

# New Mexico School Boards Association CONSTITUTION and BYLAWS

## CONSTITUTION

### ARTICLE CI

#### NAME

The name of this organization shall be the New Mexico School Boards Association. The executive office shall be located in Santa Fe.

### ARTICLE CII

#### PERIOD OF DURATION

The period of duration of the New Mexico School Boards Association shall be perpetual unless dissolved as provided in this constitution.

### ARTICLE CIII

#### PURPOSES

The purpose of this Association shall be to assist local school boards to provide the best possible education to all public school students in New Mexico. To accomplish this the Association shall:

1. Identify the proper role of school board members and provide training for carrying out board member's responsibilities;
2. Encourage the most efficient and effective organization and administration of the public schools;
3. Provide information to individual school boards and their members;
4. Provide public understanding of the role of school boards and school board members in the improvement of education;
5. Represent the interests of public education in the legislative process.

### ARTICLE CIV

#### MEMBERSHIP

##### Section 1. Voting Members

All public school boards of education in the State of New Mexico may become member boards by paying the annual dues. The voting members shall be the individual members of local member boards.

##### Section 2. Nonvoting Members

a. Honorary Member - any person who, in the opinion of the Association's Board of Directors, has rendered distinguished service to the cause of public education such as; Secretary of Education, Public Education Commission, Legislative Education Study Committee (LESC), Legislative Finance Committee (LFC), Department of Finance Administration (DFA) and other partner organizations. Members may attend functions as nonpaying guests.

b. Affiliate Member - Reserved for future use.

c. Individual Membership - past board members may attend all functions of the Association at the regular member fee.

d. Associate Member - non-public schools, charter school governing boards and other educational agencies. Personnel of the agency may attend functions at the regular member fee.

e. Commercial Member - vendors, exhibitors, and other businesses. Members will be listed in conference programs and be given exhibitor space at NMSBA conferences at one-half the regular rate.

## **ARTICLE CV DUES**

The schedule of annual dues for membership shall be determined as provided in the Bylaws.

## **ARTICLE CVI OFFICERS AND DUTIES**

### **Section 1. President**

The President shall preside at all meetings of the Association and perform all duties incidental to that office and such other duties as may be prescribed by the Board of Directors.

The President shall attend the National School Boards Association Annual Conference, Advocacy Institute, Summer Leadership Seminar and Western Region Conference. The President shall be an official delegate to the National School Boards Association Delegate Assembly, and Western Region Conference and attend any other conferences deemed necessary by the Association.

The President shall chair the Nominations Committee and be an Ex-Officio non-voting member of all other committees.

The President shall appoint members to the standing committees, to other committees and positions, such as the parliamentarian, as the need arises.

The President shall submit proposed policy changes to the Board of Directors when appropriate.

### **Section 2. President-Elect**

The President-Elect shall perform the duties of the President in the absence of the President, or in the event of the President's inability or refusal to act. The President-Elect will serve as the President the following term.

The President-Elect shall perform such other duties as may be assigned by the Board of Directors.

The President-Elect shall attend the National School Boards Association Annual Conference, Advocacy Institute, Summer Leadership Seminar and Western Region Conference. The President-Elect shall be an official delegate to the National School Boards Association Delegate Assembly and Western Region Business Meeting.

The President-Elect shall chair the Resolutions/Legislative Committee and serve on the Nominating Committee.

### **Section 3. Vice-President**

The Vice-President shall perform all the duties of the President-Elect in his/her absence and will serve as President-Elect the following term.

The Vice-President shall perform such other duties as may be assigned by the President or the Board of Directors.

