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5 La Cueva High School PTA

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43
44 These bylaws will take effect when approved by a member of the NMPTA Bylaws
45 Committee. Until these are approved the most recent approved bylaws will be in effect
46 for your PTA.

**Each PTA shall include in its bylaws those provisions marked with a double star to comply with National PTA.

#Each PTA shall include in its bylaws those provisions marked with a pound sign (#) to comply with New Mexico PTA.

Rev. 08.2018

47 **BYLAW APPROVAL**

48
49 **La Cueva High School PTA**

50
51 Date Approved by General Membership: _____

52
53 La Cueva High School PTA President Signature: _____

54
55 **New Mexico PTA**

56
57 Date Approved by New Mexico PTA: _____

58
59 New Mexico PTA Bylaws Committee Signature: _____

60
61 Local PTA Charter Date: _____
62 (To be filled in by NMPTA Bylaws Committee member.)

63
64 **ARTICLE I: NAME**

65
66 The name of this association is La Cueva High School (LCHS) PTA Parents and
67 Teachers Association (PTA), Albuquerque, New Mexico. It is a local PTA organized
68 under the authority of New Mexico Congress of Parents and Teachers, a branch of
69 National Congress of Parents and Teachers (National PTA).

70
71 ****ARTICLE II: PURPOSESⁱ**

72
73 **Section 1.** The purposes of La Cueva High School PTA, in common with those of
74 National PTA and New Mexico PTA, are:

- 75
76 a. To promote the welfare of children and youth in home, school, places of
77 worship, and throughout the community;
78
79 b. To raise the standards of home life;
80
81 c. To advocate for laws that further the education, physical and mental health,
82 welfare, and safety of children and youth;
83
84 d. To promote the collaboration and engagement of families and educators in
85 the education of children and youth;
86
87 e. To engage the public in united efforts to secure the physical, mental,
88 emotional, spiritual, and social well-being of all children and youth; and
89
90 f. To advocate for fiscal responsibility regarding public tax dollars in public
91 education funding.
92

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93 **Section 2.** The purposes of National PTA, New Mexico PTA, and La Cueva High
94 School PTA are promoted through an advocacy and educational program directed
95 toward parents, teachers, and the general public; developed through conferences,
96 committees, projects, and programs; and governed and qualified by the basic policies
97 set forth in Article III.
98

99 **Section 3.** The association is organized exclusively for the charitable, scientific,
100 literary, or educational purposes within the meaning of Section 501(c)(3) of the Internal
101 Revenue Code or corresponding section of any future federal tax code (hereinafter
102 referred to as "Internal Revenue Code").
103

104 ****ARTICLE III: BASIC POLICIES**

105
106 The following are basic policies of La Cueva High School PTA, in common with those of
107 National PTA and New Mexico PTA:
108

- 109 a. The association shall be noncommercial, nonsectarian, and nonpartisan.
110
- 111 b. The association or members in their official capacities shall not endorse a
112 commercial entity or engage in activities not related to promoting the
113 purposes of the association.
114
- 115 c. The association or members in their official capacities shall not, directly or
116 indirectly, participate or intervene (in any way, including the publishing or
117 distributing of statements) in any political campaign on behalf of, or in
118 opposition to, any candidate for public office; or devote more than an
119 insubstantial part of its activities to attempting to influence legislation by
120 propaganda or otherwise.
121
- 122 d. The association shall work with the schools and community to provide quality
123 education for all children and youth and shall seek to participate in the
124 decision-making process establishing school policy, recognizing that the legal
125 responsibility to make decisions has been delegated by the people to boards
126 of education, state education authorities, and local education authorities.
127
- 128 e. New Mexico PTA or any of its divisions may cooperate with other
129 organizations and agencies concerned with child welfare, but PTA
130 representatives shall make no commitments that bind the group they
131 represent.
132
- 133 f. The association shall work to promote the health and welfare of children and
134 youth, and shall seek to promote collaboration among parents, students,
135 school, and the community at large.
136
- 137 g. No part of the net earnings of the association shall inure to the benefit of, or
138 be distributable to its members, directors, trustees, officers, or other private

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139 individuals except that the association shall be authorized and empowered to
140 pay reasonable compensation for services rendered and to make payments
141 and distributions in furtherance of the purposes set forth in Article II hereof.
142

143 h. Notwithstanding any other provision of these articles, the association shall not
144 carry on any other activities not permitted to be carried on (i) by an
145 organization exempt from federal income tax under Section 501(c)(3) of the
146 Internal Revenue Code or (ii) by an organization, contributions to which are
147 deductible under Section 170(c)(2) of the Internal Revenue Code.
148

