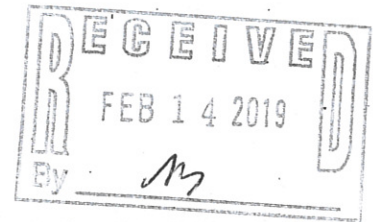


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Cleveland Middle School PTA

TABLE OF CONTENTS

APPROVED

ARTICLE		PAGE
ARTICLE I	NAME	2
ARTICLE II	PURPOSES	2
ARTICLE III	BASIC POLICIES	3
ARTICLE IV	RELATIONSHIP WITH NATIONAL & NEW MEXICO PTA	4
ARTICLE V	MEMBERSHIP AND DUES	7
ARTICLE VI	OFFICERS	8
ARTICLE VII	DUTIES OF OFFICERS	9
ARTICLE VIII	BOARD OF DIRECTORS	11
ARTICLE IX	EXECUTIVE COMMITTEE	12
ARTICLE X	COMMITTEES	13
ARTICLE XI	GENERAL MEMBERSHIP MEETINGS	13
ARTICLE XII	COUNCIL MEMBERSHIP	13
ARTICLE XIII	NEW MEXICO PTA CONVENTION	14
ARTICLE XIV	FISCAL YEAR	14
ARTICLE XV	PARLIAMENTARY AUTHORITY	14
ARTICLE XVI	AMENDMENTS AND REVISIONS	14

These bylaws will take effect when approved by a member of the NMPTA Bylaws Committee. Until these are approved the most recent approved bylaws will be in effect 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
48
49 **BYLAW APPROVAL**
50

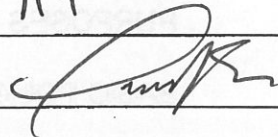
51 **Cleveland Middle School PTA**

52
53 Date Approved by General Membership: 2/7/19

54
55 **Cleveland Middle School** PTA President Signature: 

56
57 **New Mexico PTA**

58
59 Date Approved by New Mexico PTA: 2/14/19

60
61 New Mexico PTA Bylaws Committee Signature: 

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

65
66 **ARTICLE I: NAME**
67

68 The name of this association is **Cleveland Middle School** Parents and Teachers
69 Association (PTA), **Albuquerque**, New Mexico. It is a local PTA organized under the
70 authority of New Mexico Congress of Parents and Teachers, a branch of National
71 Congress of Parents and Teachers (National PTA).
72

73 ****ARTICLE II: PURPOSES***
74

75 **Section 1.** The purposes of **Cleveland Middle School** PTA, in common with those of
76 National PTA and New Mexico PTA, are:

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

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- 92 f. To advocate for fiscal responsibility regarding public tax dollars in public
93 education funding.
94

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

100
101 **Section 3.** The association is organized exclusively for the charitable, scientific,
102 literary, or educational purposes within the meaning of Section 501(c)(3) of the Internal
103 Revenue Code or corresponding section of any future federal tax code (hereinafter
104 referred to as "Internal Revenue Code").
105

106 ****ARTICLE III: BASIC POLICIES**
107

108 The following are basic policies of Cleveland Middle School PTA, in common with those
109 of National PTA and New Mexico PTA:
110

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

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

- 138
- 139 g. No part of the net earnings of the association shall inure to the benefit of, or
- 140 be distributable to its members, directors, trustees, officers, or other private
- 141 individuals except that the association shall be authorized and empowered to
- 142 pay reasonable compensation for services rendered and to make payments
- 143 and distributions in furtherance of the purposes set forth in Article II hereof.
- 144
- 145 h. Notwithstanding any other provision of these articles, the association shall not
- 146 carry on any other activities not permitted to be carried on (i) by an
- 147 organization exempt from federal income tax under Section 501(c)(3) of the
- 148 Internal Revenue Code or (ii) by an organization, contributions to which are
- 149 deductible under Section 170(c)(2) of the Internal Revenue Code.
- 150
- 151 i. Upon the dissolution of the association, after paying or adequately providing
- 152 for the debts and obligations of the association, the remaining assets shall be
- 153 distributed within two (2) weeks to one or more nonprofit funds, foundations,
- 154 or organizations that have established their tax-exempt status under Section
- 155 501(c)(3) of the Internal Revenue Code and whose purposes are in
- 156 accordance with those of New Mexico PTA.
- 157

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

159

160 **#Section 1.** This local PTA shall be organized and chartered under the authority of

161 New Mexico PTA in the area in which this local PTA functions, in conformity with such

162 rules and regulations, not in conflict with National PTA Bylaws, as New Mexico PTA

163 may in its bylaws prescribe. New Mexico PTA shall issue to this local PTA an

164 appropriate charter evidencing the due association and good standing of this local PTA.

