

NMPTA State BYLAWS

Approved at Convention May 2016

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ARTICLE I: NAME

The name of this association is the New Mexico Congress of Parents and Teachers. It is commonly known and will be referred to in these bylaws as the "New Mexico PTA."

ARTICLE II: PURPOSES

Section 1. Objectives. The purpose or purposes (Objects) of the New Mexico PTA, in common with those of the National PTA, are:

- a. To promote the welfare of children and youth in home, school, places of worship, and throughout the community;
- b. To raise the standards of home life;
- c. To advocate for laws that further the education, physical and mental health, welfare, and safety of children and youth;
- d. To promote the collaboration and engagement of families and educators in the education of children and youth;
- e. To engage the public in united efforts to secure the physical, mental, emotional, spiritual, and social well-being of all children and youth; and
- f. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

Section 2. Awareness. The purposes of the PTA are promoted through advocacy and education in collaboration with parents, families, teachers, educators, students, and the public; developed through conferences, committees, projects, and programs; and governed and qualified by the basic principles set forth in Article III.

Section 3. Federal Status. The association is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code (hereinafter referred to as "Internal Revenue Code").

ARTICLE III: PRINCIPLES

The following are basic policies of the New Mexico PTA, in common with those of the National PTA:

- a. The association shall be noncommercial, nonsectarian, and nonpartisan.
- b. The association shall work to engage and empower children, families, and educators within schools and communities to provide quality education for all children and youth, and shall seek to participate in the decision-making process by influencing school policy and advocating for children's issues, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities.
- c. The association shall work to promote the health and welfare of children and youth, and shall seek to promote collaboration among families, schools, and the community at large.
- d. Commitment to inclusiveness and equity, knowledge of PTA, and professional expertise shall be guiding principles for service in NMPTA.

ARTICLE IV: CONSTITUENT ASSOCIATIONS

Section 1. The constituent association of New Mexico PTA includes

- a. Local PTAs (Parent Teacher Associations) or PTSAs (Parent Teacher Student Associations) organized under the authority of the New Mexico PTA and
- b. Council PTAs/PTSAs organized under the direct authority of the New Mexico PTA.

NOTE: *Items marked with a pound sign (#) must be included in the bylaws of local units chartered by the New Mexico PTA and may not be changed by local units.*

50 **Section 2.** The New Mexico PTA shall determine criteria for establishing constituent associations and setting
51 standards for continuing affiliation with the New Mexico PTA and National PTA.
52

53 **Section 3.** The purposes and basic policies of the New Mexico PTA shall in every case also be the purposes and
54 basic policies of each constituent association.
55

56 **Section 4.** Each constituent association shall adopt bylaws for the government of the association. Such bylaws
57 shall:

- 58 a. Not be in conflict with National PTA or New Mexico PTA Bylaws.
- 59 b. Include an article on amendments.
- 60 c. Include a provision establishing a quorum for each type of meeting.
- 61 d. Include a provision establishing how the nominating committee for officers shall be elected;
- 62 e. Include in its bylaws provisions corresponding to the provisions of these state bylaws as are identified by
63 the pound symbol (#).
- 64 f. Prohibit proxy voting.
65

66 **#Section 5.** Each officer or board member of a constituent association shall be a member of a local PTA within its
67 area.
68

69 **#Section 6.** A PTA member shall not serve as a voting member of a constituent association's board at the local,
70 council, district, or region level while serving as a paid employee of, or under contract to, that constituent
71 association.
72

73 **#Section 7.** Each constituent association shall elect only one person to serve in any one office. The New Mexico
74 PTA may grant exceptions when bylaws provide and circumstances require it. If an exception is requested and
75 granted, only one person shall be designated as the official office-holder by the New Mexico and National PTA; only
76 one set of materials will be sent to the person so named. If more than one person serves, due to an exception by
77 the New Mexico PTA, the office holders must understand that one office provides only one vote.
78

79 **ARTICLE V: NEW MEXICO PTA**

80
81 **Section 1.** The New Mexico PTA is a branch of the National PTA and exists for the purpose of accomplishing, at the
82 state level, the Objects of the National PTA in accordance with its policies. Within the framework of the responsibility
83 that it shares with the National PTA for the implementation of the Objects of the National PTA and its obligation to
84 comply with the National PTA Bylaws, the New Mexico PTA is a self-governing association with independent legal
85 existence.
86