149 i. Upon the dissolution of the association, after paying or adequately providing
150 for the debts and obligations of the association, the remaining assets shall be
151 distributed within two (2) weeks to one or more nonprofit funds, foundations,
152 or organizations that have established their tax-exempt status under Section
153 501(c)(3) of the Internal Revenue Code and whose purposes are in
154 accordance with those of New Mexico PTA.
155

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

157
158 **#Section 1.** This local PTA shall be organized and chartered under the authority of
159 New Mexico PTA in the area in which this local PTA functions, in conformity with such
160 rules and regulations, not in conflict with National PTA Bylaws, as New Mexico PTA
161 may in its bylaws prescribe. New Mexico PTA shall issue to this local PTA an
162 appropriate charter evidencing the due association and good standing of this local PTA.
163

164 **#Section 2.** To be considered a unit in good standing of New Mexico PTA, each local
165 PTA shall do the following:
166

- 167 a. Adhere to the purposes and basic policies of the PTA;
168
169 b. Hold at least 3 general meetings per year. The purpose of these meetings
170 shall include the following:
171
172 1. Approval of the budget at a fall general meeting;
173
174 2. Electing the nominating committee at a winter general meeting;
175
176 3. Electing officers at a spring general meeting.
177
178 c. Submit bylaws to New Mexico PTA at the time of organization of the local unit
179 and every three years thereafter for approval, or when requested by the
180 Bylaws Committee;ⁱⁱ
181
182 d. Maintain a minimum of fifteen members annually (schools with an enrollment
183 of less than 100 may request an exemption);
184

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- 185 e. Remit the state and national portions of the dues to New Mexico PTA as
186 provided in Article V hereof;
187
188 f. Submit a list of members with the state and national dues;
189
190 g. File an operating budget, immediately upon approval by the unit's members,
191 with New Mexico PTA by September 30;
192
193 h. File the previous year-end proof of audit with New Mexico PTA by September
194 30;
195
196 1. No person who was authorized to sign checks during the fiscal year
197 may participate in the audit;
198
199 2. No person who is related to a person authorized to sign checks during
200 the fiscal year may participate in the audit.
201
202 i. File a copy of IRS Form 990, if required, with New Mexico PTA upon filing
203 with the IRS; and
204
205 j. Carry insurance that is renewed annually. All new PTAs shall secure
206 insurance preferably within 120 days and mandatory within one calendar year
207 from the PTA's charter date.
208

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

- 211
212 a. Not be in conflict with National PTA Bylaws or the bylaws of New Mexico
213 PTA;
214
215 b. Include an article on amendments;
216
217 c. Include a provision establishing a quorum for each type of meeting;
218
219 d. Include a provision establishing how the nominating committee for officers
220 shall be elected;
221
222 e. Include provisions corresponding to the provisions of state bylaws identified
223 by the pound sign (#); and
224
225 f. Prohibit proxy voting.
226

227 **#Section 4.** Each officer or board member of this local PTA shall be a member of this
228 local PTA.
229

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

232
233 **#Section 6.** This local PTA shall keep such permanent books of account and records
234 as shall be sufficient to establish the items of gross income, receipts, and
235 disbursements of the organization, including, specifically, the number of its members,
236 the dues collected from its members, and the amounts of dues remitted to New Mexico
237 PTA. Such books of account and records shall at all reasonable times be open to
238 inspection by an authorized representative of New Mexico PTA or, where directed by
239 the committee on state and national relationships, by a duly authorized representative of
240 National PTA.

241
242 **#Section 7.** The charter of this local PTA shall be subject to withdrawal and the status
243 of such association as a local PTA shall be subject to termination, in the manner and
244 under the circumstances provided by the bylaws of New Mexico PTA.

245
246 **#Section 8.** This local PTA is obligated, upon withdrawal of its charter by New Mexico
247 PTA:

- 248
249 a. To yield up and surrender all of its books and records and all of its assets and
250 property to New Mexico PTA or to such agency as may be designated by
251 New Mexico PTA or to another local PTA organized under the authority of
252 New Mexico PTA;
- 253
254 b. To cease and desist from the further use of any name that implies or
255 connotes association with National PTA or New Mexico PTA or status as a
256 constituent association of National PTA; and
- 257
258 c. To carry out promptly, under the supervision and direction of New Mexico
259 PTA, all proceedings necessary or desirable for the purpose of dissolving La
260 Cueva High School PTA.