165

166 **#Section 2.** To be considered a unit in good standing of New Mexico PTA, each local

167 PTA shall do the following:

168

- 169 a. Adhere to the purposes and basic policies of the PTA;
- 170
- 171 b. Hold at least 3 general meetings per year. The purpose of these meetings
- 172 shall include the following:
- 173
- 174 1. Approval of the budget at a fall general meeting;
- 175
- 176 2. Electing the nominating committee at a winter general meeting;
- 177
- 178 3. Electing officers at a spring general meeting.
- 179
- 180 c. Submit bylaws to New Mexico PTA at the time of organization of the local unit
- 181 and every three years thereafter for approval, or when requested by the
- 182 Bylaws Committee;ⁱⁱ
- 183

^{**}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.

- 184 d. Maintain a minimum of fifteen members annually (schools with an enrollment
185 of less than 100 may request an exemption);
186
187 e. Remit the state and national portions of the dues to New Mexico PTA as
188 provided in Article V hereof;
189
190 f. Submit a list of members with the state and national dues;
191
192 g. File an operating budget, immediately upon approval by the unit's members,
193 with New Mexico PTA by September 30;
194
195 h. File the previous year-end proof of audit with New Mexico PTA by September
196 30;
197
198 1. No person who was authorized to sign checks during the fiscal year
199 may participate in the audit;
200
201 2. No person who is related to a person authorized to sign checks during
202 the fiscal year may participate in the audit.
203
204 i. File a copy of IRS Form 990, if required, with New Mexico PTA upon filing
205 with the IRS; and
206
207 j. Carry insurance that is renewed annually. All new PTAs shall secure
208 insurance preferably within 120 days and mandatory within one calendar year
209 from the PTA's charter date.
210

211 ****Section 3.** This local PTA shall adopt such bylaws for the governance of the
212 association as may be approved by New Mexico PTA. Such bylaws shall:
213

- 214 a. Not be in conflict with National PTA Bylaws or the bylaws of New Mexico
215 PTA;
216
217 b. Include an article on amendments;
218
219 c. Include a provision establishing a quorum for each type of meeting;
220
221 d. Include a provision establishing how the nominating committee for officers
222 shall be elected;
223
224 e. Include provisions corresponding to the provisions of state bylaws identified
225 by the pound sign (#); and
226
227 f. Prohibit proxy voting.
228

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#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 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.

#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.

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

- 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;
- b. 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
- c. To carry out promptly, under the supervision and direction of New Mexico PTA, all proceedings necessary or desirable for the purpose of dissolving Cleveland Middle School PTA.

#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

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

ⁱⁱⁱEach 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.

- 275 a. Notice, by certified mail, of the pending dissolution must be given to New
276 Mexico PTA at least forty-five (45) days before the meeting of the
277 membership is held to discuss and vote on the dissolution issue; and
278
279 b. Notice of the meeting of the membership must be mailed to all members and
280 New Mexico PTA at least thirty (30) days before the meeting. A
281 representative of New Mexico PTA, designated by New Mexico PTA
282 executive committee, must be present. A two-thirds ballot vote of members
283 present and voting, a quorum being present, must carry this intent of
284 dissolution. Dissolution is effective immediately if vote is in the affirmative.
285
286 c. Upon dissolution, New Mexico PTA must receive:
287
288 1. A certified letter giving details of the vote to dissolve.
289
290 2. A copy of the final IRS form 990 and the original IRS Employer
291 Identification Number (EIN).
292
293 3. Charter, all New Mexico PTA and National PTA materials, current
294 bylaws and standing rules, and minutes, budget, and all financial
295 books of account and records.
296
297 d. Disbursement of funds and assets must be approved by a majority vote of
298 members present and voting. All funds and assets must be distributed within
299 two (2) weeks according to Article III, i. The remaining assets shall be
300 distributed to one or more nonprofit funds, foundations, or organizations that
301 have established their tax-exempt status under Section 501(c)(3) of the
302 Internal Revenue Code and whose purposes are in accordance with those of
303 New Mexico PTA.
304

305 **ARTICLE V: MEMBERSHIP AND DUES**

306

307 **#Section 1.** Every individual who is a member of this local PTA is, by virtue of that fact,
308 a member of National PTA and of New Mexico PTA by which this local PTA is
309 chartered, and is entitled to all the benefits of such membership.
310

311 **#Section 2.** The membership in PTA shall be open, without discrimination, to anyone
312 who believes in and supports the mission and purposes of New Mexico PTA.
313

314 **#Section 3.** This local PTA shall conduct an annual enrollment of members but may
315 admit individuals to membership at any time.
316

317 **#Section 4.** Each member of a local PTA shall pay such annual dues to said
318 association. The amount of such dues shall include these portions:
319

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- 320 a. The portion payable to New Mexico PTA, as recommended by the board of
321 directors and approved by a two-thirds majority of the voting body at the New
322 Mexico Annual Convention.
323
324 b. The portion payable to National PTA, as recommended by the board of
325 directors and approved by a two-thirds majority of the voting body at the
326 National PTA Annual Convention.
327