The Vice-President shall attend the National School Boards Association Annual Conference, Advocacy Institute, Summer Leadership Institute and Western Region Conference. The Vice-President shall serve as an official delegate to the National School Boards Association Delegate Assembly, as first alternate delegate to the Western Region Business Meeting. However, NMSBA must comply with the NSBA policy ruling that at least one member of any state's delegation to the NSBA Delegate Assembly be a member of an ethnic minority group when the delegation has three or more members. If the President, President Elect or Vice President is not a member of an ethnic minority group, the Board of Directors shall select a person who is a member of an ethnic minority group to serve in the place of the Vice President on the state's delegation, giving preference to the Secretary Treasurer, the Immediate Past President or a member of the Board of Directors.

#### **Section 4. Secretary-Treasurer**

The Secretary-Treasurer shall perform the usual duties of such office and such additional duties as may be assigned by the Board of Directors.

The Secretary-Treasurer shall attend the National School Boards Association Annual Conference, Advocacy Institute, Summer Leadership Seminar and Western Region Conference. The Secretary-Treasurer shall be the second alternate delegate to the National School Boards Association Delegate Assembly and second alternate to the Western Region Business Meeting.

#### **Section 5. Immediate Past-President**

The Immediate Past-President shall perform duties as may be assigned by the Board of Directors.

The Immediate Past-President shall attend the National School Boards Annual Conference, Advocacy Institute, Summer Leadership Seminar and the Western Region Conference.

The Immediate Past-President, or his/her designee, shall chair the Policy Review Committee.

The Immediate Past-President shall serve as the first alternate delegate to the National School Boards Association's Delegate Assembly.

### **ARTICLE CVII NOMINATION AND ELECTION OF OFFICERS**

#### **Section 1. Nominations**

Nominations of the Nominating Committee shall be reported in writing to the members of the Association at least 30 calendar days prior to the Annual Conference. Failure to meet this deadline will result in no nominations report.

Nominations may only be made from the floor at the annual meeting for the offices of Vice-President and Secretary-Treasurer if no nominations are received by the Nominating Committee. Notice for individuals running from the floor must be provided to the Association 45 days prior to the annual meeting and must include a statement of qualifications and acknowledgement the candidate can fulfill the responsibilities and time and travel requirements of the office.

Candidates nominated for the offices of Vice-President and Secretary-Treasurer must have a minimum of four years' experience on a local school board, must have served in a leadership position and must have served on an NMSBA committee or board of directors.

#### **Section 2. Elections**

The Vice-President and Secretary-Treasurer shall be elected by ballot vote at the annual meeting by a majority of the members present and voting. A majority vote is fifty percent plus one of those members who are present and voting.

In the event that no candidate receives a majority vote, there shall be a runoff election between the two candidates receiving the greatest number of votes on the first ballot. In the runoff election, the candidate with the greater number of votes wins. In the event that there is a tie, all members present will vote again on the same two candidates. The candidate with the higher number of votes wins. In the event that there is a tie again, the winner will be determined by a coin-flip administered by the presiding officer of the Association. Such runoff elections shall be conducted prior to the conclusion of such annual meeting.

#### **Section 3. Qualifications**

Only voting members of NMSBA shall hold an office in the Association. (See Article C IV, Sec. 1)

#### **Section 4. Term of Office**

The term of office shall be for one year, commencing at the end of the Annual Conference, and ending at the conclusion of the following Annual Conference or upon the election of a qualified successor.

## **Section 5. Vacancy**

- a. A vacancy in the office of President shall be filled by the President-Elect, who shall serve the remainder of that term of office. The President-Elect shall also serve the succeeding term as President.
- b. A vacancy in the office of President-Elect shall be filled by the Vice-President, who shall serve the remainder of that term of office and shall assume the office of president-elect the following term.
- c. A vacancy in the office of Vice-President or Secretary-Treasurer shall be filled by the Board of Directors for the remainder of that term.
- d. A vacancy in the office of the Immediate Past-President shall be filled by a former NMSBA President currently serving on a local school board.

## **ARTICLE CVIII MEETINGS**

### **Section 1. Delegates' Annual Meetings**

The annual meeting of the Association shall be held at the time and place to be determined by the Board of Directors except that it must be held in the fall of the year.