261
262 **#Section 9.** Each constituent association shall elect only one person to serve in any
263 one office. New Mexico PTA may grant exceptions when bylaws provide and
264 circumstances require it. If an exception is requested and granted, only one person
265 shall be designated as the official office-holder by New Mexico and National PTA; only
266 one set of materials will be sent to the person so named. If more than one person
267 serves, due to an exception by New Mexico PTA, the office holders must understand
268 that one office provides only one vote.ⁱⁱⁱ

269
270 **#Section 10.** A local PTA, under the supervision and direction of New Mexico PTA,
271 shall dissolve its affairs in the following manner:

- 272
273 a. Notice, by certified mail, of the pending dissolution must be given to New
274 Mexico PTA at least forty-five (45) days before the meeting of the
275 membership is held to discuss and vote on the dissolution issue; and

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- b. Notice of the meeting of the membership must be mailed to all members and New Mexico PTA at least thirty (30) days before the meeting. A representative of New Mexico PTA, designated by New Mexico PTA 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.
- c. Upon dissolution, New Mexico PTA must receive:
 - 1. A certified letter giving details of the vote to dissolve.
 - 2. A copy of the final IRS form 990 and the original IRS Employer Identification Number (EIN).
 - 3. Charter, all New Mexico PTA and National PTA materials, current bylaws and standing rules, and minutes, budget, and all financial books of account and records.
- d. Disbursement of funds and assets must be approved by a majority vote of members present and voting. All funds and assets must be distributed within two (2) weeks according to Article III, i. The remaining assets shall be distributed to one or more nonprofit funds, foundations, or organizations that have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of New Mexico PTA.

ARTICLE V: MEMBERSHIP AND DUES

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

#Section 2. The membership in PTA shall be open, without discrimination, to anyone who believes in and supports the mission and purposes of New Mexico PTA.

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

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

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

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- 322 b. The portion payable to National PTA, as recommended by the board of
323 directors and approved by a two-thirds majority of the voting body at the
324 National PTA Annual Convention.
325

326 **#Section 5.** The state and national portions of the dues paid by each member of a local
327 PTA shall be set aside by the local PTA and remitted to New Mexico PTA on or before
328 the 30th of each month.
329

330 **#Section 6.** The privilege of making motions, debating and voting in elections shall be
331 limited to members of the association who are present, whose dues are paid and who
332 have been members of the association for at least ten(10) day(s).
333

- 334 a. Membership in a local unit shall be considered to start on the day the unit's
335 membership chairman records receiving payment from the member.
336
337 b. Membership in New Mexico PTA shall be considered to start on the day the
338 local unit's membership information is logged in at the State Office.
339
340 c. Membership in a local unit and in New Mexico PTA shall expire on June 30 of
341 each year.
342

343 **ARTICLE VI: OFFICERS**

344
345 **Section 1.** The officers of this local PTA shall be a president, a vice president,^{iv} a
346 secretary, and a treasurer.
347

348 **Section 2.** Officers shall be elected by ballot in the month of April.
349

350 **Section 3.** The vote shall be conducted by ballot. When there is but one candidate for
351 an office, the ballot for that office may be dispensed with and election held by voice
352 vote. A majority vote shall be required for election.
353

354 **Section 4.** The following provisions shall govern the qualifications and eligibility of
355 individuals to be officers of La Cueva High School PTA:
356

- 357 ****a.** Each officer shall be a member of this local PTA.
358
359 b. No officer may be eligible to serve more than two consecutive terms in the
360 same office.
361
362 c. A person who has served in an office for more than one half of a full term
363 shall be deemed to have served a full term in such office.
364

365 **Section 5.** Officers shall assume their official duties following the close of the fiscal
366 year in which they are elected and shall serve for a term of two (2) year(s) or until a
367 successor takes office.

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

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

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

ARTICLE VII: DUTIES OF OFFICERS

Section 1. The president shall:

- a. Preside at all meetings of this local PTA;
- b. Serve as an ex officio member of all committees except the nominating committee;
- c. Coordinate the work of the officers and committees of this local PTA in order that the purposes may be promoted;
- d. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the board of directors or executive committee.

Section 2. The vice president(s) shall:

- a. Act as aide to the president;
- b. Perform the duties of the president in the president's absence or inability to serve;
- c. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.