328 **#Section 5.** The state and national portions of the dues paid by each member of a local
329 PTA shall be set aside by the local PTA and remitted to New Mexico PTA on or before
330 the 30th of each month.
331

332 **#Section 6.** The privilege of making motions, debating and voting in elections shall be
333 limited to members of the association who are present, whose dues are paid and who
334 have been members of the association for at least **15** day(s).
335

- 336 a. Membership in a local unit shall be considered to start on the day the unit's
337 membership chairman records receiving payment from the member.
338
339 b. Membership in New Mexico PTA shall be considered to start on the day the
340 local unit's membership information is logged in at the State Office.
341
342 c. Membership in a local unit and in New Mexico PTA shall expire on June 30 of
343 each year.
344

345 **ARTICLE VI: OFFICERS**

346
347 **Section 1.** The officers of this local PTA shall be a president, a vice president(s),^{iv} a
348 secretary, and a treasurer.
349

350 **Section 2.** Officers shall be elected by ballot in the month of April.
351

352 **Section 3.** The vote shall be conducted by ballot. When there is but one candidate for
353 an office, the ballot for that office may be dispensed with and election held by voice
354 vote. A majority vote shall be required for election.
355

356 **Section 4.** The following provisions shall govern the qualifications and eligibility of
357 individuals to be officers of Cleveland Middle School PTA:
358

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

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Section 5. 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 one year or until a successor takes office.

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;

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- 412 c. Perform such other duties as may be provided for by these bylaws,
413 prescribed by the parliamentary authority, or directed by the president, the
414 board of directors, or the executive committee.
415

416 **Section 3. The secretary shall:**
417

- 418 a. Record the minutes of all meetings of Cleveland Middle 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 g. Perform such other duties as may be provided for by these bylaws,
431 prescribed by the parliamentary authority, or directed by the president, the
432 board of directors, or the executive committee.
433

434 **Section 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 c. Make disbursements as authorized by the president, executive board, or this
441 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 e. Cause to be kept a full and accurate account of the receipts and
446 disbursements in the books belonging to Cleveland Middle School PTA;
447
448 f. Provide a written financial statement to the board of directors at each
449 meeting;
450
451 g. Present an annual report of the financial condition of the association at the
452 annual meeting in April;
453
454 h. Submit the books annually or upon change of bank account signatories for an
455 audit by an auditing committee selected by the board of directors at the end of
456 the fiscal year;^v
457

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- i. Report the findings of the annual audit to be the board of directors and New Mexico PTA;
- j. 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.

ARTICLE VIII: BOARD OF DIRECTORS

Section 1. The affairs of ~~Cleveland Middle School~~ PTA shall be managed by the board of directors in the intervals between local unit PTA general membership meetings.

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

- a. Elected officers;
- b. Standing Committee Chairmen
- c. ~~Teacher representative, student representative, Special Committee Chairman~~
- d. The president may appoint a parliamentarian, subject to approval of the executive committee of this local PTA.

Section 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;^{vi}
- c. Present a report at the regular general membership meetings of this local PTA;
- d. Select an auditor or an auditing committee to audit the treasurer's accounts;
- e. Prepare and submit an annual budget to this local PTA's general membership for adoption;
- f. Approve payment of routine bills within the limits of the approved budget.

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

Section 5. 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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Section 6. Special meetings of the board may be called by the president or when requested by 2 members upon 24 hours written notice to each member of the board.

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

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

ARTICLE IX: EXECUTIVE COMMITTEE

Section 1. There shall be an executive committee of Cleveland PTA, the members of which shall be:

a. All elected officers; and

Principal as a member ex officio

Section 2. Special meetings of the executive committee may be called by the president or upon written request of 2 members with 24 hours written notice to each member of the executive committee.

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

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

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

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

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

ARTICLE X: COMMITTEES

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

Section 2. 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:

- a. School Store Committee
- b. Book Fair Committee
- c. Staff Appreciation Committee
- d. Fundraising Committee
- e. Community Promotions Committee

Section 3. 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.

Section 4. The term of office of a committee chairman shall be one year or until the selection of a successor.

Section 5. 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.

ARTICLE XI: GENERAL MEMBERSHIP MEETINGS

Section 1. Regular meetings of this local PTA shall be held at least 3 times a year – September, November, December, January, February, March, April, May. two days' written notice shall be given to the membership of any change of date.

Section 2. Special meetings of this local unit PTA may be called by the president or by a majority of the board of directors, one days' written notice having been given.

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

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

ARTICLE XII: NEW MEXICO PTA CONVENTION

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

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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 Cleveland Middle 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 Cleveland Middle 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 Cleveland Middle 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 Cleveland Middle School PTA to amend their corresponding bylaws. Local PTAs shall promptly incorporate such amendments in their respective bylaws.

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

641 ****Section 5.** The adoption of an amendment to any provision of the bylaws of New
642 Mexico PTA identified by a pound sign (#) shall serve automatically and without the
643 requirement of further action by Cleveland Middle School to amend their corresponding
644 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.

^{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."

**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.