87 **Section 2.** The New Mexico PTA shall adopt such bylaws and other articles of organization as are in conformity
88 with the Bylaws of the National PTA Bylaws.
89

90 **Section 3.** The New Mexico PTA shall provide appropriate procedures for the organization of local PTAs within its
91 area. The New Mexico PTA may determine the membership year for the local PTAs in its area and prescribe the
92 form and content of the bylaws or other articles of the organization of such local PTAs.
93

94 **Section 4.** The New Mexico PTA may create or establish subsidiary associations (districts or regions) within its area
95 to facilitate the administration of the affairs of the New Mexico PTA and for carrying out its programs and may
96 prescribe the form and content of the bylaws or other articles of the organization of such districts (or regions).
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98 **Section 5.** The New Mexico PTA may create or establish councils in counties, cities, or other areas designated by
99 its board of directors for the purpose of conference, leadership training, and coordination of the efforts of local PTA

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units and may prescribe the form and content of the bylaws or other articles of organization of such councils. The local PTA units that shall be eligible for membership and participation in the work of any council shall be determined by the New Mexico PTA. Councils shall not legislate for local PTA units.

Section 6. In the event of surrender or withdrawal of its charter by the National PTA, the New Mexico PTA is obligated:

- a. To yield up and surrender all of its books and records and all of its assets and property to the National PTA or to such agency as may be designated by the National PTA to be held for the benefit of another branch association established by the National PTA for the area of the New Mexico PTA;
- b. To yield up all of the books and records and all of the assets and property of any Controlled Association and surrender them to the National PTA or to such agency as may be designated by the National PTA to be held for the benefit of another branch association established by the National PTA for the area of such state PTA. A Controlled Association shall mean any corporation or other entity, whether nonprofit or for-profit, incorporated or unincorporated, that is controlled by such state PTA. For purposes of this section, control means ownership by vote or value of more than fifty percent of the association, power to appoint individuals to the governing body of the association representing more than fifty percent of the voting power, or ownership of more than fifty percent of the beneficial interests in the association. The state PTA shall cause the governing documents of the Controlled Association to reflect this obligation;
- c. To cease and desist from the further use of any name that implies or connotes association or affiliation with the National PTA or status as a branch or constituent association of the National PTA; and
- d. To carry out promptly, under the supervision and direction of the National PTA, all proceedings necessary or desirable for the purpose of dissolving the New Mexico PTA.

Section 7. The New Mexico PTA is responsible for compliance by the local, council, or district or region PTAs within its area with the Bylaws of the National PTA Bylaws and the bylaws of the state PTA. The provisions of the New Mexico PTA bylaws relating to the withdrawal of the charter of a local PTA (and the termination of its status as a local PTA unit) shall parallel the provisions of the National PTA Bylaws relating to the withdrawal by the National PTA of the charter of the New Mexico PTA and the termination of the status of the New Mexico PTA as a branch of the National PTA.

Section 8. The New Mexico PTA shall keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the association, including, specifically, the number of local PTAs within its area, the national portion of membership dues collected by such local PTAs, the amounts of such dues received by the New Mexico PTA, and the amounts of dues remitted to the National PTA. Such books of account and records, including those of controlled association, shall at all reasonable times be open to inspection by an authorized representative of the National PTA.

ARTICLE VI: LOCAL PTAs

Section 1. Local PTAs shall be organized and chartered under the authority of the New Mexico PTA in the area in which the local PTA functions, in conformity with such rules and regulations, not in conflict with the National PTA Bylaws, as the New Mexico PTA may in its bylaws prescribe. The New Mexico PTA shall issue to each local PTA in its area an appropriate charter evidencing the due association and good standing of the local PTA.

#Section 2. Each local PTA shall keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts, and disbursements of the association, including, specifically, the number of its members, the dues collected from its members, and the amounts of dues remitted to the New Mexico PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the New Mexico PTA or, where directed by the committee on state and national relationships, by a duly authorized representative of the National PTA.

