

**(Rio Gallinas School of Ecology and the Arts)
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New Mexico PTA Model Local PTA Bylaws Updated 5/2013

42 **ARTICLE I: NAME**

43

44 The name of this association is the **Rio Gallinas PTSA** Parents and Teacher Association (PTA), **your town**, New
45 Mexico. It is a local PTA/PTSA organized under the authority of New Mexico Congress of Parents and Teachers,
46 a branch of the National Congress of Parents and Teachers (the National PTA).
47

48 ****ARTICLE II: PURPOSES** ⁱ

49

50 **Section 1.** The Purposes of the **Rio Gallinas PTSA** PTA, in common with those of the National PTA and the New
51 Mexico PTA, are:

52

- 53 a. To promote the welfare of children and youth in home, school, community, and place of worship
- 54 b. To raise the standards of home life
- 55 c. To secure adequate laws for the care and protection of children and youth
- 56 d. To bring into closer relation the home and the school, that parents and teachers may cooperate
57 intelligently in the education of children and youth
- 58 e. To develop between educators and the general public such united efforts as will secure for all children
59 and youth the highest advantages in physical, mental, social, and spiritual education

60

61 **Section 2.** The Purposes of the National PTA, the New Mexico PTA, and the **Rio Gallinas PTSA** are promoted
62 through an educational program directed toward parents, teachers, and the general public; are developed through
63 conferences, committees, projects, and programs; and are governed and qualified by the basic policies set forth
64 in Article III.
65

66 **Section 3.** The association is organized exclusively for the charitable, scientific, literary, or educational purposes
67 within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future
68 federal tax code (hereinafter "Internal Revenue Code").
69

70 ****ARTICLE III: BASIC POLICIES**

71

72 The following are basic policies of the **Rio Gallinas PTSA** PTA, in common with those of the National PTA and the
73 New Mexico PTA:

74

- 75 a. The association shall be noncommercial, nonsectarian, and nonpartisan.
- 76 b. The association or members in their official capacities shall not endorse a commercial entity or engage
77 in activities not related to promoting the purposes of the association.
- 78 c. The association or members in their official capacities shall not, directly or indirectly, participate or
79 intervene (in any way, including the publishing or distributing of statements) in any political campaign on
80 behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of
81 its activities to attempting to influence legislation by propaganda or otherwise.
- 82
- 83 d. The association shall work with the schools and community to provide quality education for all children
84 and youth and shall seek to participate in the decision-making process establishing school policy,
85 recognizing that the legal responsibility to make decisions has been delegated by the people to boards
86 of education, state education authorities, and local education authorities.
- 87
- 88 e. The New Mexico PTA or any of its divisions may cooperate with other organizations and agencies
89 concerned with child welfare, but PTA representatives shall make no commitments that bind the group
90 they represent.

91

92 ⁱ ** Key to double stars: Each PTA shall include in its bylaws those provisions marked with a double star.

93 # State PTAs may require that certain provisions be included in local PTA bylaws. Such requirements are designated by the number symbol (#).
94

- 95 f. The association shall work to promote the health and welfare of children and youth, and shall seek to
96 promote collaboration among parents, students, school, and the community at large.
97
- 98 g. No part of the net earnings of the association shall inure to the benefit of, or be distributable to its
99 members, directors, trustees, officers, or other private individuals except that the association shall be
100 authorized and empowered to pay reasonable compensation for services rendered and to make
101 payments and distributions in furtherance of the purposes set forth in Article II hereof.
102
- 103 h. Notwithstanding any other provision of these articles, the association shall not carry on any other
104 activities not permitted to be carried on (i) by an organization exempt from federal income tax under
105 Section 501(c)(3) of the Internal Revenue Code or (ii) by an organization, contributions to which are
106 deductible under Section 170(c)(2) of the Internal Revenue Code.
107
- 108 i. Upon the dissolution of the association, after paying or adequately providing for the debts and
109 obligations of the association, the remaining assets shall be distributed within two (2) weeks to one or
110 more nonprofit funds, foundations, or organizations that have established their tax-exempt status under
111 Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of
112 NMPTA.
113

