

## **Maryland PTA Advisory**

### **Update regarding PTA Operations during the COVID-19 Emergency**

On May 6, 2020, the State Superintendent of Education closed Maryland public schools for the remainder of the 2019-2020 schoolyear. Additionally, the Governor amended and restated the order of March 30, 2020, prohibiting large gatherings and events, closing senior centers and all non-essential businesses and other establishments and requiring all persons to stay at home.

This purpose of this advisory is to restate and amend guidance issued to constituent associations regarding PTA Operations during the COVID-19 Emergency, dated April 17, 2020. Except as outlined below, the April 17, 2020 advisory is incorporated herein by reference.

**Membership Meetings.** Constituent association may **NOT** hold general membership meetings or annual meetings during the course of the COVID-19 while the Governor's Executive Order prohibiting large gatherings and events and requiring all persons to stay at home remains in effect. Constituent associations may host online or electronic programs and events, so long as official votes on items of business are not taken.

Maryland PTA encourages constituent associations to communicate regularly with members during this time. Share information from federal, state, and local leaders, National PTA, and Maryland PTA that will be helpful to families and children as we cope with the limitations and restrictions imposed because of the pandemic. PTA leaders should maintain open lines of communication with members and notify Maryland PTA of any assistance needed from the state leaders. Maryland PTA remains operational and available to advocate for children and families with elected and emergency management officials.

Maryland PTA will not provide assistance, advice, troubleshooting, or compliance resolution regarding electronic membership meetings or electronic voting. Constituent associations are advised to keep the following general principles regarding membership meetings in mind:

**Elections.** Constituent associations may **NOT** hold electronic elections. The Maryland PTA Bylaws, Article VI, Section 5 states, "The bylaws of each constituent association shall prohibit voting by proxy, mail (including by electronic transmission), or absentee." However, to prevent constituent associations from losing their governance structure and, thereby, risk violating State law, constituent associations may conduct an election of officers by mail (i.e., United States postal mail), **but only if the following guidelines are met:**

1. All members must have an opportunity to participate, regardless of socioeconomic status or access to internet. In other words, all members must be mailed notice, a ballot, and instructions on how to participate in the elections.
2. The right to a secret ballot must be preserved, i.e., no member should be required to sign or otherwise identify his/her ballot.
3. Adequate internal controls must be established in order to provide reasonable assurance that the election is conducted fairly, honestly, and properly, and that only eligible members cast votes.

4. An audit trail or record of votes must be maintained for a reasonable time after the expiration of the Governor's Executive Order in case of a contest or challenge to the results.
5. A mailing address other than a public school address may be used for returning ballots as long as the address does not belong to a candidate on the ballot. "Candidate" includes a potential write-in candidate.
6. The election results must be ratified at the next general membership meeting using a vote by ballot. The election results from the mailed-in ballots and the ratification vote must be recorded in the minutes of the meeting.

Please note that under Maryland law, an annual meeting of a nonprofit corporation is generally considered to be a public meeting. Therefore, if a member challenges the election by mail or is somehow prevented from participating (e.g., incorrect address on file, insufficient time to vote, etc.), the election will be ruled invalid. If constituent associations do not carefully follow the guidelines stated above to preserve and protect the right of every member to vote, the election by mail will be ruled invalid.

Maryland PTA appreciates the wording of the constituent association bylaws establish a definite term for elected officers. The bylaws also permit elected officers to hold over in their positions "until their successors assume their official duties." According to the current edition of *Robert's Rules of Order Newly Revised*, this phrasing is used "to ensure the continued service of officers in the event, for example, of public emergency." This means, as it currently stands, if a constituent association is unable to hold a general membership meeting at which officers are elected, the current officers will remain in office until it is legal to hold an election and the newly elected officers assume their duties.

The current situation is evolving daily. Maryland PTA suggests constituent associations who are scheduled to hold elections this year continue to complete the nominations, election, and transition processes, even if they cannot hold an election by mail:

- If not yet done, appoint a nominations committee.
- Recruit and qualify candidates to run for elected positions.
- Prepare an election meeting notice and ballot.
- Draft the general or annual meeting agenda in anticipation of announcing a slate of candidates.
- Appoint an elections committee, if necessary.
- Review and approve campaign rules, process, and material.
- Outgoing officers should prepare continuity files, binders, or folders for incoming officers.
- Members interested in running for office should be given information regarding PTA training and resources. Training resources are available at <https://mdpta.org/training/>.
- The board of directors should review constituent association bylaws and understand how to fill a vacancy should one occur before elections can be held.

**PTA Membership.** The membership year is July 1 through June 30. (Current membership cards expire on September 30, 2020.) Local PTA/PTSAs must account for membership cards

provided by Maryland PTA, either through payment of membership dues or return of unused cards. To help Maryland PTA provide an accurate accounting of its membership to National PTA and other governmental agencies, it is important that all constituent associations pay the outstanding balance of membership fees due for the current year or return unused membership cards to the Maryland PTA office.

Dues are calculated based on the number of membership cards that were issued to your local PTA/PTSA (\$4.25/per card). All unused cards must be returned to Maryland PTA by June 1, 2020, or the local PTA/PTSA balance will reflect the total number of cards issued. Any PTA/PTSA that is unable to return unused cards timely should contact the Maryland PTA office at [info@mdpta.org](mailto:info@mdpta.org) or (410) 760-6221 as soon as possible.

On May 9, 2020, the Maryland PTA Board of Directors approved a new standard of affiliation. As of the beginning of the next membership year, constituent associations must submit to the Maryland PTA office a membership roster including first name, last name, and email address of each member for whom dues are paid on a membership invoice. The membership roster should also indicate whether each person listed consents to receive electronic communications from Maryland PTA. Constituent associations may provide the membership roster via MemberHub, which is Maryland PTA's exclusive online membership database. Membership rosters, no matter how provided, will be treated as personal private information of each member. A template for the membership roster can be found at <https://mdpta.org/memberhub-2/>.

As of July 1, 2020, Maryland PTA will no longer provide paper membership cards. Members, who consent to receive electronic communications from Maryland PTA, will receive an email with their membership card. Constituent associations must print membership cards for members who do not consent to receive electronic communications.

**Insurance Renewal.** The Association Insurance Management, Incorporated (AIM) emailed insurance invoices on May 8, 2020. All constituent associations must complete an insurance renewal application and pay the premium by July 1, 2020 to AIM. The premium for basic insurance coverage from July 1, 2020 to June 30, 2021 will be \$226. Additional information about insurance coverage can be found at <https://mdpta.org/insurance/>.

Maryland PTA is aware that many constituent associations did not receive an invoice due to having no electronic address on file, or a bounce-back of an electronic transmission. If your president or treasurer did not receive an invoice from AIM via email, please contact the Maryland PTA office immediately.

Maryland PTA appreciates the dedication, commitment, and fortitude of all PTA leaders and members. We are working to help the State transition from containment and mitigation to recovery from this pandemic. Your diligence and patience has and will continue to allow State leaders to make judicious and healthy decisions for all affected Marylanders and its entities. Please contact the Maryland PTA office if we can provide support or assistance during this time. Together, we will all get through this!

Be careful, stay safe and healthy.