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42 43 44	These hylaws i	will take effect when approved by a member of the NMPTA By	vlaws
45 46		these are approved the most recent approved bylaws will be 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.

47		BYLAW APPROVAL
48 49	<u>Mandela</u>	International Magnet School PTA
50 51	Date App	proved by General Membership:
52 53	<u>Mandela</u>	International Magnet School PTA President Signature:
54 55	New Mex	xico PTA
56 57 58	Date App	proved by New Mexico PTA:
59 60	New Mexico PTA Bylaws Committee Signature:	
61 62 63	Local PTA Charter Date: (To be filled in by NMPTA Bylaws Committee member.)	
64		ARTICLE I: NAME
65 66 67 68 69 70	The name of this association is Mandela International Magnet School Parents and Teachers Association (PTA), Santa Fe, New Mexico. It is a local PTA organized under the authority of New Mexico Congress of Parents and Teachers, a branch of National Congress of Parents and Teachers (National PTA).	
71		**ARTICLE II: PURPOSES <sup>i</sup>
72 73 74 75		1. The purposes of Mandela International Magnet School PTA, in common e of National PTA and New Mexico PTA, are:
76 77 78	a.	To promote the welfare of children and youth in home, school, places of worship, and throughout the community;
79 80	b.	To raise the standards of home life;
81 82 83	C.	To advocate for laws that further the education, physical and mental health, welfare, and safety of children and youth;
84 85 86	d.	To promote the collaboration and engagement of families and educators in the education of children and youth;
87 88 89	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
90 91 92	f.	To advocate for fiscal responsibility regarding public tax dollars in public education funding.

**Section 2.** The purposes of National PTA, New Mexico PTA, and Mandela International Magnet School PTA are promoted through an advocacy and educational program directed toward parents, teachers, and the general public; developed through conferences, committees, projects, and programs; and governed and qualified by the basic policies set forth in Article III.

**Section 3.** 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: BASIC POLICIES

The following are basic policies of Mandela International Magnet School PTA, in common with those of National PTA and New Mexico PTA:

a. The association shall be noncommercial, nonsectarian, and nonpartisan.

b. The association or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the purposes of the association.

c. The association or members in their official capacities shall not, directly or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

d. The association shall work with the schools and community to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, 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.

e. New Mexico PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but PTA representatives shall make no commitments that bind the group they represent.

f. The association shall work to promote the health and welfare of children and youth, and shall seek to promote collaboration among parents, students, school, and the community at large.

g. No part of the net earnings of the association shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private

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

- h. Notwithstanding any other provision of these articles, the association shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- i. Upon the dissolution of the association, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed within two (2) weeks 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 IV: RELATIONSHIP WITH NATIONAL PTA AND NEW MEXICO PTA

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

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

- a. Adhere to the purposes and basic policies of the PTA;
- b. Hold at least 3 general meetings per year. The purpose of these meetings shall include the following:
  - 1. Approval of the budget at a fall general meeting;
  - 2. Electing the nominating committee at a winter general meeting;
  - 3. Electing officers at a spring general meeting.
- c. Submit bylaws to New Mexico PTA at the time of organization of the local unit and every three years thereafter for approval, or when requested by the Bylaws Committee;<sup>ii</sup>
- d. Maintain a minimum of fifteen members annually (schools with an enrollment of less than 100 may request an exemption);

185 186	e.	Remit the state and national portions of the dues to New Mexico PTA as provided in Article V hereof;
187		provided in 7 mails of mercen,
188	f.	Submit a list of members with the state and national dues;
189		Cushing a net of members man are state and matterial dues,
190	a.	File an operating budget, immediately upon approval by the unit's members,
191	9.	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;
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196		1. No person who was authorized to sign checks during the fiscal year
197		may participate in the audit;
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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
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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		<b>13.</b> This local PTA shall adopt such bylaws for the governance of the
210	association	on as may be approved by New Mexico PTA. Such bylaws shall:
211		NICH CONTROL OF THE PARTY OF TH
212	a.	Not be in conflict with National PTA Bylaws or the bylaws of New Mexico
213		PTA;
214	I-	la chi da an anti-la an ancan durante.
215	D.	Include an article on amendments;
216	•	Include a provision actablishing a quarum for each type of meeting:
217 218	C.	Include a provision establishing a quorum for each type of meeting;
218	d	Include a provision establishing how the nominating committee for officers
219	u.	shall be elected;
221		Shall be elected,
222	۵	Include provisions corresponding to the provisions of state bylaws identified
223	С.	by the pound sign (#); and
223 224		by the pound sign $(\pi)$ , and
22 <del>4</del> 225	f.	Prohibit proxy voting.
226	1.	roman proxy vomig.
227	#Section	4. Each officer or board member of this local PTA shall be a member of this
228	local PTA	
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**#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.

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**#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 New Mexico PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of New Mexico PTA or, where directed by the committee on state and national relationships, by a duly authorized representative of National PTA.

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**#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 by the bylaws of New Mexico PTA.