114 **ARTICLE IV: RELATIONSHIP WITH NATIONAL PTA AND NEW MEXICO PTA**

115

116 **#Section 1.** This local PTA shall be organized and chartered under the authority of the New Mexico PTA in the
117 area in which this local PTA functions, in conformity with such rules and regulations, not in conflict with the
118 National PTA Bylaws, as the New Mexico PTA may in its bylaws prescribe. The New Mexico PTA shall issue to
119 this local PTA an appropriate charter evidencing the due association and good standing of this local PTA.
120

121 **#Section 2.** To be considered a unit in good standing of the New Mexico PTA, each local PTA shall do the
122 following:

- 123 a. Adheres to the purposes and basic policies of the PTA;
124 b. Hold at least 3 general meetings per year. The purpose of these meetings shall include the following:
125 1. Approval of the budget at a fall general meeting;
126 2. Electing the nominating committee at a winter general meeting;
127 3. Electing officers at a spring general meeting;
128 c. Submit bylaws to the New Mexico PTA at the time of organization of the local unit and every three years
129 thereafter for approval, or when requested by the Bylaws Committee;
130 d. Maintain a minimum of fifteen members annually (schools with an enrollment of less than 100 may
131 request an exemption);
132 e. Remit the state and national portions of the dues to the New Mexico PTA as provided in Article V hereof;
133 f. Submit a list of members with the state and national dues;
134 g. File an operating budget, immediately upon approval by the unit's members, with the New Mexico PTA
135 within six weeks of the start of the school year;
136 h. File a year-end financial statement and proof of audit with the New Mexico PTA within thirty days of the
137 end of the fiscal year;
138 1. No person who was authorized to sign checks during the fiscal year may participate in the audit;
139 2. No person who is related to a person authorized to sign checks during the fiscal year may
140 participate in the audit.
141 i. And file a copy of IRS Form 990, if required, with New Mexico PTA upon filing with the IRS.
142 j. Carry insurance that is renewed annually. All new PTAs shall secure insurance preferably within 120
143 days and mandatory within one calendar year from the PTA's charter date.

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****Section 3.** This local PTA shall adopt such bylaws for the government of the association as may be approved by the New Mexico PTA. Such bylaws shall:

- a. Not be in conflict with the National PTA Bylaws or the bylaws of New Mexico PTA.
- b. Include an article on amendments.
- c. Include a provision establishing a quorum for each type of meeting.
- d. Include a provision establishing how the nominating committee for officers shall be elected.
- e. Include provisions corresponding to the provisions of state bylaws identified by the number symbol (#).
- f. Prohibit proxy voting.

#Section 4. Each officer or board member of this local PTA shall be a member of this local PTA.

#Section 5. A PTA member shall not serve as a voting member of this local PTA's board while serving as a paid employee of or under contract to this local PTA.

#Section 6. This 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 organization, 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.

#Section 7. The charter of this local PTA shall be subject to withdrawal and the status of such association as a local PTA shall be subject to termination, in the manner and under the circumstances provided the bylaws of the New Mexico PTA.

#Section 8. This local PTA is obligated, upon withdrawal of its charter by the New Mexico PTA:

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

#Section 9. Each constituent association shall elect only one person to serve in any one office. The New Mexico PTA may grant exceptions when bylaws provide and circumstances require it. If an exception is requested and granted, only one person shall be designated as the official office-holder by the New Mexico and National PTA; only one set of materials will be sent to the person so named. If more than one person serves, due to an exception by the New Mexico PTA, the office holders must understand that one office provides only one vote. ⁱⁱ

#Section 10. A local PTA, under the supervision and direction of the New Mexico PTA, shall dissolve its affairs in the following manner:

- a. Notice, by certified mail, of the pending dissolution must be given to the New Mexico PTA at least forty-five (45) days before the meeting of the membership is held to discuss and vote on the dissolution issue.
- b. Notice of the meeting of the membership must be mailed to all members and the New Mexico PTA at least thirty (30) days before the meeting. A representative of the New Mexico PTA, designated by the executive committee, must be present. A two-thirds ballot vote of members present and voting, a quorum being 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
197 2. To yield up and surrender all of its books, records, all of its assets and property to the New Mexico
198 PTA or distributed to one or more nonprofit funds, foundations, or organizations that have established
199 their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are
200 in accordance with those of NMPTA.
201 3. A copy of the final IRS form 990 and the original IRS Employer Identification number (EIN).
202 4. Charter, all New Mexico PTA and National PTA materials, current bylaws and standing rules, and
203 minutes, budget, and all financial books of account and records.
204 d. Disbursement of funds and assets must be approved by a majority vote of members present and voting.
205 All funds and assets must be distributed within two (2) weeks according to Article III, i. the remaining
206 assets shall be distributed to one or more nonprofit funds, foundations, or organizations that have
207 established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose
208 purposes are in accordance with those of the NMPTA.
209

210 **Article V: Membership and Dues**

211
212 **#Section 1.** Every individual who is a member of this local PTA is, by virtue of that fact, a member of the
213 National PTA and of the New Mexico PTA by which this local PTA is chartered, and is entitled to all the benefits
214 of such membership.
215

216 **#Section 2.** The membership in PTA shall be open, without discrimination, to anyone who believes in and
217 supports the mission and purposes of the NMPTA.
218

219 **#Section 3.** This local PTA shall conduct an annual enrollment of members but may admit individuals to
220 membership at any time.
221

222 **#Section 4.** Each member of a local PTA shall pay such annual dues to said association. The amount of such
223 dues shall include these portions

- 224 a. The portion payable to the New Mexico PTA, as recommended by the board of directors and approved
225 by a two-thirds majority of the voting body at the New Mexico Annual Convention.
226 b. The portion payable to the National PTA, as recommended by the board of directors and approved by a
227 two-thirds majority of the voting body at the National PTA Annual Convention.
228

229 **#Section 5.** The state and national portions of the dues paid by each member of a local PTA shall be set aside
230 by the local PTA and remitted to the New Mexico PTA on or before the 30th of each month.
231

232 **#Section 6.** The privilege of making motions, debating and voting in elections shall be limited to members of the
233 association who are present, whose dues are paid and who have been members of the association for at least 15
234 days.

- 235 a. Membership in a local unit shall be considered to start on the day the unit's membership chairman
236 records receiving payment from the member.
237 b. Membership in the New Mexico PTA shall be considered to start on the day the local unit's membership
238 information is logged in at the State Office.
239 c. Membership in a local unit and in the New Mexico PTA shall expire on June 30 of each year.
240

241 **Article VI: Officers**

242
243 **Section 1.** The officers of this local PTA shall be a president, a vice president(s),ⁱⁱⁱ a secretary, and a treasurer.
244

245 **Section 2.** Officers shall be elected by ballot in the month of April.

246
247 **Section 3.** The vote shall be conducted by ballot. When there is but one candidate for an office, the ballot for that
248 office may be dispensed with and election held by voice vote. A majority vote shall be required for election.
249

250 **Section 4.** The following provisions shall govern the qualifications and eligibility of individuals to be officers of the
251 **Rio Gallinas PTSA** PTA:

- 252 **a. Each officer shall be a member of this local PTA.
253 b. No officer may be eligible to serve more than **two** consecutive terms in the same office.
254 c. A person who has served in an office for more than one half of a full term shall be deemed to have
255 served a full term in such office.
256

257 **Section 5.** Officers shall assume their official duties following the close of the fiscal year in which they are
258 elected and shall serve for a term of **number** year(s) or until a successor takes office.
259

260 **Section 6.** A vacancy occurring in the office of president shall be filled for the remainder of the unexpired term by
261 the 1st vice president. A vacancy in any office other than president shall be filled by the board of directors.
262

263 **Section 7.** There shall be a nominating committee composed of an uneven number, no less than three members
264 who shall be elected by this local PTA at a regular general membership meeting at least two months prior to the
265 election of officers.

