

BY-LAWS OF NEW MEXICO ASSOCIATION FOR THE GIFTED

SECTION I - NAME

The name of the association is NEW MEXICO ASSOCIATION FOR THE GIFTED (NMAG).

SECTION II - ARTICLES OF INCORPORATION

New Mexico Association for the Gifted is incorporated in the laws of the State of New Mexico and is a non-profit organization.

SECTION III – OBJECTIVES

Section

3.1

The objectives of the New Mexico Association for the Gifted are:

- a. To promote an understanding of gifted students and their educational, social and emotional needs among educators, administrators, parents and anyone else interested in gifted children.
- b. To provide a supportive learning community for anyone involved with the education of gifted children.
- c. To communicate information about recent research, best practices and current issues in the field of education of gifted children.
- d. To advocate and provide leadership for policies that promote supportive legislation and funding for gifted children.
- e. To disseminate information on education of the gifted to all interested parties.

Section

3.2

The objectives of this association shall be advanced through educational programs directed toward parents, general citizens, educators and other professionals shall be developed through meetings, conferences, committees, projects and programs, and shall be governed and qualified by the basic policies set forth in Section IV.

SECTION IV – BASIC POLICIES

The following basic policies shall be maintained and followed by the New Mexico Association for the Gifted:

- a. The association shall be operated exclusively to work toward the objectives as specified in section III.
- b. The objectives of this association are pursued by volunteer, non-paid officers and

- members.
- c. The association shall be nonpartisan and nonsectarian.
 - d. The names of the association or its officers in their official capacities may not be used in relation to or for endorsement of a business or product or in relation to any partisan concern for any purpose not appropriately connected to the promotion of the objectives of the association.
 - e. The association shall cooperate with elementary and secondary schools, colleges, universities and other institutions and organizations to promote the objectives of the association.
 - f. In the event of the dissolution of the New Mexico Association for Gifted, a New Mexico non-profit corporation, the net assets of the organization shall be distributed as follows:
 - A. All liabilities and obligations shall be paid, satisfied, and discharged or adequate provisions shall be made thereof.
 - B. All remaining assets shall be transferred to any New Mexico non-profit association with similar purposes as determined by the Executive Board or
 - C. Shall be distributed for the exempt purposes specified in Section 501(c)(3) of the current Internal Revenue Code or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

SECTION V – MEMBERSHIP AND DUES

Section

5.1

Membership is available to anyone who supports the Objectives and Basic Policies of the association and who agrees to comply with these By-laws. Membership is open without regard to race, creed, color, ethnic origin, socioeconomic background, sexual orientation, or gender.

Section

5.2

The association may have an annual membership drive, but persons can be admitted to membership at any time upon payment of dues to the association.

Section

5.3

Other than members of any advisory council appointed by the executive committee pursuant to Section 10.5, only members in good standing may participate in business meetings or serve in any elective or appointed positions.

Section

5.4

The membership dues shall be established by vote of the association, upon recommendation by the board.

Section

5.5

Voting membership in this association is specifically limited to individuals or, in the case of families, to two parents or legal guardians. Each member is entitled to one vote.

Section

5.6

No more than one member of a family residing in the same household shall be nominated, elected or appointed to serve in a voting position on the executive committee or the board. This restriction shall not prevent family members residing in the same household from serving as co-chairs of a standing committee, but they shall have only one vote on matters considered by the board.

Section

5.7

Local/district or regional Chapters or affiliates of the state association may be created through an approved application to the executive board. The application must specify area to be represented [school(s)/cluster(s)/district(s)/region], number of gifted students to be represented by the proposed Chapter or affiliate, and a list of the individuals applying for the Charter or affiliate. The completed application will be submitted to the current NMAG President and reviewed by the Executive Board for action. Chapter or affiliate membership must be open to all interested individuals. Officers must be elected by the membership. Approved Chapters are expected to adhere to all the by-laws herein or approval of their existing by-laws by the NMAG Board and the members will elect officers. Approved affiliates will have their own approved by-laws and will elect officers accordingly. Chapters or affiliates will serve to strengthen membership, develop a common voice, and broaden communication throughout the state regarding gifted issues. Each Chapter or affiliate will have one representative on the general board, which will meet at least annually.

