

By Laws of the South Carolina Association For Pupil Transportation

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PREAMBLE

Pupil transportation is a basic contributor to an effective educational program and, in furtherance of this precept the SOUTH CAROLINA ASSOCIATION for PUPIL TRANSPORTATION is organized for and committed to the continued improvement of all aspects of this important and specialized educational service.

ARTICLE I - NAME

The name of this Association shall be THE SOUTH CAROLINA ASSOCIATION for PUPIL TRANSPORTATION. A 501C Corporation.

ARTICLE II - OBJECTIVES

The objectives for the Association shall be a safer and more efficient transportation program; to serve as the spokesman for all who are engaged in pupil transportation; to bring together those involved in pupil transportation in the State of South Carolina for the purpose of exchanging information in an effort to share potential solutions to transportation problem areas; and to provide consistency in the pupil transportation program throughout South Carolina

ARTICLE III – DIVISIONS OF THE ORGANIZATION

Starting in July 2022 SCAPT will become a multi structured organization with five different Divisions. These five divisions will encompass the entire spectrum of school bus transportation employees at the state, local school district, and regional levels including maintenance, training, bus drivers and special needs transportation employees.

Section 1.

SCAPT members choose to join one of the five divisions which represent various areas of school transportation.

SCAPT is made up of these five divisions:

Division 1- SDE Upper Management and District Directors.

Division 2.-, SDE Area Supervisors, Shop Supervisors, Shop Foreman, Shop Clerks, State and District Technicians

Division 3.- State and District Driver Trainers (Safety Officers).

Division 4.- District Supervisors and Assistant Directors, Drivers and Monitors and Aids

Division 5.-Special Needs and McKinney Vento Transportation

ARTICLE IV – MEMBERSHIP

Section 1.

Membership in the SOUTH CAROLINA ASSOCIATION for PUPIL TRANSPORTATION shall consist of:

a. Active Membership - shall be restricted to persons actively performing transportation service functions in an administrative and/or, supervisory capacity.

b. Associate Membership - any person who is actively interested in, engaged in, or associated with any phase of pupil transportation may become an associate member.

c. Industrial Membership - any industry engaged in or affiliated with the manufacture, distribution, advertising or any other commercial aspect of pupil transportation shall be eligible for an industrial membership.

d. Honorary Membership - The Executive Board of Directors shall have the right to confer Honorary Memberships in the Association.

Section 2.

Active members of the Association shall be entitled to all the rights and privileges of the association including the right to vote, hold office and to receive the benefits of special programs. All other classifications of membership shall be entitled to the rights and privileges of the association except The

right to vote, hold office and to receive specific benefits which may be available only to active members of the Association.

Section 3.

The Executive Board of Directors shall have the power to approve all applicants or membership except that no individual may be denied membership on the basis of race, national origin, religion or sex.

Section 4.

The annual dues for active and associate members of the Association shall be established by a majority vote of the Executive Board of Directors. The dues for all other categories of membership shall be established by the Executive Board of Directors. The fiscal year for the Association shall be July 1 to June 30 and all dues shall be for the period of time commencing July 1 of each year extending for twelve (12) consecutive months.

Section 5.

Any individual or industrial member of the Association who shall make application and payment of the appropriate dues prior to June 30, 1996, shall be identified as a charter member of the Association.

ARTICLE V – OFFICERS OF THE ASSOCIATION

Section 1. President, President-Elect, Past President and Division Representatives to the Executive Board of Directors

The officers of the association shall be the President, the President-Elect, the immediate Past President, ten elected members of the Executive Board of Directors, representing the Five Divisions For a member to be elected to the offices of President and/or President-Elect must have been a previous Executive Board member and off the Board for a period of one year to be eligible.

Section 2.

The President shall hold office for the period of two years beginning at the close of the annual conference, following the election of the President-Elect at the annual meeting of the Association and shall become President of the Association beginning two years from the close of the annual conference following the election as President-Elect. The President-Elect shall serve as active chairman of the Executive Board of Directors in the absence of the president and perform such other duties as may be required by the President. The President-Elect will serve as a member of the nominating committee and the program committee.