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150 **#Section 3.** The charter of a local PTA shall be subject to withdrawal and the status of such association as a local
151 PTA unit shall be subject to termination, in the manner and under the circumstances provided by the bylaws of the
152 New Mexico PTA.
153

154 **#Section 4.** Each local PTA is obligated, upon withdrawal of its charter by the New Mexico PTA:

- 155 a. To yield up and surrender all of its books and records and all of its assets and property to the New Mexico
156 PTA or to such agency as may be designated by the New Mexico PTA or to another local PTA organized
157 under the authority of the New Mexico PTA;
- 158 b. To cease and desist from the further use of any name that implies or connotes association with the National
159 PTA or the New Mexico PTA or status as a constituent association of the National PTA; and
- 160 c. To carry out promptly, under the supervision and direction of the New Mexico PTA, all proceedings
161 necessary or desirable for the purpose of dissolving such local PTA.
162

163 **#Section 5.** To be considered a unit in good standing of the New Mexico PTA, each local PTA shall do the
164 following:

- 165 a. Adheres to the purposes and basic policies of the PTA;
- 166 b. Hold at least 3 general meetings per year. The purpose of these meetings shall include the following:
 - 167 1. Approval of the budget at a fall general meeting;
 - 168 2. Electing the nominating committee at a winter general meeting;
 - 169 3. Electing officers at a spring general meeting;
- 170 c. Submit bylaws to the New Mexico PTA at the time of organization of the local unit and every three years
171 thereafter for approval, or when requested by the Bylaws Committee;
- 172 d. Maintain a minimum of fifteen members annually (schools with an enrollment of less than 100 may request
173 an exemption);
- 174 e. Remit the state and national portions of the dues to the New Mexico PTA as provided in Article VII hereof;
- 175 f. Submit a list of members with the state and national dues;
- 176 g. File an operating budget, immediately upon approval by the unit's members, with the New Mexico PTA
177 within six weeks of the start of the school year;
- 178 h. File a year-end financial statement and proof of audit with the New Mexico PTA within thirty days of the end
179 of the fiscal year;
 - 180 1. No person who was authorized to sign checks during the fiscal year may participate in the audit;
 - 181 2. No person who is related to a person authorized to sign checks during the fiscal year may participate in
182 the audit.
- 183 i. And file a copy of IRS Form 990, if required, with New Mexico PTA upon filing with the IRS.
- 184 j. Secure insurance with a recommendation of 120 days and mandatory within one calendar year from the
185 PTA unit's charter date. Insurance shall be renewed annually.
186

187 **#Section 6.** A local PTA, under the supervision and direction of the New Mexico PTA, shall dissolve its affairs in
188 the following manner:

- 189 a. Notice, by certified mail, of the pending dissolution must be given to the New Mexico PTA at least forty-five
190 (45) days before the meeting of the membership is held to discuss and vote on the dissolution issue.
- 191 b. Notice of the meeting of the membership must be mailed to all members and the New Mexico PTA at least
192 thirty (30) days before the meeting. A representative of the New Mexico PTA, designated by the executive
193 committee, must be present. A two-thirds ballot vote of members present and voting, a quorum being
194 present, must carry this intent of dissolution. Dissolution is effective immediately if vote is in the affirmative.
- 195 c. Upon dissolution, the New Mexico PTA must receive:
 - 196 1. A certified letter giving details of the vote to dissolve, and a detailed accounting of the disbursements of
197 funds.
 - 198 2. A copy of the final IRS form 990 and the original IRS Employer Identification number (EIN).

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- 199 3. Charter, all New Mexico PTA and National PTA materials, current bylaws and standing rules, and
200 minutes, budget, and all financial books of account and records.
201 d. Disbursement of funds and assets must be approved by a majority vote of members present and voting.
202 All funds and assets must be distributed within two (2) weeks according to Article III, h. No PTA money
203 may be used by a new or existing school organization or deposited in school accounts.
204

205 **ARTICLE VII: MEMBERSHIP AND DUES**

206
207 **#Section 1.** Every individual who is a member of a local PTA chartered by New Mexico PTA also is a member of
208 the National PTA and of the New Mexico PTA, and is entitled to all the benefits of such membership.
209

210 **#Section 2.** The membership in PTA shall be open, without discrimination, to anyone who believes in and supports
211 the mission and purposes of the NMPTA.
212

213 **#Section 3.** Each local PTA shall conduct an annual enrollment of members but may admit individual persons to
214 membership at any time.
215

216 **#Section 4.** Each member of a local PTA shall pay such annual dues to said association as may be determined by
217 the association. The amount of such dues shall include these portions:

- 218 a. \$3.25 as the New Mexico PTA portion and
219 b. the portion payable to the National PTA, as recommended by the board of directors and approved by a two-
220 thirds majority of the voting body at the National PTA Annual Convention.
221

222 **#Section 5.** The state and national portions of the dues paid by each member of a local PTA shall be set aside by
223 the local PTA and remitted to the New Mexico PTA on or before the 30th of each month.
224

