



First and foremost, we thank you for navigating these uncharted waters as a PTA/PTSA leader during the COVID-19 public health crisis. As the rules and restrictions to our lives evolve in this ever-changing situation, the Hawaii State PTSA has worked to provide updated guidance to leaders in conducting PTA business. The following guidelines are now being presented with the knowledge that schools will not be returning to session for the remainder of the 2019-2020 school year. With that in mind, we have provided some clarity on how leaders can wind down their PTA business to meet obligations and remain in good standing for this school year.

Additionally, be sure to reference National PTA's COVID-19 resources for leaders, educators, and families at: <https://www.pta.org/home/family-resources/coronavirus-information>.

GUIDANCE FOR LOCAL UNIT LEADERS

The guidance provided applies only to situations when working under state or federal disaster, emergency, and pandemic declarations. Once emergency declarations cease, all local units must resume normal PTA and PTSA practices for business.

Hawaii State PTSA and National PTA are currently allowing for flexibility in state and local unit business, including:

1. Allowing for meetings by electronic means, phone or video conferencing, and/or virtual means;
2. Allowing for voting by mail, electronic means, phone or video conferencing, and/or virtual means; and
3. Allowing for elections by mail, electronic means, phone or video conferencing, and/or virtual means.

GENERAL ADVICE FOR MEETINGS

In all actions, every effort should be made to follow the local unit bylaws as closely as possible.

Be sure to keep detailed minutes of all meetings, motions, voting, and elections during these times, and then ratify all decisions once in-person meetings have begun again.

Waiting on PTA business should be an option. When waiting is not possible, please follow the guidelines below.

Canceling/Rescheduling/Postponing or Going with Virtual Meetings

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- While current health guidance requires people to not be in close social proximity, you should make prudent judgments about protecting your members.
 - No state (or National PTA/Hawaii State PTSA) will punish its nonprofits that did not meet state guidelines due to this unique situation.
 - Common law practice provides that a legal requirement or a bylaw that cannot be followed cannot be enforced. The obligation for any organization is to do the "next best thing."
 - Delaying a meeting or changing it from face-to-face to virtual or telephone are options you should and can consider.

Virtual Meetings Tips

- Decide whether to postpone and reschedule your meeting, or replace it with a virtual meeting.
- Per Hawaii law*, virtual meetings require that all attendees be able to hear and interact with one another at the same time and that the technology used should be widely available. Preference

should be given to virtual technology that allows for video and/or call in options. Call in options allow for meeting access for those with limited or no internet access.

- The presiding officer (president or their designated representative) should conduct the meeting.
- Potential attendees should receive advance notification with the date, time, and link or phone number they will use to join. Notice is determined in the local unit bylaws.
- Meeting materials, including an agenda, previous meeting minutes, and treasurer's report, should be distributed in advance.
- Once the meeting is called to order, the secretary should call the roll to both take attendance and establish there is a quorum for the meeting.
- Phone/video conference suggestions:
 - Each speaker should state his or her name for the minutes before making a comment.
 - To minimize background noise, everyone should mute his or her speaker when listening.
 - All participants must keep to the agenda and stay on task.

GENERAL ELECTION INFORMATION

Given the current state restrictions on social gathering, the Hawaii State PTSA and National PTA are providing flexibility that allows for voting and elections to take place in a virtual environment. The following information is meant to guide units that consider this option.

Please note that units have no obligation to hold elections under current conditions. You may simply wait until an in-person election meeting can be held. At some point however, elections may be necessary. Whenever possible, boards should try to hold an election meeting prior to the end of the term, for most Hawaii PTAs and PTSAs, this would be prior to June 30th.

National PTA and Hawaii State PTSA have allowed telephonic voting, mailed paper ballots, electronic surveys (ex: Survey Monkey) and virtual meeting balloting.

You should look at voting procedures that closely approximate the fairness you would normally require, such as making determinations about who is eligible to vote and how you will verify eligibility.

Nominating Committee & the Nomination Process

PTA local unit board member elections still require the nomination process to take place. Here are a few tips on how to proceed, based on where your local unit is at in the nomination process.

1. **If a PTA/PTSA has elected its nominating committee and the committee has met and decided on the slate of officers**, they should follow their bylaws as closely as possible in publishing the slate of officers and presenting the nominating committee report. (This can be done via email or snail mail to members, as well as posting to the PTAs website and social media channels.)
2. **If a PTA has elected a nominating committee, but they have not yet decided on the slate**, the committee should meet either by conference call or virtually.
3. **If a PTA has NOT elected its nominating committee:** (1) the unit can wait until they are able to hold an in-person meeting, or (2) The unit can hold a virtual meeting and elect the committee members according to unit bylaws.

Tips for the nomination process:

- Each member of the Nominating Committee should receive an emailed copy of the current bylaws before their meeting.
- Conflict of interest: If a member of the committee is a nominee for office, the member should exit from the call or virtual meeting while the other members discuss the nominee. Another member should then text the nominee to rejoin the meeting, when the discussion pertaining to that nominee is over.