SECTION VI – OFFICERS AND THEIR ELECTION

Section

6.1

- a. The officers of this association shall be a president, president-elect, past president, correspondence/recording secretary, membership secretary, treasurer, publicist, newsletter editor and student member(s). There may be up to 2 student members who are in grades K-12.
- b. Officers, except the president and student member(s), shall be elected every two years by a majority of those members present and voting during the annual meeting. The correspondence/recording secretary shall call the meeting for the election of officers

- after receiving nominations for positions as officers. The student member(s) shall be chosen by the board through an application process. The student member(s) shall serve for one year, but may reapply, and are term limited to 4 consecutive years.
- c. Officers shall assume their official duties upon the close of the annual meeting and shall serve for a term of two years or until the election and qualification of their successors.
 - d. A person shall not be eligible to serve more than two consecutive terms in the same office.
 - e. The officers acting together comprise the executive committee.
 - f. On odd years newsletter chair, membership chair, and treasury chair will be elected. On even years the publicity chair, and recording secretary will be elected.
 - g. Implementation: The first year this revised section is in effect, the newsletter chair and membership chair will each be elected for a one-year term. The sitting newsletter chair and membership chair may be reelected to another one-year term that does not make them ineligible to serve an additional consecutive two-year term in the next normal election cycle.

Section 6.2

The president will make a call for officers through electronic means. Persons may self-nominate and will provide the president with a short biography to place on the ballot. Additional nominations may be made from the floor at the annual membership meeting. The ballot will be presented and voted upon at the annual membership meeting.

Section 6.3

Except as provided in the following sentences with respect to a vacancy in the office of the president, a vacancy occurring in any office shall be filled within 30 days for the unexpired term by a person elected by a majority vote of the remaining members of the board, notice of such election having been given. If a vacancy occurs in the office of the president, the president-elect shall become president, and a new president-elect shall be elected by the board. If for any reason a simultaneous vacancy should occur in the office of president and of president-elect, both vacancies shall be filled for their unexpired terms by persons elected by a majority vote of the remaining members of the board, notice of such election having been given.

Section 6.4

Officers may be removed from office for failure to perform the duties of their office. A petition for impeachment must be signed by a quorum of the board. The board members will be notified by electronic mail at least two weeks prior to voting on this issue. Removal from office requires a two-thirds vote of the board.

SECTION VII – DUTIES OF OFFICERS

Section

7.1

The president shall preside at all meetings of the association, the executive committee and the board, shall perform such other duties as may be prescribed in these by-laws or assigned to him/her by the association or by the board and shall coordinate the work of the officers and committees of the association in order that the objectives may be promoted.

Section

7.2

The president-elect shall act as aide to the president and shall perform the duties of president in the absence of that officer. The president-elect shall assume the duties of president upon the close of the annual meeting each year. The president-elect shall monitor and respond to communications from the general public and membership.

Section 7.3

The past president shall be assigned duties, as needed, by the president and the executive committee.

Section

7.4

The correspondence/recording secretary shall record and disseminate the minutes of all meetings of the association, of the executive committee and of the board; shall handle the association's correspondence; shall send notices as requested by the president, executive committee or the board, and shall perform such other duties as may be delegated by the board or the executive committee.

Section

7.5

The membership secretary shall maintain the association's membership roster and send notices as requested by the president, executive committee or the board, and shall perform such other duties as may be delegated by the executive committee or the board.

Section

7.6

- a. The treasurer shall be custodian of all funds of the association, shall collect association dues, shall keep a full and accurate account of receipts and expenditures, and shall make disbursements in accordance with the approved budget as authorized by the executive committee and the board. The treasurer shall report with a statement of finances at all meetings of the executive committee and the board, and shall make a full written report at the annual meeting.
- b. An audit committee of three members of the executive committee shall be appointed by the executive committee at least one month before the annual membership meeting to examine the treasurer's accounts. If satisfied that the treasurer's annual report is correct, the audit committee members shall sign a statement to that effect at the end of

the report, this to be done for the mutual protection of the treasurer and the association against fraud. If the treasurer's annual report is in question, an outside auditor may be contracted at the board's discretion.

Section

7.7

The publicist shall promote the association and its objectives, as well as maintain the association brochure(s) and send notices as requested by the president, executive committee or the board, and shall perform such other duties as may be delegated by the board or the executive committee.