A quorum for meetings of the Association's general membership shall consist of the members who are present.

### **Section 2. Other Meetings**

Other meetings of the Association membership may be called by the President with the concurrence of a majority of the Executive Board at such time and place as they may designate.

## **ARTICLE CIX EXECUTIVE BOARD**

### **Section 1. Membership**

The members of the Executive Board shall be the elected officers of the Association and the Immediate Past President of the Association, providing he/she is currently a voting member of the Association. In addition, any New Mexico school board member serving on the National School Boards Association Board of Directors shall serve as an Ex-Officio non-voting member.

### **Section 2. Powers and Duties**

The Executive Board shall have those powers and perform those duties authorized by the Board of Directors.

### **Section 3. Actions**

All actions of the Executive Board must be presented to the Board of Directors for ratification.

### **Section 4. Meetings**

The meetings of the Executive Board may be called by the President or the Executive Director.

## **ARTICLE CX BOARD OF DIRECTORS**

### **Section 1. Membership**

The members of the Board of Directors shall be:

- a. The elected or appointed officers of the Association;
- b. The officers of the regions;
- c. All Past-Presidents of the Association who are currently voting members of the Association;
- d. One board member appointed by any board whose local district enrolls more than 10,000 pupils;
- e. The Executive Director shall be an Ex-Officio non-voting member of the Board of Directors. The Board of Directors may appoint other Ex-Officio non-voting members of the Board.

### **Section 2. Powers and Duties**

The Board of Directors shall have the authority and duty to conduct all affairs of the Association and shall make all decisions for the Association that do not conflict with resolutions adopted by the general membership or with the Constitution and Bylaws. The powers shall include, but not be limited to:

- a. Employ and evaluate an Executive Director and set salary and responsibilities. Approve the employment and salary of other paid personnel upon the recommendations of the Executive Director.
- b. Approve such committees as it deems necessary.
- c. Draft and recommend resolutions, in addition to those by local districts, for adoption by the membership.
- d. Study proposed legislation and take action as appropriate.
- e. Provide programs and activities in harmony with the purpose of the Association.
- f. Hold the Executive Director responsible for the financial management of the Association including preparation of the budget, approval of budget increases or decreases and line item transfers, recommending dues structure of the general membership, determining benefits of the employees, providing bonding for employees and officers, handling Association funds, and providing for an annual audit.
- g. NMSBA must comply with the NSBA policy ruling that at least one member of any state's delegation to the NSBA Delegate Assembly be a member of an ethnic minority group when the delegation has three or more members. If the President, President Elect or Vice President is not a member of an ethnic minority group, the Board of Directors shall select a person who is a member of an ethnic minority group to serve in the place of the Vice President on the state's delegation, giving preference to the Secretary Treasurer, the Immediate Past President or a member of the Board of Directors.

### **Section 3. Meetings**

The Board of Directors shall meet at least three times during the fiscal year. Meetings may be called by the President, or upon request of at least five members of the Board of Directors, or by the Executive Director.

A quorum for a Board of Directors meeting shall consist of twelve members.

## **ARTICLE CXI REGION ORGANIZATION**

### **Section 1. Eight Geographic Regions**

The State of New Mexico shall be divided into eight (8) geographic regions.

The member local school boards shall be placed in the region determined by the Board of Directors. Membership in a region organization may be changed upon petition of a local board of education and approval by the Board of Directors.

### **Section 2. Region Officers**

The region officers shall be the President, Vice-President, and Secretary.

#### a. Term of Office

Term of office shall be two years. The election shall be held at the spring region meeting of even numbered years. If extenuating circumstances do not permit an election to be held, current officers shall serve until the next regular region meeting, at which time the election will be held to fill the offices for the remainder of the term. Region officers are elected by the membership and are eligible for re-election to office. Region officers shall assume their duties immediately.