- After the meeting, the slate of officers should be published in the time frame stated in the unit's bylaws via the form of communication the unit uses. (This can be done via email or snail mail to members, as well as posting to the PTAs website and social media channels.)
- For nominations from the floor (which is allowed in Hawaii local unit bylaws), the name of any additional nominee must be sent to the committee chair in advance. A specific deadline date should be provided to members when the meeting notice goes out. Such advance notice will allow for the "floor" nominee's name to be added to the ballot used in the virtual election. The chair would then announce the names of those who are running from the floor to let people know in advance, who is running for each position.

Virtual Election Meetings

- The local unit must ensure that each voting member has equal advance notice of the virtual election meeting and has access to the technology needed to vote.
- Since membership cards cannot be presented, the unit secretary must have the complete membership list available to determine the eligibility of members before voting.
- Keeping detailed minutes of your virtual meeting is crucial as a record of the election and as proof that you have conducted the election meeting, especially if your election meeting or results are challenged.
- The minutes must be made available by the unit upon the request of the Region Director, Hawaii State PTSA Board member, or any local unit member.
- Units should preserve the confidentiality of the vote as much as possible, being aware that some loss of confidentiality may be unavoidable when votes are collected by email, text, or other electronic means.
- If the election is uncontested, the slate can be elected by voice vote. (This is often the case with our local units.)
- If the election is contested, the unit must hold a ballot vote.
 - Ballots should be destroyed immediately at the end of the election.
 - Ballots can be mailed or emailed to each member, or you may use an electronic polling system. There are numerous options out there and each local unit is encouraged to find the resource that works best for their needs.
 - When using an electronic polling system (examples: Survey Monkey, Doodle, ElectionBuddy, GoogleForms) please be sure to work at preserving the anonymity of the election process. Some systems easily allow for this. Otherwise, this can be done creating a blind voting system, where each eligible voter is assigned a number to vote, rather than using their name. Only the secretary, or other assigned PTA liaison, is aware of the name that correlates with the number.

GENERAL ADVICE FOR PTA/PTSA FINANCES & FUNDRAISING

Financial Reports

PTA treasurers should make every effort to provide regular financial reports to the board. If bank statements are not available because they have been sent to the school's mailing address, please contact your financial institution to obtain copies of these statements.

Paying Bills

PTAs should make every effort to pay outstanding bills. If required, approval of bill payment may be done via a virtual meeting, just like at a regular meeting.

Items Donated to a Fundraiser/Event that is Canceled

If donations (example: silent auction items) were solicited for a specific event that your PTA now cannot hold, you should ask the donors if the items can be used for a different event in the future. Please be sure to be sensitive in this request, as many businesses are facing financial hardship due to long-term closures.

Lost Earnings due to Event Cancellations & Economic Hardship

Now is the time for local unit leaders to be especially mindful of their fiscal responsibilities. In addition to lost funds due to cancelled events in the fourth quarter, there is a great likelihood that the 2020-2021 school year will see limited donations and funding due to the economic hardship facing our local community members.

Project Graduation Events

PTSA sponsored Project Graduation events are separate from school graduation, but must follow all state and local restrictions regarding social gathering. You may want to consider postponing the event until a later date when a gathering of some sort is allowed or canceling the event altogether. Things to consider when making these decisions are: (1) what is the preference of your school community and (2) do you have most of funding in place already to hold an event. Since the originally scheduled Project Graduation event will not be allowed due to current restrictions, requests for refunds should be granted. Please keep in mind that monies given freely earlier in the school year may now be a necessity for families who have lost their income and are facing food and home insecurities.

Requests to donate funds to other charities or families needing financial help

Federal law limits what PTA monies may be used for. PTAs may ONLY donate to other 501(c)(3) organizations if they have similar missions and the association (members) voted to do so. The board is limited to spending monies based on the budget set and approved at the start of the year. Changes to the budget require a meeting, with quorum, and a 2/3 vote in the affirmative.

The IRS is very clear that a public charity like PTA may NOT gift funds to individuals or families. PTAs are not organized for that purpose, so we may not give money (including gift cards) to individuals or families in our school communities, regardless of need.

As a reminder, checks can NEVER be made out to PTA unless it is truly PTA business, and no deposits may be made to the PTA account on behalf of another organization or family in need.

PTAs CAN take the following steps to assist their communities during these unusual times:

1. First, please remember we are the family engagement specialists. Our greatest asset is our ability to work together to benefit our school communities. This is an excellent time to show your support through engagement.
2. PTAs may sponsor a food/necessities drive or solicit donations of those items to be given to a local food bank.
3. PTAs may share information about benefits/fundraisers being held for individuals or families in need, or local charities who are assisting those in need, or community based projects.
4. PTAs may encourage individual volunteers to personally donate.

Standards of Affiliation/Good Standing Obligations

Now is a good time to review the Hawaii State PTSA Standards of Affiliation (available on our website at: <https://www.hawaiistateptsa.org/running-a-pta.html>) to ensure that your current obligations are fulfilled, so that your 2020-2021 board can move into position ready to roll.

**Per Hawaii non-profit law: Unless the articles or bylaws provide otherwise, a board may permit any or all directors to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting. HI Rev Stat § 414D-143 (2019)*