- 266 a. The committee shall elect its own chair.
267 b. The nominating committee shall nominate an eligible person for each office to be filled and report its
268 nominees at the regular general membership meeting in April, at which time additional nominations may
269 be made from the floor.
270 c. Only those individuals who are current members of this local PTA and who have signified their consent
271 to serve if elected shall be nominated for, or elected to, such office.
272

273 **ARTICLE VII: DUTIES OF OFFICERS**

274
275 **Section 1.** The president shall:

- 276 a. preside at all meetings of this local PTA;
277 b. serve as an ex officio member of all committees except the nominating committee;
278 c. coordinate the work of the officers and committees of this local PTA in order that the Purposes may be
279 promoted;
280 d. perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
281 authority, or directed by the board of directors or executive committee.
282

283 **Section 2.** The vice president(s) shall [repeat for each vice president]:

- 284 a. act as aide to the president;
285 b. in their designated order **list order**, perform the duties of the president in the president's absence or
286 inability to serve;
287 c. perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
288 authority, or directed by the president, the board of directors, or the executive committee.
289

290 **Section 3.** The secretary shall:

- 291 a. record the minutes of all meetings of the **Rio Gallinas PTSA** PTA;
292 b. distribute minutes to board members prior to the next meeting;
293 c. be prepared to read the records of any previous meetings;
294 d. file all records;
295 e. have a current copy of the bylaws;
296 f. maintain a membership list;

- 297 g. perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
298 authority, or directed by the president, the board of directors, or the executive committee.
299

300 **Section 4.** The treasurer shall:

- 301 a. have custody of the funds of this local PTA
302 b. maintain a full account of the funds of this local PTA;
303 c. make disbursements as authorized by the president, executive board, or this local PTA in accordance
304 with the budget adopted by this local PTA;
305 d. have checks or vouchers signed by two officers;
306 e. cause to be kept a full and accurate account of the receipts and disbursements in the books belonging to
307 the **Rio Gallinas PTSA** PTA;
308 f. provide a written financial statement to the board of directors at each meeting;
309 g. present an annual report of the financial condition of the association at the annual meeting in April;
310 h. submit the books annually or upon change of bank account signatories for an audit by an auditing
311 committee selected by the board of directors at the end of the fiscal year. ^{iv}
312 i. report the findings of the annual audit to the board of directors and the New Mexico PTA;
313 j. perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary
314 authority, or directed by the president, the board of directors, or the executive committee.
315

316 **#ARTICLE VIII: BOARD OF DIRECTORS**
317

318 **Section 1.** The affairs of the **Rio Gallinas PTSA** PTA shall be managed by the board of directors in the intervals
319 between local unit PTA general membership meetings.
320

321 **Section 2.** The members of the board include, but not be limited to:

- 322 a. elected officers;
323 b. **a parent representative, a student representative, a teacher representative, a school director or**
324 **designee representative.**
325 c. The president may appoint a parliamentarian, subject to approval of the executive committee of this local
326 PTA.
327

328 **Section 3.** Duties of the board shall be to:

- 329 a. carry out such business as may be referred to it by the membership of the association;
330 b. create special committees;
331 c. present a report at the regular general membership meetings of this local PTA;
332 d. select an auditor or an auditing committee to audit the treasurer's accounts;
333 e. prepare and submit an annual budget to this local PTA's general membership for adoption;
334 f. approve payment of routine bills within the limits of the approved budget;
335

336 **Section 4.** If any member of the board of directors shall at any time cease to meet the qualifications or fulfill the
337 duties of the position, that person may be removed from the board by resolution adopted by the board of
338 directors.
339

340 **Section 5.** Regular meetings of the board shall be held with the date and time to be fixed by the board at its first
341 meeting of the year.
342

343 **Section 6.** Special meetings of the board may be called by the president or when requested by **number**
344 members upon **number** days' written notice to each member of the board. ^v
345

346 **Section 7.** At all meetings of the board, a majority of the members of the board then in office shall constitute a
347 quorum for the transaction of business.