Section 3.

The President shall hold office for the period of two years or until the new President takes office. It shall be the duty of the President to preside or to arrange for presiding officers at all meetings and Chair the Program Committee, which shall prepare the program, in conjunction with the Executive Board of Directors, to prepare the program for the annual meeting of the Association. It shall be the duty of the President to preside at, or to arrange for, presiding officers at all meetings and to Chair the Program Committee, which shall prepare the program, in conjunction with the Executive Board of Directors, for the annual meeting of the Association. This change was the deletion of “to prepare the program” which currently follows Executive Board of Directors in the existing sentence. The President shall appoint all committees not otherwise provided for. The President shall be chairman of the Executive Board of Directors and shall call meetings of the Board whenever the President deems it necessary or whenever the President is requested to do so by a majority of the members of the Board. The President shall perform all other duties normally pertaining to the office of President.

In the event that the President's employment in the student transportation industry is terminated for any reason other than as a result of immoral or criminal actions, he/she may continue serving his/her term of President of the Association if his/her employment is terminated within 90 days of the annual meeting that he/she has helped plan.

Section 4.

The immediate Past President shall serve a two-year term immediately following the term as President as an officer and voting member of the Executive Board of Directors. The past President shall serve as a member of and chairman for the Nominating Committee.

Section 5.

The Executive Board of Directors shall be composed of the President, the President-Elect, the Past President and Ten representatives of the five divisions appointed by the Chairman of each of the Divisions and each will serve a two-year term of office.

Section 6.

The Division members of the Executive Board of Directors shall be elected for one two-year term in office. They may not succeed themselves as a member of the Executive Board of Directors without an intervening period of at least one year unless there is no other nomination due to lack of recruitment from that Division.

ARTICLE VI - ELECTION OF President-Elect AND EXECUTIVE BOARD OF DIRECTORS

Section 1. President Elect

The election of the President Elect and members of the Executive Board of Directors shall be conducted at the annual meeting of the Association by secret ballot. The nominating committee shall present a slate of candidate(s) for the office(s) to be filled. Any active member of the Association in good standing is eligible to hold office and may be nominated by the nominating committee or by nomination from the floor. Any Nominee presented by the Nominating Committee or nominated from the floor, for the office of President- Elect must have two years prior experience on the Executive Board of Directors. The nominations for each office shall be acted upon separately by the membership at the annual meeting. The arrangements for the preparation of secret ballots, tabulating and announcing the results and other details concerning the election shall be the responsibility of the Executive Board of Directors.

Section 2. Elections of Division Chairman and Vice-Chairman and Executive Board Members

Division Organization

Each division will elect among its membership a chairman and a Vice Chairman to guide and help the division reach higher goals and achievements of the work it performs within the student transportation arena. Bringing more people to the structure of SCAPT will enable all members to work together while learning more from each other about their duties and job performances.

A Division is expected to meet with its members for workshops, training sessions or other work-related activities at least three times per year. It will be the responsibility of the Chairman and /or Vice Chairman to plan, coordinate and work with the Vendor Liaison to get vendor support for each of their meetings. All funds raised will go into the SCAPT Financial Account to be used for future events and meeting expenses from each division's funds raised. In the event that the

Chairman or Vice Chairman feels that it is best to have another member to coordinate these meetings the Chairman may appoint individuals or committees to be responsible for these activities. The Division Chairman will appoint three members in the Division at the beginning of the year as a committee to recruit new members during the year.

The Division Chairman will serve for a one-year term after 2022. The Vice Chairman will serve one year as Vice Chairman and one year as Chairman. However, if the division membership desires the Chairman to succeed himself or herself, the Chairman may not serve more than three continuous years as Chairman before relinquishing the position to the current Vice-Chairman. If the Chairman does serve for three continuous years, he/she may be elected to Vice-chairman after being out of a position for one year. The initial terms of the Division Chairman and Vice Chairman in 2022 will be a staggered term with the Chairman being elected to a two-year term and the Vice Chairman to a one Year term so that the membership will have an election each year to replace the vice Chairman who should move up to Chairman.