225 **Section 6.** New Mexico PTA shall pay to the National PTA the amount of the national portion of dues paid by all
226 members of local PTAs in New Mexico.
227

228 **Section 7.** The New Mexico PTA may confer Honorary State Life Achievement Award. A person may be proposed
229 for an Honorary State Life Achievement Award by a local unit, district, council or the Board, and the payment of
230 \$25.00 to the New Mexico PTA. The recipient shall receive a certificate and a card signed by the president.
231

232 **Section 8.** An Honorary State Life Achievement Award recipient shall be entitled to guest privileges at annual
233 conventions upon payment of the convention registration fee. Honorary State Life Achievement Award recipients
234 shall carry none of the privileges of active membership. An Honorary State Life Achievement Award recipient may
235 become an active member of the National PTA and the New Mexico PTA through membership in, and payment of
236 dues to, a local PTA or the New Mexico PTA Land of Enchantment unit.
237

238 **Section 9.** The New Mexico PTA may offer membership in the Land of Enchantment PTA to those who wish to
239 support the Objects and basic policies of PTA.
240

241 **#Section 10.** The privilege of making motions, debating and voting in elections shall be limited to members of the
242 association who are present, whose dues are paid and who have been members of the association for at least 15
243 days.

- 244 a. Membership in a local unit shall be considered to start on the day the unit's membership chairman records
245 receiving payment from the member.
246 b. Membership in the New Mexico PTA shall be considered to start on the day the local unit's membership
247 information is logged in at the State Office.
248 c. Membership in a local unit and in the New Mexico PTA shall expire on June 30 of each year.

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ARTICLE VIII: OFFICERS

Section 1. The officers of the New Mexico PTA shall be a president, a president-elect, a vice president for leadership, a vice president for membership, a vice president for legislation and advocacy, a vice president for finance, a secretary, and a financial officer.

Section 2. Except for the office of president, officers shall be elected in odd-numbered years at an annual convention by the voting body of the convention. Officers shall take office on July 1st of the year of election and shall serve for a term of 2 years or until a successor takes office.

Section 3. The vote shall be conducted by ballot. When there is but one candidate for an office, the ballot for that office may be dispensed with and election held by voice vote. A majority vote shall be required for election.

Section 4. The following provisions shall govern the qualifications and eligibility of individuals to be officers of the New Mexico PTA:

- a. Each officer shall be a member of the Land of Enchantment PTA upon taking office; Only those who have served one year on the Board of Directors shall be eligible for nomination to office with the exception of the secretary, financial officer and the vice-president for finance.
- b. No officer may be eligible to serve more than 2 consecutive terms in the same office, with the exception of the president and the president-elect who may each serve one full term;
- c. A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in such office;
- d. Only those persons who have signified with their written consent to stand for election to an office shall be nominated or elected to office.

Section 5. Vacancies in Office

- a. A vacancy in any position of an elected officer, except that of president or president-elect, shall be filled by the Board of Directors for the remainder of the unexpired term.
 1. The election shall be by ballot except when there is but one candidate for the vacancy; then the ballot may be dispensed with an election held by voice vote only.
 2. If at least ten days' notice has been given and the election is part of the agenda for the meeting, the election to fill the vacancy shall require a majority vote. If no notice is given, the election to fill the vacancy shall require a two-thirds vote.
- b. In case of a vacancy in the office of president, the president-elect shall become president and shall hold office for the balance of the term. In filling the vacancy, the president-elect shall be entitled to continue in the presidency for the following term providing not more than one-half of a full term as president has been served.
- c. In case of a vacancy in the office of president-elect, the duties of the president-elect shall be delegated by the president until a president-elect is elected at the next convention by the voting body.
- d. In the case of vacancies in both the offices of president and president-elect, or their inability to act, the several elected officers, in the order of their precedence (as defined in Section 1 of this article), shall perform the duties and exercise the powers of president as assigned by the Board of Directors until the offices are filled at the next convention by the voting body.
- e. If the position of a Vice President remains vacant, the Board of Directors can appoint a member to perform such duties as it deems necessary until a qualified candidate (as defined in Section 4 of this article) can be elected by the Board of Directors.