#### b. Duties

##### 1. Region President.

- a. Plan region meeting program in concert with NMSBA office and host school district.
- b. Appoint representative to NMSBA Resolutions/Legislative Committee.
- c. Serve on Nominating Committee.

- d. Serve on NMSBA Board of Directors.
- 2. Region Vice President.
  - a. Assume the duties of the Region President in the absence of the Region President.
  - b. Serve on the NMSBA Board of Directors.
- 3. Region Secretary.
  - Serve on the NMSBA Board of Directors.
- c. Vacancies
  - A vacancy occurring at the region level may be filled by the Region President. The Vice-President shall assume the office of President in case of a vacancy in the office of President. The Secretary shall assume the office of Vice President in case of a vacancy in the office of Vice-President. The appointed officers shall fill vacancies until the next regular election.

### **Section 3. Meetings**

Region meetings shall be held in the fall and spring of each year. The Executive Director, with the aid of the host school districts, shall prepare a schedule of region meetings.

## **ARTICLE CXII**

### **AMENDMENT OF CONSTITUTION**

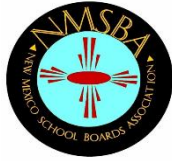
The Constitution can be amended at any annual meeting of the Association by two-thirds vote of the members present and voting, provided the amendment has been submitted to the membership, in writing, 30 calendar days prior to the annual meeting. Without advance notice to the membership, a unanimous vote of the members present and voting shall be required.

## **ARTICLE CXIII**

### **DISSOLUTION OF THE ASSOCIATION**

Should it become necessary, at any time, for the Association to dissolve and cease to exist as an organization, the assets of the Association shall be transferred to the Public Education Department to be used as the Public Education Commission shall direct.

**Revised: December 7, 2018**



# BYLAWS

## ARTICLE BI OFFICES

The principal office of the New Mexico School Boards Association shall be located at 300 Galisteo St., Suites 203 and 204, Santa Fe, New Mexico.

## ARTICLE BII MEMBERSHIP AND DUES

### Section 1. Membership

The membership of the Association shall be as specified in Article C IV of the Constitution.

### Section 2. Annual Dues

Dues shall be determined by mail ballot vote of the member boards after recommendation by the Board of Directors. After a recommendation by the Board of Directors, a change in dues must be approved by at least a two-thirds majority of those member boards casting a ballot. For the purpose of assessing dues, a district's revenue is taken from the 2nd preceding year's (2 years past), actual revenue as the sum of local, state and federal revenues. The minimum dues shall be \$300.

#### Dues are computed as follows:

##### Schedule A - Dues Structure

First	\$500,000 = \$.60 per \$1,000
Next	\$1,000,000 = \$.40 per \$1,000
Next	\$4,500,000 = \$.30 per \$1,000
Next	\$6,000,000 = \$.20 per \$1,000
Next	\$75,000,000 = \$.05 per \$1,000

Ten percent (10%) shall be added to each board's dues as determined by the above schedule. This increase shall remain in effect until changed by a vote of the member boards.

#### Other Memberships

Associate Membership	\$1,500.00
Commercial Membership	\$1,500.00

### Section 3. Payment of Dues

Dues are payable on or before July 1 of each year. Membership privileges will be suspended when dues are 90 calendar days past due. Members, suspended for nonpayment of dues, may be reinstated at any time upon payment of current year's dues.

## ARTICLE BIII NOTICE OF MEETINGS

### Section 1. Annual Meeting

Members shall be given written notice of the meeting at least 30 calendar days prior to the meeting.

### Section 2. Other Meetings

Members shall be given written notice, including reason for the meeting, at least 15 calendar days prior to the meeting.

- a. Executive Board Meetings
- b. Board of Directors Meetings
- c. Region Meetings

**ARTICLE BIV**  
**LETTERS, SURVEYS, QUESTIONNAIRES, ETC.**

Communication representing the position of New Mexico School Boards Association must have prior approval of the Executive Board.