The election for Division Chairman and Vice-Chairman will be held at each division's meeting prior to the annual SCAPT conference. Each Division Chairman will inform the SCAPT President either by email, letter or phone call, who the Division Chairman and Vice-Chairman is for that Division and who the Division Representatives will be on the Executive Board of Directors for the coming year. This information will be published in the agenda and conference information being sent to the membership so that all members will have this information.

At the Division meeting the members of the division will nominate and elect a chairman and a Vice Chairman. After being elected, The Chairman will announce who the Division Representatives will be to serve on the SCAPT Executive Board for the coming year. The Chairman and the Vice Chairman may serve as the Division Representatives or the Chairman may appoint other members if the Chairman and/or Vice-Chairman do not wish to serve on the Executive Board. Members of the Executive Board serve a two-year term. After the Executive Board Representative for the Division is announced, the Chairman will notify the President prior to the SCAPT Business session of the names selected for his/her division. The President will announce the names at the Annual Business Meeting and the membership will vote for the nominees separately by Division. In the event that there are nominations from the floor for any Representative from a division only those members of that division will vote on the nominee. Only members belonging to a division may be nominated and other divisions may not nominate for members of another division. The entire membership will vote on all Executive Board members.

In the event that a division does not meet and select a Chairman or Vice-Chairman or Executive Board Representatives, the SCAPT Executive Board along with the President, President Elect and Past President voting, will fill those positions for the Division at the annual conference and announce the names to the membership prior to adjournment of the conference. Under no circumstances will there be a Division without representation on the SCAPT Executive Board.

Section 3.

In the event of a tie in the election of an officer, the Executive Board of Directors may provide for a runoff election at the annual meeting, or the runoff election may be conducted by an electronic ballot sent to all duly registered active members of the Association attending the annual meeting at which the tie vote occurred.

Section 4.

In case of vacancy in the office of President, the President-Elect shall immediately succeed to the office of President and serve for the remainder of the term. By filling the remaining vacant term of the President, the President-Elect does not forfeit his/her full term of President that he/she would normally assume.

Section 5.

In case of vacancy in the office of President-Elect, the Board of Directors shall fill the position for the remaining time of the term by appointing a qualified individual to stand in until the annual conference. At that time the election of a new President-Elect will be held.

Section 6.

Any vacancy occurring for a member of the Executive Board of Directors shall be filled by the remaining members of the Board of Directors for the unexpired term. In the event that the person appointed by the Board to fill a vacancy serves less than a full term, he/she shall be eligible to be elected at the annual conference to succeed him or herself to a full two-year term, however, no person may serve more than the additional term under these circumstances before having to be off the board for one year before they can be elected again.

ARTICLE VII – POWERS OF EXECUTIVE BOARD OF DIRECTORS

Section 1.

The Executive Board of Directors derives its power from and shall be responsible to the membership of the Association. It shall have the corporate responsibility for the Association including the authority to:

- a. Receive and implement the resolutions of the membership, provided said resolutions are legal, feasible and not in conflict with the adopted Bylaws*
- b. Authorize the appointment of special commissions and committees.*
- c. Approve an agenda for annual business meeting.*
- d. Adopt policies for the operation of the Association and for the Board of Directors.*
- e. Adopt the annual budget of the Association.*
- f. Appoint a secretary for the Association or select an executive secretary and determine the term and conditions of his/her employment.*
- g. Establish dates, location and fees for the annual convention.*
- h. Approve and negotiate for any contractual needs approved by the Board of Directors.*
- i. Maintain accurate minutes of all meetings and make them available to the membership upon request.*
- j. Approve any electronic communications developed regarding the official position or representation of the Association*
- k. Appoint Co-Treasurers of the Association and provide for their duties per these By-laws.*
- l. Appoint a Vendor Liaison for the Association to work with vendors at all the Division Meetings and provide a Job Description to the person selected.*

m. Appoint a Board Secretary for the Executive Board of Directors and provide a Job Description to the person each year.