ARTICLE IX: DUTIES OF OFFICERS

Section 1. The president shall:

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- 299 a. Preside at all meetings;
300 b. Serve as an ex-officio member of all committees except the nominating and election committees;
301 c. Have general charge and supervision of the business and affairs of the association and shall perform the
302 duties usually incident to the office of president of a not-for-profit association under the laws of the State of
303 New Mexico, subject to the powers invested in the Board of Directors and the Executive Committee;
304 d. Appoint all standing committee chairmen with the approval of the Executive Committee;
305 e. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
306 authority, or directed by the Board of Directors or Executive Committee.
307

308 **Section 2.** The president-elect shall:

- 309 a. Act as aide to the president;
310 b. Act as state convention chairman in the event of a vacancy;
311 c. Perform the duties of the president in the president's absence or inability to serve;
312 d. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
313 authority, or directed by the president, the Board of Directors, or the Executive Committee.
314

315 **Section 3.** The vice president for leadership shall:

- 316 a. Act as an aide to the president;
317 b. Perform such duties pertaining to the office of leadership as assigned by the Board of Directors;
318 c. Oversee the activities of the district managers;
319 d. Perform such other duties as may be provided by these bylaws, prescribed by parliamentary authority, or
320 directed by the president, the Board of Directors, or the Executive Committee.
321

322 **Section 4.** The vice president for membership shall:

- 323 a. Act as aide to the president;
324 b. Perform such duties pertaining to the office of Membership as assigned by the Board of Directors;
325 c. Oversee the activities of the chairmen of membership-related committees;
326 d. Act as awards chairman;
327 e. Act as elections chairman;
328 f. Verify and report on credentials at the state convention;
329 g. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
330 authority, or directed by the president, the Board of Directors, or the Executive Committee.
331

332 **Section 5.** The vice president for legislation and advocacy shall:

- 333 a. Act as aide to the president;
334 b. Perform the duties pertaining to the office of Legislation and Advocacy as assigned by the Board of
335 Directors;
336 c. Oversee the activities of the chairmen for Legislation and Advocacy-related committees;
337 d. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
338 authority, or directed by the president, the Board of Directors, or the Executive Committee.
339

340 **Section 6.** The secretary shall:

- 341 a. Keep an accurate account of all meetings;
342 b. Be prepared to read the records of any former meetings;
343 c. Distribute minutes to the Board of Directors prior to the next meeting;
344 d. File all records;
345 e. Oversee the activities of the chairmen of Secretary-related committees;
346 f. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
347 authority, or directed by the president, the Board of Directors, or the Executive Committee.
348

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- 349 **Section 7.** The vice president for finance shall:
- 350 a. Maintain a full account of the funds of the New Mexico PTA;
- 351 b. Cause to be kept a full and accurate account of the receipts and disbursements in books belonging to the
- 352 New Mexico PTA;
- 353 c. Render a written statement to the Board of Directors Board at each meeting;
- 354 d. Present an annual report of the financial condition of the association to the board;
- 355 e. Present an annual report of the financial condition of the association to the convention body;
- 356 f. Prepare or cause to be prepared an annual report for audit;
- 357 g. Disburse the funds of the association as may be authorized by the board;
- 358 1. All checks and vouchers shall carry two of the authorized signatures;
- 359 2. No check shall be signed by officers who are related to each other;
- 360 h. Remit promptly all monies including membership dues to the National PTA;
- 361 i. Act as budget chairman;
- 362 j. Perform such duties pertaining to the office of vice president for finance as assigned by the Board of
- 363 Directors;
- 364 k. Oversee the activities of the chairmen of treasurer-related committees;
- 365 l. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
- 366 authority, or directed by the president, the Board of Directors, or the Executive Committee.
- 367

- 368 **Section 8.** The Financial Officer shall:
- 369 a. Act as an aide to the Vice President for Finance;
- 370 b. Educate and train local unit treasurers on financial policies and procedures;
- 371 c. Provide and interpret financial compliance information;
- 372 d. Perform such other duties as may be provided for by these bylaws, prescribed by parliamentary authority,
- 373 or directed by the President, the Board of Directors, or the Executive Committee.
- 374