348
349 **Section 8.** Upon the expiration of the term of office or when individuals cease to hold the position that entitles
350 them to be a member of the board, they shall automatically cease to be a member of the board and shall be
351 relieved of all duties and responsibilities incident to such membership. All records, books and other materials
352 pertaining to the position shall be turned over to the president and all funds pertaining to the position shall be
353 returned to the treasurer within fourteen days.
354

355 **#ARTICLE IX: EXECUTIVE COMMITTEE**

356
357 **Section 1.** There shall be an executive committee of the **Rio Gallinas PTSA** PTA, the members of which shall
358 be:

- 359 a. all elected officers; and
360 b. **list others – principal could be included here as a member *ex officio***

361
362 **Section 2.** Special meetings of the executive committee may be called by the president or upon written request
363 of **number** members with **number** days' written notice to each member of the executive committee. v

364
365 **Section 3.** A majority of the executive committee shall constitute a quorum for the transaction of business.

366
367 **Section 4.** Duties of the executive committee shall be to:

- 368 a. transact business referred to it by the board;
369 b. appoint committee chairmen, except for the nominating committee;
370 c. approve the work of the committees;
371 d. act in emergencies between meetings of the board;
372 e. make a report at each board meeting;
373 f. prepare an agenda for all meetings

374
375 The executive committee shall take no action in conflict with any action taken by the board of directors.
376

377 **ARTICLE X: COMMITTEES**

378
379 **Section 1.** Only members of this local PTA shall be eligible to serve in any elective or appointive positions.

380
381 **Section 2.** The standing committees of this local PTA shall include, but not be limited to:

- 382 a. **fundraising committee, finance committee, class parent committee.**

383
384 **Section 3.** The board of directors may create such special committees as it may deem necessary to promote the
385 Purposes of PTA and carry on the work of this local PTA.

386
387 **Section 4.** The term of office of a committee chairman shall be 1 year(s) or until the selection of a successor.

388
389 **Section 5.** The chairman of each committee shall present a plan of work to the executive committee for
390 approval. No committee work shall be undertaken without the consent of the executive committee.
391

392 **ARTICLE XI: GENERAL MEMBERSHIP MEETINGS**

393
394 **Section 1.** Regular meetings of this local PTA shall be held **at least 3 times a year – in August, January, and**
395 **June. 30 days'** written notice shall be given to the membership of any change of date.

396
397 **Section 2.** Special meetings of this local unit PTA may be called by the president or by a majority of the board of
398 directors, seven days' notice having been given. v

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Section 3. The annual meeting shall be held in April.

Section 4. Four members shall constitute a quorum for the transaction of business in any meeting of this local PTA.

#ARTICLE XII: COUNCIL MEMBERSHIP

[This article applies only to those local PTAs holding membership in a council PTA. The following sections **must** correspond to the council PTA bylaws, and are provided as a guideline to local PTAs.]

Section 1. This local PTA shall be represented in meetings of the name Council PTA by the president, or appointed alternate, and by number delegate(s) or alternate(s).

- a. All representatives to the council PTA must be members of this local PTA.
- b. Delegates and their alternates shall be chosen by election in month.
- c. Delegates to the name Council PTA shall serve for a term of number year(s).

Section 2. This local PTA shall pay annual dues to the name Council PTA as provided in the name Council PTA bylaws.