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

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- a. Record the minutes of all meetings of La Cueva High School PTA;
- b. Distribute minutes to board members prior to the next meeting;
- c. Be prepared to read the records of any previous meetings;
- d. File all records;
- e. Have a current copy of the bylaws;
- f. Maintain a membership list;
- g. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the board of directors, or the executive committee.

Section 4. The treasurer shall:

- a. Have custody of the funds of this local PTA;
- b. Maintain a full account of the funds of this local PTA;
- c. Make disbursements as authorized by the president, executive board, or this local PTA in accordance with the budget adopted by this local PTA;
- d. Have checks or vouchers signed by two officers;
- e. Cause to be kept a full and accurate account of the receipts and disbursements in the books belonging to La Cueva High School PTA;
- f. Provide a written financial statement to the board of directors at each meeting;
- g. Present an annual report of the financial condition of the association at the annual meeting in April;
- h. Submit the books annually or upon change of bank account signatories for an audit by an auditing committee selected by the board of directors at the end of the fiscal year;^v
- i. Report the findings of the annual audit to be the board of directors and New Mexico PTA;

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- 459 j. Perform such other duties as may be provided for by these bylaws,
460 prescribed by the parliamentary authority, or directed by the president, the
461 board of directors, or the executive committee.
462

463 # ARTICLE VIII: BOARD OF DIRECTORS 464

465 **Section 1.** The affairs of La Cueva High School PTA shall be managed by the board of
466 directors in the intervals between local unit PTA general membership meetings.
467

468 **Section 2.** The members of the board shall include, but are not limited to:
469

- 470 a. Elected officers;
471
472 b. Standing Committee Chairmen
473
474 c. The president may appoint a parliamentarian, subject to approval of the
475 executive committee of this local PTA.
476

477 **Section 3.** Duties of the board shall be to:
478

- 479 a. Carry out such business as may be referred to it by the membership of the
480 association;
481
482 b. Create special committees;^{vi}
483
484 c. Present a report at the regular general membership meetings of this local
485 PTA;
486
487 d. Select an auditor or an auditing committee to audit the treasurer's accounts;
488
489 e. Prepare and submit an annual budget to this local PTA's general membership
490 for adoption;
491
492 f. Approve payment of routine bills within the limits of the approved budget.
493

494 **Section 4.** If any member of the board of directors shall at any time cease to meet the
495 qualifications or fulfill the duties of the position, that person may be removed from the
496 board by resolution adopted by the board of directors.
497

498 **Section 5.** Regular meetings of the board shall be held with the date and time to be
499 fixed by the board at its first meeting of the year.
500

501 **Section 6.** Special meetings of the board may be called by the president or when
502 requested by three (3) members upon two (2) days' written notice to each member of
503 the board.
504

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

507
508 **Section 8.** Upon the expiration of the term of office or when individuals cease to hold
509 the position that entitles them to be a member of the board, they shall automatically
510 cease to be a member of the board and shall be relieved of all duties and
511 responsibilities incident to such membership. All records, books and other materials
512 and all funds pertaining to the position shall be returned within fourteen days to the
513 president.

514 **# ARTICLE IX: EXECUTIVE COMMITTEE**

515
516
517 **Section 1.** There shall be an executive committee of La Cueva High School PTA, the
518 members of which shall be:

- 519 a. All elected officers; and
- 520 b. The La Cueva High School Principal as member ex-officio.

521
522
523
524 **Section 2.** Special meetings of the executive committee may be called by the president
525 or upon written request of two (2) members with one(1) days' written notice to each
526 member of the executive committee.

527
528 **Section 3.** A majority of the executive committee shall constitute a quorum for the
529 transaction of business.

530
531 **Section 4.** Duties of the executive committee shall be to:

- 532 a. Transact business referred to it by the board;
- 533 b. Appoint committee chairmen, except for the nominating committee;
- 534 c. Approve the work of the committees;
- 535 d. Act in emergencies between meetings of the board;
- 536 e. Make a report at each board meeting;
- 537 f. Prepare an agenda for all meetings;

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545 The executive committee shall take no action in conflict with any action taken by the
546 board of directors.

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551 **ARTICLE X: COMMITTEES**

552
553 **Section 1.** Only members of this local PTA shall be eligible to serve in any elective or
554 appointive positions.