375 **ARTICLE X: NOMINATIONS AND ELECTIONS**

376

377 **Section 1.** Nominating Committee

378 The following provisions shall govern and are the duties of the nominating committee for the New Mexico PTA:

- 379 a. The nominating committee shall consist of five PTA members, with three elected from the convention body
- 380 in even-numbered years and two plus one alternate elected by the Board from its own body at the regular
- 381 winter Board meeting in even-numbered years.
- 382 b. No more than two members shall have served on the preceding nominating committee and no member of
- 383 the committee shall serve on more than two consecutive committees;
- 384 c. Neither the president nor the president-elect shall serve as a member of the nominating committee;
- 385 d. Vacancies occurring on the nominating committee shall be appointed by the Executive Committee.
- 386 e. Select nominees for all elective offices to be filled at the next convention;
- 387 f. Report the committee's nominations to the convention body on the first day of the convention;
- 388 g. Nominations for all elected officers may be made from the floor with the following provisions:
- 389 1. the nominee has provided written consent to serve if elected and;
- 390 2. the nominee's name and written consent to serve was received by the State Office at least 10 days
- 391 before the start of the convention.
- 392 h. Verify the credentials of all nominations for elected officers from the floor.
- 393

394 **Section 2.** Elections Committee:

395 A committee on elections consisting of at least three members shall be chosen by the Executive Committee. The

396 chairman shall be the vice president for membership and the remainder shall be members of local PTAs. The

397 committee on elections shall perform the following duties:

- 398 a. Conduct the election at the annual convention;

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- 399 b. Print ballots for the election if needed;
- 400 c. Verify the credentials of all nominees from the floor;
- 401 d. Collect and verify voting credentials at the convention;
- 402 e. Tabulate the votes and make a complete report of the votes to the presiding officer at the convention.
- 403

404 **ARTICLE XI: BOARD OF DIRECTORS**

405
406 **Section 1.** The affairs of the New Mexico PTA shall be managed by the Board of Directors.

407
408 **Section 2.** Each board member shall be a member of the Land of Enchantment PTA.

409
410 **Section 3.** The members of the board shall be:

- 411 a. Elected officers;
- 412 b. Chairmen of the standing committees;
- 413 c. The president may appoint a parliamentarian, subject to approval of the executive committee.
- 414

415 **Section 4.** Duties of the board shall be:

- 416 a. Formulate the policies of the New Mexico PTA;
- 417 b. Adopt procedures and rules for the proper extension of the state work, following the National PTA plan as
- 418 closely as state needs permit;
- 419 c. Adopt procedures and standing rules for governing the activities of the board;
- 420 d. Approve the hiring of such employees as may be needed to carry on the work of the New Mexico PTA;
- 421 e. Elect delegates and alternates to the annual convention of the National PTA in accordance with National
- 422 PTA bylaws;
- 423 f. Approve the financial report for presentation to the convention body;
- 424 g. Approve the budget;
- 425 h. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
- 426 authority, or directed by the president, the Board of Directors, or the Executive Committee.
- 427

428 **Section 5.** If any member of the Board of Directors shall at any time cease to meet the qualifications or fulfill the

429 duties of the position, that person may be removed from the board by resolution adopted by the Board of Directors.

430 A member who is absent from two consecutive board meetings without a valid written excuse may be removed from

431 the board by resolution adopted by the Board of Directors.

432

433 **Section 6.** Regular meetings of the Board shall be held at least 4 times during the fiscal year.

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435 **Section 7.** Notice of time and place of each regular meeting shall be given at least 30 days prior to the meeting.

436

437 **Section 8.** Special meetings of the board may be called by the president or when requested by 4 members upon

438 three (3) days written notice to each member of the Board. Special meetings may be conducted by conference call,

439 teleconference, or other electronic media as permitted by applicable law.

440

441 **Section 9.** At all meetings of the board, a majority of the members then in office shall constitute a quorum for the

442 transaction of business.

443

444 **Section 10.** Upon the expiration of the term of office or when individuals cease to hold the position that entitles

445 them to be a member of the board, they shall automatically cease to be a member of the board and shall be relieved

446 of all duties and responsibilities incident to such membership. All records, books and other materials pertaining to

447 the position shall be turned over to the president and all funds pertaining to the position shall be returned to the

448 treasurer within fourteen days.

NOTE: *Items marked with a pound sign (#) must be included in the bylaws of local units chartered by the New Mexico PTA and may not be changed by local units.*

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ARTICLE XII: EXECUTIVE COMMITTEE

Section 1. There shall be an executive committee of the New Mexico PTA, the members of which shall be all elected officers.

Section 2. Special meetings of the Executive Committee may be called by the president or upon written request of 3 members with three (3) days' notice to each member of the Executive Committee. Special meetings may be conducted by conference call, teleconference, or other electronic media as permitted by applicable law

Section 3. A majority of the Executive Committee, including the president, shall constitute a quorum for the transaction of business.

Section 4. The Executive Committee shall:

- a. Transact business referred to it by the board;
- b. Act in emergencies between meetings of the board;
- c. Report at each board meeting.