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

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a. To yield up and surrender all of its books and records and all of its assets and property to New Mexico PTA or to such agency as may be designated by New Mexico PTA or to another local PTA organized under the authority of New Mexico PTA;

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 To cease and desist from the further use of any name that implies or connotes association with National PTA or New Mexico PTA or status as a constituent association of National PTA; and

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c. To carry out promptly, under the supervision and direction of New Mexico PTA, all proceedings necessary or desirable for the purpose of dissolving Mandela International Magnet School PTA.

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**#Section 9.** Each constituent association shall elect only one person to serve in any one office. 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 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 New Mexico PTA, the office holders must understand that one office provides only one vote. III

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

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 Notice, by certified mail, of the pending dissolution must be given to 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; and 

- 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.

322 323 324 325	<ul> <li>The portion payable to National PTA, as recommended by the board of directors and approved by a two-thirds majority of the voting body at the National PTA Annual Convention.</li> </ul>
326 327 328 329	<b>#Section 5.</b> The state and national portions of the dues paid by each member of a local PTA shall be set aside by the local PTA and remitted to New Mexico PTA on or before the 30 <sup>th</sup> of each month.
330 331 332 333	<b>#Section 6.</b> The privilege of making motions, debating and voting in elections shall be limited to members of the association who are present, whose dues are paid and who have been members of the association for at least 1 day(s).
334 335 336	<ul> <li>Membership in a local unit shall be considered to start on the day the unit's membership chairman records receiving payment from the member.</li> </ul>
337 338 339	<ul> <li>Membership in New Mexico PTA shall be considered to start on the day the local unit's membership information is logged in at the State Office.</li> </ul>
340 341 342	<ul> <li>Membership in a local unit and in New Mexico PTA shall expire on June 30 of each year.</li> </ul>
343	ARTICLE VI: OFFICERS
344 345 346	<b>Section 1.</b> The officers of this local PTA shall be a president, $\frac{2}{2}$ vice president(s), iv a secretary, and a treasurer.
<ul><li>347</li><li>348</li><li>349</li></ul>	Section 2. Officers shall be elected by ballot in the month of April.
350 351 352 353	<b>Section 3.</b> 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.
354 355 356	<b>Section 4.</b> The following provisions shall govern the qualifications and eligibility of individuals to be officers of Mandela International Magnet School PTA:
357 358	**a. Each officer shall be a member of this local PTA.
359 360 361	<ul> <li>b. No officer may be eligible to serve more than 4 consecutive terms in the same office.</li> </ul>
362 363 364	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.
365 366 367	<b>Section 5.</b> Officers shall assume their official duties following the close of the fiscal year in which they are elected and shall serve for a term of 1 year(s) or until a successor takes office.

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411 412 413 **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. In their designated order, Vice President, then Vice President of Finance, 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.

414 415	Section 3	3. The secretary shall:
416 417 418	a.	Record the minutes of all meetings of Mandela International Magnet School PTA;
419 420	b.	Distribute minutes to board members prior to the next meeting;
421 422	C.	Be prepared to read the records of any previous meetings;
423 424	d.	File all records;
425 426	e.	Have a current copy of the bylaws;
427 428	f.	Maintain a membership list;
429 430 431 432	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.
433 434	Section 4	4. The treasurer shall:
435 436	a.	Have custody of the funds of this local PTA;
437 438	b.	Maintain a full account of the funds of this local PTA;
439 440 441	C.	Make disbursements as authorized by the president, executive board, or this local PTA in accordance with the budget adopted by this local PTA;
442 443	d.	Have checks or vouchers signed by two officers;
444 445 446 447	e.	Cause to be kept a full and accurate account of the receipts and disbursements in the books belonging to <a href="Mandela International Magnet School">Mandela International Magnet School</a> PTA;
448 449 450 451	f.	Provide a written financial statement to the board of directors at each meeting;
451 452 453 454	g.	Present an annual report of the financial condition of the association at the annual meeting in April;
455 456 457 458	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;

	<b>n 1.</b> The affairs of <u>Mandela International Magnet School</u> PTA shall be manag board of directors in the intervals between local unit PTA general membership gs.
	<b>n 2.</b> The members of the board shall include, but are not limited to:
	,
	a. Elected officers;
	b. Standing Committee Chairmen
	o. Clariding Committee Chairmon
	c. Teacher representative, student council representative, Principal.
	d. The president may appoint a parliamentarian, subject to approval of the
	executive committee of this local PTA.
Sootio	n 3. Duties of the board shall be to:
Section	11 3. Duties of the board shall be to.
	a. Carry out such business as may be referred to it by the membership of the
	association;
	b. Create special committees; <sup>vi</sup>
	<ul> <li>Present a report at the regular general membership meetings of this local PTA;</li> </ul>
	FIA,
	d. Select an auditor or an auditing committee to audit the treasurer's accoun
	e. Prepare and submit an annual budget to this local PTA's general member
	for adoption;

i. Report the findings of the annual audit to be the board of directors and New

prescribed by the parliamentary authority, or directed by the president, the

j. Perform such other duties as may be provided for by these bylaws,

board of directors, or the executive committee.