555
556 **Section 2.** The standing committees of this local PTA shall include (List the names of
557 your PTA’s standing committees. For example, Reflections, Spring Fling, Book Fair,
558 etc.), but not be limited to:

- 559
- 560 a. Academic Letter
- 561 b. Allen Krumm Memorial Scholarship
- 562 c. Achiever Scholarship
- 563 d. College Tests Prep
- 564 e. Hospitality
- 565 f. Instructional Council
- 566 g. Senior Art Award
- 567 h. Nominating Committee
- 568 i. Staff Appreciation Luncheons
- 569 j. Website
- 570 k. MiniGrants
- 571 l. Banners
- 572 m. RadGrad
- 573 n. Volunteer Coordinator
- 574

575 **Section 3.** The board of directors may create such special committees as it may deem
576 necessary to promote the purposes of PTA and carry on the work of this local PTA.

577
578 **Section 4.** The term of office of a committee chairman shall be two (2) year(s) or until
579 the selection of a successor.

580
581 **Section 5.** The chairman of each committee shall present a plan of work to the
582 executive committee for approval. No committee work shall be undertaken without the
583 consent of the executive committee.

584
585 **ARTICLE XI: GENERAL MEMBERSHIP MEETINGS**

586
587 **Section 1.** Regular meetings of this local PTA shall be held at least 3 times a year –
588 Fall, Winter and Spring. Seven (7) days’ written notice shall be given to the membership
589 of any change of date.

590
591 **Section 2.** Special meetings of this local unit PTA may be called by the president or by
592 a majority of the board of directors, two (2) days’ written notice having been given.

593
594 **Section 3.** The annual meeting shall be held in April.

595
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596 **Section 4.** Seven (7) members shall constitute a quorum for the transaction of
597 business in any meeting of this local PTA.

598
599

600 # ARTICLE XII: NEW MEXICO PTA CONVENTION

601
602 [The following sections **must** correspond to the state PTA bylaws, and are provided as
603 a guideline to local PTAs.]

604

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

609

610 a. All representatives to New Mexico PTA convention must be members of this
611 local PTA.

612

613 b. Delegates and their alternates shall be chose by vote or appointment in the
614 month of April.

615

616 c. This local unit may send additional non-voting members for educational
617 enrichment opportunities.

618

619 # ARTICLE XIII: FISCAL YEAR

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621 The fiscal year of La Cueva High School PTA shall begin on July 1 and end on the
622 following June 30.

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624 ** ARTICLE XIV: PARLIAMENTARY AUTHORITY

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626 The rules contained in the current edition of *Robert's Rules of Order Newly Revised*
627 shall govern La Cueva High School PTA and in all cases in which they are applicable
628 and in which they are not in conflict with these bylaws, National PTA Bylaws, New
629 Mexico PTA bylaws, or the articles of incorporation.

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631 ARTICLE XV: AMENDMENTS AND REVISIONS

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633 **Section 1.** These bylaws may be amended at any regular general membership
634 meeting of La Cueva High School PTA by a two-thirds vote of those members present
635 and voting, a quorum being present, provided that the proposed amendments have
636 been approved by New Mexico PTA and notice of the proposed amendments has been
637 provided to the membership no less than 10 days prior to the meeting.

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639 **Section 2.** A committee may be appointed by a majority vote at a general membership
640 meeting of this local PTA, or by a two-thirds vote of the board of directors of this local
641 PTA, to submit a revised set of bylaws.

**Each PTA shall include in its bylaws those provisions marked with a double star to comply with National PTA.

#Each PTA shall include in its bylaws those provisions marked with a pound sign (#) to comply with New Mexico PTA.

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Section 3. Submission of amendments or revised bylaws for approval by New Mexico PTA shall be in accordance with the bylaws or regulations of New Mexico PTA.

****Section 4.** The adoption of an amendment to any provision of National PTA Bylaws identified by a double star shall serve automatically and without the requirement of further action by La Cueva High School PTA to amend their corresponding bylaws. Local PTAs shall promptly incorporate such amendments in their respective bylaws.

****Section 5.** The adoption of an amendment to any provision of the bylaws of New Mexico PTA identified by a pound sign (#) shall serve automatically and without the requirement of further action by La Cueva High School 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 National PTA. This change was recommended by an attorney and approved by convention delegates.

ⁱⁱ To ensure the inclusion of the required (starred) articles and sections of both National PTA and New Mexico PTA, local PTA bylaws and proposed amendments must be submitted to New Mexico PTA for approval.

ⁱⁱⁱ According to parliamentary procedure it is customary that only one person shall be elected to serve in any one office. 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.

^{iv} Vice Presidents are traditionally designated either by number or responsibility, i.e., first vice president, second vice president or membership vice president, legislation vice president.

^v 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*.

^{vi} 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.