Section

7.8

The newsletter editor shall maintain the association's newsletter and shall perform such other duties as may be delegated by the board or the executive committee.

Section 7.9

The student member(s) shall represent needs of the gifted student population, assist at the conference and perform such other duties as delegated by the executive committee.

Section

7.10

The duties of the executive committee shall be the following:

- a. To transact necessary business between the association and the board and other business that is referred to it.
- b. To appoint standing committees, special committees, and special advisory councils and establish general operating procedures.
- c. To plan the meetings and the work of the association.
- d. To propose a budget for the association and the board.
- e. To appoint an audit committee at least one month prior to the annual membership meeting for the purpose of auditing the treasurer's accounts.

SECTION VIII – EXECUTIVE BOARD AND GENERAL BOARD

Section

8.1

The executive board shall consist of the officers of the association and the chairpersons of standing committees, who shall be appointed by the executive committee. The members of the executive board shall serve until the election and qualification of their successors or until the work of the committee for each current year has been completed, whichever first occurs. The executive board shall be the "board of directors" for all purposes of the New Mexico Nonprofit Corporation Act 53-8-1 et seq. NMSA 1978, as it may be amended from time to time.

The general board shall consist of executive board members, representation from each chapter and affiliate, and other stakeholders as determined by the current executive board. General board meetings shall be held a minimum of once a year prior to the annual membership meeting.

Section

8.2

The duties of the executive board shall be:

- a. To transact necessary business referred to it by the executive committee.
- b. To approve committee plans of work.
- c. To discuss, approve and implement the work of the association.
- d. To manage the fiscal affairs of the association.

The duties of the general board shall be:

- a. To provide representation of the chapters and affiliates.
- b. To establish a common voice regarding gifted issues.
- c. To provide an annual report to the executive board regarding their leadership, membership, and activities.
- d. To recommend actions for the association.
- e. To approve association position statements.

Section 8.3

Regular meetings of the executive board shall be held at least four times per year. A simple majority of board members shall constitute a quorum. Special meetings of the executive board may be called by the president or by one-fourth of the members of the executive board upon at least 24 hours advance notice.

SECTION IX – MEETINGS OF THE ASSOCIATION

Section

9.1

Regular meetings of the association shall be held a minimum of once a year at such time and place within the State of New Mexico as the executive board shall designate in a written notice to the members at least thirty (30) days in advance of the meeting.

Section

9.2

Emergency meetings may be called by the executive board, providing fourteen (14) days written notice specifying the purpose or purposes of the meeting has been given to the association membership.

Section

9.3

After the executive committee furnishes notice, a simple majority of association members present and qualified to vote is sufficient for the transaction of business at any meeting of the

association.

SECTION X – STANDING AND SPECIAL COMMITTEES

Section

10.1

The executive committee may appoint standing committees as necessary to promote the objectives and carry out the work of the association, such appointments to be approved by the executive board. The terms of each chairperson shall be until the election and qualification of his or her successor or until the work of the committee for each current year has been completed, whichever first occurs. The chairperson is eligible to succeed him or herself. The number of terms of a chairperson is not limited. The length of service of each standing committee shall be determined by the executive board.

Section

10.2

The chairperson of each standing 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.

Section

10.3

Special committees may be formed by the board or by the executive committee for specific purposes and limited times.

Section

10.4

The president shall be an ex-officio member of all committees except the nominating committee.

Section

10.5

The executive committee may from time to time appoint special advisory councils of educators and/or other community members who are able to bring special expertise and advice to the executive board. The members of any such special advisory council shall not be considered members of the executive board.

SECTION XI – FISCAL YEAR

The fiscal year of the association shall begin on September 1 of each year and shall end on the following August 31.

SECTION XII – MISCELLANEOUS

Section

12.1

Robert's Rules of Order Revised shall govern the association in all cases in which they are applicable and in which they are not in conflict with these by-laws.

Section

12.2

In instances where these by-laws require that written notice be provided, notice by electronic mail shall be deemed to satisfy the requirement of written notice.

Section

12.3

Special votes required by the board may be conducted through electronic mail.

SECTION XIII – AMENDMENTS

These by-laws may be amended by a two-thirds vote of the members present provided that written notice of the proposed amendments shall have been given to members thirty (30) days in advance, except for an amendment to the number of standing committees, which may be modified by a vote of the executive board alone.