Section 5. The Executive Committee shall take no action in conflict with any action taken by the Board of Directors.

ARTICLE XIII: COMMITTEES

Section 1. Chairmen of the standing committees shall be appointed by the president, with the approval of the Executive Committee, to carry out the work and programs of the New Mexico PTA. Committee meetings may be conducted in person, by conference call, teleconference, or other electronic media as permitted by applicable law. They shall include, but shall not be limited to, the following committees:

- a. Audit committee
- b. Budget committee
- c. Bylaws committee;
- d. Communications committee;
- e. Education committee;
- f. Fund Development committee;
- g. Health and Welfare committee;
- h. Legislative and Advocacy committee
- i. Office committee
- j. State Convention committee
- k. Strategic Planning committee

Section 2. Special committees shall be appointed by the president or the boards as deemed necessary for specific purposes and they shall exist until their assigned duties are fulfilled.

ARTICLE XIV: DISTRICTS AND COUNCILS

Section 1. The state shall be divided into convenient districts as judged by the Board of Directors. Each district shall have a district manager appointed by the president with the approval of the Board of Directors. The district managers shall work under the direction of the vice president for leadership and the board and shall serve as the link between the board and the local PTAs in that district.

NOTE: *Items marked with a pound sign (#) must be included in the bylaws of local units chartered by the New Mexico PTA and may not be changed by local units.*

497 **Section 2.** Councils may be formed with three (3) or more local PTAs. The councils shall work in cooperation with
498 the district managers. Only local PTAs chartered by the New Mexico PTA shall be members of a council. No council
499 shall legislate for local PTAs. Council bylaws must be submitted to the state PTA for approval every three years or
500 when requested by the committee on bylaws. When a council has reached a membership of more than 25 units, it
501 may divide into more than one council.

502
503 **Section 3.** A council in good standing is one that:
504 a. Adheres to the Objects and basic policies of the PTA; and
505 b. Submits bylaws according to the procedures of the state.

506
507 **Section 4.** Each council shall keep such permanent books of account and records as shall be sufficient to establish
508 the items of gross income, receipts, and disbursements of the association, including, specifically, the number of its
509 members and the dues collected from its members. Such books of account and records shall at all reasonable
510 times be open to inspection by an authorized representative of the New Mexico PTA or, where directed by the
511 committee on state and national relationships, by a duly authorized representative of the National PTA.

512
513 **Section 5.** A council, under the supervision and direction of the New Mexico PTA, shall dissolve its affairs in the
514 following manner:
515 a. Notice, by certified mail, of the pending dissolution must be given to the New Mexico PTA at least 45 days
516 before the meeting of the council membership is held.
517 b. Notice of the meeting of the council membership must be mailed to all local units, council board members
518 and the New Mexico PTA at least 30 days before the meeting. A representative of the New Mexico PTA,
519 designated by the executive committee, must be present. A two-thirds ballot vote, a quorum being present,
520 must carry this intent of dissolution.
521 c. Upon dissolution, the New Mexico PTA must receive:
522 1. A certified letter giving details of the vote to dissolve, and details of the specific disbursements of
523 funds.
524 2. A copy of the final IRS form 990 and the original IRS Employer Identification number (EIN), Council
525 charter, all New Mexico PTA and National PTA materials, and all books and records.
526 d. Disbursement of funds and assets must be approved by a majority vote of members present and voting. All
527 funds and assets must be distributed within two (2) weeks according to Article III, h and whose purposes
528 are in accordance with those of the NMPTA.
529

530 **ARTICLE XV: STATE AND LOCAL RELATIONSHIPS**

531
532 **Section 1.** There shall be an ad-hoc committee on state and local relationships consisting of the Executive
533 Committee and those district managers and council presidents in the district under review.

534
535 **Section 2.** This committee shall review any alleged violations by local PTAs of the National PTA Bylaws, the New
536 Mexico PTA bylaws, or their own bylaws or other practices or activities of local PTAs that may tend to defeat the
537 Objects and basic policies of the New Mexico PTA and shall promptly report to the state Board of Directors the
538 results of such review and its recommendations for action.