Section 2.

A majority of the voting members of the Board of Directors at any duly called meeting shall constitute a quorum

ARTICLE VIII – BOARD SECRETARY

Section 1. Appointment

At the First Meeting of the Executive Board of Directors after the annual conference each year the Executive Board of Directors shall appoint a Board Secretary for the coming year. The Secretary may secede himself/herself in this position. The length of their terms will be determined by two-thirds vote of the Executive Board of Directors. In the event that the person serving as Secretary cannot fulfill their duties as Secretary, the Board will immediately fill the position at the next regular Board meeting.

Section 2. Duties

1. The secretary is to attend every Executive Board meeting.
2. The secretary is to keep a record of each Board of Directors Meeting and will give a report at each Board meeting of the previous meeting for the Board to approve or disapprove.
3. The secretary is to have printed copies of the previous meeting minutes to give to each Board member at each meeting.
4. The Secretary is to assist the President in writing any correspondence that the Board directs the President or President-Elect to do.
5. The secretary is to keep an accurate record of Executive Board Members attendance at all meetings.
6. The person cannot hold any other office in the SCAPT Organization while acting as Secretary.
7. If the Secretary cannot continue to work in this position, he/she will notify the President immediately who will intern notify the full Executive Board of Directors so a replacement can be found.

ARTICLE IX – CO-TREASURERES

Section 1. Appointment

At the First Meeting of the Executive Board of Directors after the annual conference each year the Executive Board of Directors shall appoint two persons to serve as Co-Treasurers for the coming year. Co-Treasurers may secede themselves in this position. The length of their terms will be determined by two-thirds vote of the Executive Board of Directors. Co-Treasurers are ex officio members of the Executive Board of Directors, the Auditing Committee, the Conference planning Committee and each of the Five Divisions. In the event that one or both Co-Treasurer is/are unable to perform their duties the Executive Board will immediately call a special meeting to appoint someone(s) else to fill the position(s). SCAPT will pay for a security

bond policy on the Co-Treasurers. Co-Treasurers cannot hold any other office in the SCAPT Organization while acting in the Co-Treasurer position.

Section 2. Duties

1. The Co-Treasurers shall work together by sharing all the financial data of the Organization with each other. All the financial data obtained shall be considered confidential and will be shared only with the SCAPT officials that the material is relevant to. One of the co-treasurers will be expected to attend each Executive Board meeting and give a detailed financial report to the Executive Board of Directors monthly or whenever the President calls a special meeting. Co-Treasurers may determine between themselves who will attend a meeting where a conflict of their individual work schedule may be a factor to their ability to attend a meeting. However, if the President request a certain co-treasurer to attend then he/she should make every effort to oblige the request of the President.
2. The Co-Treasurers are to meet with the audit committee annually to determine the value of the assets of SCAPT.
3. The Co-Treasurers are to pay all bills, deposit all checks and funds in the designated SCAPT bank account, get the yearly tax return to an accountant and make sure that all financial data is made available to the accountant, do all necessary 1099 IRS forms, and keep accurate financial records for the Association.
4. At least one the Co-Treasurers will accompany and work with the President and the Conference planning committee so that they are familiar with the annual conference plans and expected expenses and revenue.
5. The Co-Treasurers are expected to maintain a SCAPT Bank account for Checking and Savings. They are to deposit all checks from Vendors, Membership Dues, all funds raised at any SCAPT event, and any grants or gifts make to SCAPT, in the appropriate SCAPT Bank account as soon as possible.
6. The Co-Treasures are expected to work with and give financial guidance to each of the five division Chairmen and Vice-Chairmen about any events that the division is planning that may have a financial impact on SCAPT revenues or expenses.
7. If any grants become available to non-profits, the Co-Treasurers are expected to inform the Executive Board of Directors of these and then are expected to apply for such grant after the Board approves applying for the grant.
8. In the event that a Co-Treasurer decides to relinquish their duties as a Co-Treasurer, they are to notify the President immediately and turn all their copies of the financial records over to the other Co-Treasurer or the SCAPT President. They will work with the other Co-Treasurer to proceed taking their name off of all finance institution accounts or any other legal documents or contracts that they may have signed as Co-Treasurer for any SCAPT obligation. In the that they have signed an agreement for future events for SCAPT they will personally notify the parties of the agreement that they are no longer SCAPT Co-Treasurer and who will be replacing them.