#ARTICLE XIII: NEW MEXICO PTA CONVENTION

[The following sections **must** correspond to the state PTA bylaws, and are provided as a guideline to local PTAs.]

Section 1. This local PTA may be represented at the annual meeting of the New Mexico PTA by the president, or appointed alternate, and by 3 delegate(s) or alternates. [Note: state PTA bylaws provide for an additional delegate for each 25 members or major portion thereof.]

- a. All representatives to the New Mexico PTA convention must be members of this local PTA.
- b. Delegates and their alternates shall be chosen by vote or appointment in the month of April.
- c. This local unit may send additional non-voting members for educational enrichment opportunities.

#ARTICLE XIV: FISCAL YEAR

The fiscal year of the Rio Gallinas PTSA PTA shall begin on July 1 and end on the following June 30.

****ARTICLE XV: PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of *Robert’s Rules of Order Newly Revised* shall govern the Rio Gallinas PTSA PTA and in all cases in which they are applicable and in which they are not in conflict with these bylaws, the National PTA Bylaws, the New Mexico PTA bylaws, or the articles of incorporation.

ARTICLE XVI: AMENDMENTS AND REVISIONS

Section 1. These bylaws may be amended at any regular general membership meeting of the Rio Gallinas PTSA PTA by a two-thirds vote of those members present and voting, a quorum being present, provided that the proposed amendments have been approved by New Mexico PTA and notice of the proposed amendments has been provided to the membership thirty days prior to the meeting.

Section 2. A committee may be appointed by a majority vote at a general membership meeting of this local PTA, or by a 2/3 vote of the board of directors of this local PTA, to submit a revised set of bylaws. v

449
450 **Section 3.** Submission of amendments or revised bylaws for approval by the New Mexico PTA shall be in
451 accordance with the bylaws or regulations of the New Mexico PTA.
452
453 **** Section 4.** The adoption of an amendment to any provision of the National PTA Bylaws identified by a double
454 star shall serve automatically and without the requirement of further action by the **Rio Gallinas PTSA** PTA to
455 amend their corresponding bylaws. Local PTAs shall promptly incorporate such amendments in their respective
456 bylaws.
457
458 **** Section 5.** The adoption of an amendment to any provision of the bylaws of the New Mexico PTA identified by
459 a number symbol (#) shall serve automatically and without the requirement of further action by **Rio Gallinas PTSA**
460 to amend their corresponding bylaws.

ⁱ In 1977 the title of Article II was changed to conform with the District of Columbia corporation laws that govern the National PTA. This change was recommended by an attorney and approved by convention delegates.

ⁱⁱ According to parliamentary procedure it is customary that only one person shall be elected to serve in any one office. The state PTA may grant exceptions when bylaws provide and circumstances require it. However, if an exception is requested and granted, only one person shall be designated as the official contact person for the state and the National PTA; and only one set of materials will be sent to the person so named. If more than one person serves, due to exception by the state, they must be aware that one office provides only one vote, not multiple votes.

ⁱⁱⁱ Vice Presidents are traditionally designated either by number or responsibility, i.e., first vice president, second vice president, membership vice president and legislation vice president.

^{iv} An audit of the treasurer's accounts is for the protection of the treasurer. It is the only means of assuring everyone that the accounts are accurate, and it relieves the treasurer of responsibility except in the case of fraud. The auditor's report is adopted by a majority vote. See the current edition of *Robert's Rules of Order Newly Revised*.

^v As a special committee is created and appointed for a specific purpose, it automatically goes out of existence when its work is done and its final report is received.

^{vi} To ensure the inclusion of the required (starred) articles and sections of both the National PTA and the state PTA, local PTA bylaws and proposed amendments must be submitted to the state PTA for approval.

Bylaw Approval:

PTA

Date approved by General Membership: _____

President signature: _____

New Mexico PTA

NMPTA Approved these Bylaws on this date: _____

NMPTA Bylaws Chair: _____