539
540 **Section 3.** The New Mexico PTA Board of Directors shall give due consideration to the report of the committee and
541 shall accord the local PTA an opportunity to be heard and to respond to the report. If, upon such consideration and
542 hearing, the New Mexico PTA Board of Directors finds a violation by a local PTA, it may, by a majority vote of all its
543 members then in office, require the local PTA to take appropriate action within a period of time stipulated by the New
544 Mexico PTA Board of Directors. When such a requirement has been made by the New Mexico PTA Board of
545 Directors and if the recommended action is not taken by the local PTA within the allotted time, the New Mexico PTA

NOTE: *Items marked with a pound sign (#) must be included in the bylaws of local units chartered by the New Mexico PTA and may not be changed by local units.*

546 Board of Directors may, by a two-thirds vote of all its members then in office, withdraw the charter of the local PTA
547 and terminate its status as a local PTA.
548

549 **Section 4.** The New Mexico PTA is responsible for compliance by the local units within the state with the bylaws of
550 National PTA, the bylaws of the New Mexico PTA, and the bylaws of the local unit. Each constituent association
551 shall review its bylaws every three years and submit the revised bylaws to the state bylaws committee.
552

553 **ARTICLE XVI: STATE CONVENTION**

554
555 **Section 1.** There shall be an annual convention of the New Mexico PTA, the time and place to be fixed by the state
556 Board of Directors. The annual convention shall be the governing body of the New Mexico PTA. Notice of such
557 convention shall be sent to each member of the state Board of Directors, the president of each local PTA, and the
558 president of each council at least sixty days before the convention.
559

560 **Section 2.** The following members of the New Mexico PTA shall be entitled to vote at the annual convention:

- 561 a. Members of the Board of Directors;
- 562 b. Duly accredited delegates of the local units and councils.

563
564 **Section 3.** Each local PTA in good standing shall be entitled to accredit to the annual convention as delegates:

- 565 a. The local unit president and three other officers or their alternates;
- 566 b. One delegate for each 25 members or major fraction thereof, as shown on the records of the vice-president
567 for membership as of March 30th .
568

569 **Section 4.** Each council shall be entitled to send the president or an alternate as a voting delegate.
570

571 **Section 5.** Thirty-three delegates present and voting shall constitute a quorum for transaction of business.
572

573 **Section 6.** The convention of the New Mexico PTA shall be open to all members on payment of the registration fee,
574 but the privilege of making motions, debating and voting shall be limited to the Board of Directors and accredited
575 delegates from local PTAs and councils. A voting member shall have but one vote.
576

577 **Section 7.** In the event of some great emergency such as war, epidemic or other disaster, the board shall have
578 authority to determine whether a convention shall be held; a two-thirds vote of the board membership shall decide.
579 In the event no convention is held, the election of officers will be conducted as follows:

- 580 a. Ballots shall be mailed to all PTA units in good standing and to all members of the Board of Directors;
- 581 b. Results of the election shall be reported to the board at the next board meeting and reported to local units
582 and councils through the New Mexico PTA website.
583

584 **ARTICLE XVII: NATIONAL CONVENTION**

585
586 **Section 1.** The New Mexico PTA shall be entitled to accredit to the annual convention as its delegates:
587 From among the members of the state PTA, five delegates plus one additional for each 1,000 members, or major
588 fraction thereof, of the New Mexico PTA, as shown on the books of the treasurer of the National PTA as of March 31
589 preceding the annual convention.
590

591 **Section 2.** The selection of the delegates shall be governed by the standing rules of the New Mexico PTA.
592

593 **#ARTICLE XIII: FISCAL YEAR**

594

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595 The fiscal year of the New Mexico PTA shall begin on July 1st and end on the following June 30th.
596

597 **#ARTICLE XIX: PARLIAMENTARY AUTHORITY** 598

599 The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the New Mexico
600 PTA and its constituent associations in all cases in which they are applicable and in which they are not in conflict
601 with these bylaws, the National PTA Bylaws, or the articles of incorporation.
602

603 **ARTICLE XX: AMENDMENTS** 604

605 **Section 1.** These bylaws may be amended at an annual convention by a two-thirds vote of those present and
606 voting, provided the amendments have been approved by the Board of Directors and notice of proposed
607 amendments has been provided to constituent associations 30 days prior to the opening of convention.
608

609 **# Section 2.** The adoption of an amendment to any provision of the bylaws of the New Mexico PTA identified by a
610 number symbol (#) shall serve automatically and without the requirement of further action by local units to amend
611 their corresponding bylaws.
612

613 **Section 3.** The Executive Committee or the Board of Directors by a majority vote may authorize the Committee on
614 Bylaws to submit a revised set of bylaws as a substitute for the existing bylaws.