ARTICLE X – VENDOR LIAISON

Section 1. Appointment

At the First Meeting of the Executive Board of Directors after the annual conference each year the Executive Board of Directors shall appoint a Vendor Liaison for the coming year. The Vendor Liaison may secede him/herself in this position. The length of their terms will be determined by two-thirds vote of the Executive Board of Directors. The Vendor Liaison will serve on the Conference planning Committee, any activities that are in need of sponsors and work with each of the Five Divisions. In the event that The Vendor Liaison is unable to perform the duties assigned to them by the Executive Board, the Board will immediately call a special meeting to appoint someone else to fill the position. The Vendor Liaison cannot hold any other office in the SCAPT Organization while acting in the Vendor Liaison position.

Section 2. Job Description

At the first meeting of the Executive Board each year it will review or amend the Job Description duties for the Vendor Liaison and give any amended versions to the person serving as Vendor Liaison. The Job description may be amended at any regular Executive Board meeting with a two-thirds majority vote of the Board members.

ARTICLE XI - ANNUAL MEETING

Section 1.

The annual meeting of the Association shall be held at such time and place as shall be determined by the Executive Board of Directors.

Section 2.

A quorum at the annual meeting shall consist of a majority of the active members duly registered and in attendance at the annual meeting.

ARTICLE XII - COMMITTEES

Section 1.

The standing committees of the Association shall consist of an Audit Committee of three members, a Nominating Committee composed of the Past President of The Association and four additional members; a Legislative Committee composed of five members, and a Bylaw Committee composed of not less than seven nor more than nine members. The Audit Committee shall take an inventory of all Association equipment and supplies immediately after the annual conference each year and report their findings to the President and Executive Board of Directors at the first monthly board meeting in September.

Section 2.

The President of the Association shall serve an ex-Officio, non-voting member of all standing committees.

Section 3.

Other committees may be authorized by the Executive Board of Directors.

ARTICLE XIII - DISSOLUTION OR LIQUIDATION

No part of any income; revenue or grant to the Association shall inure to the material or pecuniary benefit of a member, officer, or any private individual (except that reasonable compensation may be paid for services rendered in connection with one or more of its purposes), and no member, officer, or any private individual shall be entitled to share in the distribution of any of the assets of the Association or its dissolution or liquidation. In the event of such dissolution or liquidation, the assets of the Association, after payment of debts and obligations, shall be transferred to an organization with federal tax exemption for charitable and educational uses and purposes similar to those of the Association which is not a private foundation within the meaning of the federal tax laws. The exempt organization shall be designated by the final Executive Board of Directors of the Association.

ARTICLE XIV - PARLIAMENTARY AUTHORITY

The most recently published edition of Robert's Rules of Order Revised shall govern in all official meetings of the Association.

ARTICLE XV- AMENDMENT OF THE BYLAWS

Section 1.

Upon approval of the Executive Board of Directors, a proposed amendment ballot may be submitted by mail or electronic means to the active members of the Association. Said proposed amendment shall be declared passed by the Executive Board of Directors if a majority of those voting in the mail ballot shall have voted in the affirmative.

Section 2.

After prior notification by mail to the active members of the Association, an amendment to the Bylaws may be proposed at the annual meeting of the Association and, if approved by two-thirds of the active members registered at the annual meeting, shall become effective immediately following the adjournment of the last session of the annual meeting at which the amendment was adopted.