-out ballots are folded together. (These are recorded as one illegal vote.)
7. In a contested election, where there is more than one candidate on the slate, each nominee may designate a person as an observer at the time the ballots are counted.
8. If another vote is necessary, the voting members must be recounted to establish the number of ballots to be tallied. If a member eligible to vote was not present when the original ballot was cast but arrives in time for another vote, the member is entitled to vote.
9. The results of the voting are reported by the chairman of the tellers, in writing, to the president, as follows:



<i>Number of members eligible to vote:</i>	_____
<i>Number of votes cast:</i>	_____
<i>Number needed to elect:</i>	_____
<i>(Nominee)</i>	_____
<i>Received</i>	_____
<i>(Nominee)</i>	_____
<i>Received</i>	_____

10. This procedure is repeated for each contested office. The president announces who has been elected to office. Unless requested, the president does not have to announce the number of votes cast for each nominee, but the complete Tellers' Report must be recorded in the minutes. Following the announcement of the vote, the chairman of the tellers moves that the ballots be destroyed.
11. It is permissible to use these two procedures in one election by using voice vote for uncontested offices and a ballot for those that have two or more nominees.
12. A challenge to the election procedure or outcome must be made during the election meeting.
13. For additional information, see *Robert's Rules of Order Newly Revised, Tenth Edition* – "Point of Order" section.