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board by resolution adopted by the board of directors.

504 505	<b>Section 5.</b> Regular meetings of the board shall be held with the date and time to be fixed by the board at its first meeting of the year.
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507	Section 6. Special meetings of the board may be called by the president or when
508	requested by 1 members upon 3 days' written notice to each member of the board.
509 510	Section 7. At all meetings of the board, a majority of the members of the board then in
510 511	office shall constitute a quorum for the transaction of business.
512	office shall constitute a quorum for the transaction of business.
513	Section 8. Upon the expiration of the term of office or when individuals cease to hold
514	the position that entitles them to be a member of the board, they shall automatically
515	cease to be a member of the board and shall be relieved of all duties and
516	responsibilities incident to such membership. All records, books and other materials
517	and all funds pertaining to the position shall be returned within fourteen days to the
518	president.
519	F. 55.55
520	# ARTICLE IX: EXECUTIVE COMMITTEE
521	
522	Section 1. There shall be an executive committee of Mandela International Magnet
523	School PTA, the members of which shall be:
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525	a. All elected officers; and
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527 528	b. Principal non-voting ex officio. VII
529 530 531	<b>Section 2.</b> Special meetings of the executive committee may be called by the president or upon written request of 1 member with 3 days' written notice to each member of the executive committee.
<ul><li>532</li><li>533</li><li>534</li></ul>	<b>Section 3.</b> A majority of the executive committee shall constitute a quorum for the transaction of business.
535 536 537	Section 4. Duties of the executive committee shall be to:
538 539	a. Transact business referred to it by the board;
540 541	b. Appoint committee chairmen, except for the nominating committee;
542 543	c. Approve the work of the committees;
544 545	d. Act in emergencies between meetings of the board;
546	e. Make a report at each board meeting;
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548	f. Prepare an agenda for all meetings.
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550 551	The executive committee shall take no action in conflict with any action taken by the board of directors.
552 553 554	ARTICLE X: COMMITTEES
555 556 557	<b>Section 1.</b> Only members of this local PTA shall be eligible to serve in any elective or appointive positions.
558 559 560 561	<b>Section 2.</b> The standing committees of this local PTA shall include (List the names of your PTA's standing committees. For example, Reflections, Spring Fling, Book Fair, etc.), but not be limited to:
562 563 564 565	a. <u>Fundraising</u> b. <u>Communications</u> c. <u>Social Events</u>
566 567 568	<b>Section 3.</b> The board of directors may create such special committees as it may deem necessary to promote the purposes of PTA and carry on the work of this local PTA.
569 570 571	<b>Section 4.</b> The term of office of a committee chairman shall be $\frac{3}{2}$ year(s) or until the selection of a successor.
572 573 574 575	<b>Section 5.</b> The chairman of each committee shall present a plan of work to the executive committee for approval. No committee work shall be undertaken without the consent of the executive committee.
576 577	ARTICLE XI: GENERAL MEMBERSHIP MEETINGS
578 579 580 581	<b>Section 1.</b> Regular meetings of this local PTA shall be held at least 3 times a year – <a href="September, November, and February">September, November, and February</a> . 3 days' written notice shall be given to the membership of any change of date.
582 583 584	<b>Section 2.</b> Special meetings of this local unit PTA may be called by the president or by a majority of the board of directors, 3 days' written notice having been given.
585 586	Section 3. The annual meeting shall be held in April.
587 588 589	<b>Section 4.</b> 3 members shall constitute a quorum for the transaction of business in any meeting of this local PTA.
590 591	# ARTICLE XII: NEW MEXICO PTA CONVENTION
592 593 594 595	[The following sections <u>must</u> 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 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 New Mexico PTA convention must be members of this local PTA.

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

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

### # ARTICLE XIII: FISCAL YEAR

The fiscal year of Mandela International Magnet School PTA shall begin on July 1 and end on the following June 30.

### \*\* ARTICLE XIV: PARLIAMENTARY AUTHORITY

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

#### ARTICLE XV: AMENDMENTS AND REVISIONS

**Section 1.** These bylaws may be amended at any regular general membership meeting of Mandela International Magnet School 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 no less than 10 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 two-thirds vote of the board of directors of this local PTA, to submit a revised set of bylaws.

**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 Mandela International Magnet School PTA to amend their

corresponding bylaws. Local PTAs shall promptly incorporate such amendments in their respective bylaws.

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\*\*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 Mandela International Magnet School to amend their corresponding bylaws.

<sup>&</sup>lt;sup>i</sup> 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.

<sup>&</sup>lt;sup>ii</sup> 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.

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.

<sup>&</sup>lt;sup>iv</sup> 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.

<sup>&</sup>lt;sup>v</sup> 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.

vii Unless restricted by the bylaws, ex officio members who are "under the authority" have all of the rights of membership on a board or committee; they are counted in quorum, they may attend and participate in meetings, and they may vote on all matters. Any limitation must be specifically stated in the bylaws. For example, if it is intended that an ex officio member not vote, the bylaws must specify a "non-voting ex officio member."