**ARTICLE BV**  
**STANDING COMMITTEES**

**Section 1. Resolutions/Legislative Committee**

Members of the Resolutions/Legislative Committee shall be appointed as follows: Each region shall elect one member, each region president appoints one member, and the State President appoints one member from each region. Elected members and those appointed by the Region President shall serve two (2) year terms. Members appointed by the State President shall serve a one (1) year term. The President-Elect shall serve as Chairman of the Resolutions /Legislative Committee.

Duties of the Resolutions/Legislative Committee are:

- a. Attend legislative sessions to represent NMSBA positions.
- b. To review the current positions and new resolutions.
- c. To suggest amendments, deletions, or additions where needed.
- d. To submit a report to the membership for adoption or disapproval.
- e. Prioritize them for publication to present to the Legislature.
- f. To promote legislation which benefits education in general and is consistent with the beliefs and positions (resolutions) of the Association.

**Section 2. Nominating Committee**

The eight (8) region presidents, the past presidents of the Association, and the President-Elect shall serve on the Nominating Committee. The President shall serve as the chairman of the Nominating Committee. In the event that the President cannot serve, the President shall appoint a chairman. A minimum of two members from the committee who attended the meeting for the previous year shall be retained for continuity.

The duty of the Nominating Committee shall be to report the nominations they recommend, in writing, to members of the Association at least 30 calendar days prior to the annual meeting.

The following criteria shall be utilized by the Nominating Committee in an effort to provide continuity and to reduce the possibility of personal, regional, and school district conflicts.

1. President-Elect - There shall be no nominated opposition for this office. There shall be no nominations from the floor for this office.
2. Vice-President - There shall be no more than two people nominated for this office by the Nominating Committee. There can be nominations for this office from the floor in accordance with Article CVII, Section 1 of the Constitution.
3. Secretary-Treasurer - There shall be no more than three people nominated for this office by the Nominating Committee. There can be nominations for this office from the floor in accordance with Article CVII, Section 1 of the Constitution.

**Section 3. Policy Review Committee**

The Policy Review Committee shall be appointed by the President.

- a. The duties of the Policy Review Committee shall be to review the Constitution, Bylaws, and Policies and make recommendations to the Board of Directors when appropriate.
- b. The Immediate Past President, or his/her designee, shall be the chairman of the Policy Review Committee.

**Section 4. Dues Structure Study Committee**

The Dues Structure Study Committee shall be appointed by the NMSBA President when appropriate.

- a. The duties of the Dues Structure Study Committee shall be to review the dues structure of NMSBA and make recommendations to the Board of Directors.



## **Section 5. Alternates**

- a. Appointees to all standing committees shall notify the NMSBA office if they are unable to attend the meetings.
- b. The Executive Director, in consultation with the President, shall appoint the alternates to fill the vacancies.

## **Section 6. Meeting Structure**

When appropriate, standing committees may meet by electronic means.

### **ARTICLE BVI FISCAL YEAR**

The fiscal year of the Association shall be July 1 through June 30.

### **ARTICLE BVII POLICY DEVELOPMENT**

The Policy Committee shall have the responsibility for the development of policies for the operation of the Association. Changes in the Policies will be acted upon by the Executive Board but shall be ratified by the Board of Directors at their next regular meeting.

### **ARTICLE BVIII AMENDMENT OF BYLAWS**

The Bylaws can be amended at any annual meeting of the Association by simple majority of the members present and voting, provided the amendment has been submitted to the membership, in writing, 30 calendar days prior to the annual meeting. Without advance notice to the membership, a unanimous vote of the members present and voting shall be required.

### **ARTICLE BIX PARLIAMENTARY AUTHORITY**

The Association shall be governed by the Constitution and Bylaws. Robert's Rules of Order (Newly Revised) shall govern any situation not covered by the bylaws. Failure of the Association, Executive Board, the Board of Directors or any standing committee to strictly comply with parliamentary rules shall not invalidate actions taken.

**Revised: December 7, 2018**