

Constitution and Bylaws

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From the PMTNM Handbook

Professional Music Teachers Of New Mexico Constitution

As Revised 1996

ARTICLE I - NAME

- The Professional Music Teachers of New Mexico is a not-for-profit organization affiliated with the Music Teachers National Association. All members must belong to MTNA and all members of an affiliated local association must be members of PMTNM and MTNA.

ARTICLE II - PURPOSE

- The purposes of this Association shall be:
 - A. to promote the music teaching profession and its image in society through teacher certification, professional public promotion, and teacher education and training,
 - B. to promote students and their talents through the student activities, student auditions, local projects, and school credit and release time,
 - C. to promote music in American culture through programs, school credit, scholarships, and composer commissions, and
 - D. To exert all possible efforts towards the enrollment of increased numbers of people of all ages in the study of music.

ARTICLE III - MEMBERSHIP

- Section 1. Membership shall consist of Active, Life, Patron, and Student.
- Section 2. Membership privileges and dues are prescribed by the Bylaws of the Association.
- Section 3. Membership in the Association may be terminated by the members or revoked by the Association as prescribed in the Bylaws.

ARTICLE IV - AFFILIATED LOCAL ASSOCIATIONS

- Section 1. Any city, town, or district music teachers association may become and remain affiliated with PMTNM by fulfilling the requirements of membership as stated in the Constitution and Bylaws.
- Section 2. The Executive Committee may suspend or terminate any affiliated Association at any time for justifiable cause, as outlined in the Bylaws, subject to ratification of this action by the PMTNM Board.

ARTICLE V - OFFICERS/EXECUTIVE COMMITTEE

- Section 1. The officers shall consist of a President, State Vice-President, Executive Secretary-Treasurer, Six District Vice-Presidents, and the Chairman of the Board of Certification.
- Section 2. All officers shall be elected annually, and may be eligible for re-election, except the Executive Secretary-Treasurer who shall be appointed by the Executive Committee (those officers listed under Section 1) for a two-year term, and may be eligible for reappointment.
- Section 3. The Executive Committee shall determine policies of the Association in consultation with the PMTNM Board and within the limits of the Constitution and Bylaws. It shall actively pursue the purposes of the Association and shall have discretion in the disbursement of all funds of the Association. It may adopt such rules and regulations for the conduct of Association business as shall be deemed advisable and may, in the execution of the powers granted, appoint such agents as it may consider necessary.
- Section 4. In order to transact business a quorum consisting of one-third of the Executive Committee (as listed in Section 1) must be present. Telephone polling may be used if

necessary. The President or Executive Secretary-Treasurer may initiate telephone polling and the Secretary will record opinions/votes.

ARTICLE VI - EXECUTIVE BOARD

- Section 1. The Executive Board shall consist of the President as Chairman, the Immediate Past President, State Vice President, Executive Secretary-Treasurer, Six District Vice Presidents, Chairman of the Board of Certification, together with the various student division chairmen, and any State resident members of MTNA Division or National Boards. The Editor of the PMTNM Newsletter shall be a member of the Board.
- Section 2. The Board may make recommendations to the Executive Committee regarding policy and membership concerns.
- Section 3. The Board shall have the power to rescind by a two-thirds vote any decision of the Executive Committee.
- Section 4. One-third of the members of the Board shall constitute a quorum.

ARTICLE VII - MEETINGS

- Section 1. The Association shall hold an annual conference at a time and place to be determined by the Executive Board. At this meeting the President shall permit the general membership to bring forward items for consideration. Notice of the Conference shall appear in the Newsletter prior to the Conference.
- Section 2. A majority of the members entitled to vote and who are in attendance shall constitute a quorum for the election of officers and for the transaction of business at any annual or special membership meeting.
- Section 3. Special meetings of the Executive Committee may be called by the President or upon the request of not less than one-third of the Executive Committee, or upon a signed petition from one-third of the Active members of the Association.
- Section 4. The PMTNM Board shall meet twice each year, or as many times as necessary to fully conduct the business of the Association. Prior to such meetings the Executive Committee will prepare various items to be presented before the PMTNM Board. Special meetings of the PMTNM Board may be called by the President or upon the request of not less than one-third of the members of the PMTNM Board or upon a signed petition from one-third of the Active members of the Association.
- Section 5. The rules contained in the current edition of Robert's Rules of Order shall govern the Association in all cases to which they are applicable, and in which they are not inconsistent with the Constitution and Bylaws of the Association or any special rules of order the Association may adopt.
- Section 6. The President may appoint a parliamentarian to provide opinion during various meetings.

ARTICLE VIII - AMENDMENTS

- The Association meeting in conference shall have the power to make amendments to this constitution as necessary, provided the amendment shall have been submitted in writing to the body at least 30 days prior to the vote. A two-thirds vote of Conference attendees must approve any amendment. Upon recommendation of the Executive Committee and Board this Constitution may be amended by mail, using the same procedures.

ARTICLE IX - PUBLICATION OF CONSTITUTION AND BYLAWS

- The Constitution and Bylaws shall be printed and included in each member handbook. Revisions or amendments will be distributed to members as they occur.

Bylaws

ARTICLE I - MEMBERSHIP

- Section 1. Active membership shall consist of:
 - A. Active private teachers holding a professional, professional master's or professional doctoral certificate.
 - B. Active private teachers holding a provisional or associate certificate.
 - C. Active college teachers.
- Section 2. Active members shall be entitled to participate in all Association activities, to vote, hold office, and receive publications, upon acceptance of application and payment of dues.
- Section 3. Life membership, as an honorary award, shall be extended to members of the profession who have contributed years of service as participating members. Life members shall not be required to pay state dues. Life membership shall be conferred by the Association in conference. Life members shall enjoy all privileges of the Association including the right to vote and hold office.
- Section 4. Patron members shall be those desirous of holding membership in the organization, but who are not actively engaged as teachers. Patron members may attend all meetings and conferences but may neither vote nor hold office.
- Section 5. Student members may attend all meetings and conferences but may neither vote nor hold office. They shall consist of:
 - A. Students of elementary, junior high or senior high age who are studying with active members of PMTNM.
 - B. Members of College Student Chapters sponsored by an active PMTNM member. However, college students participating in the competitive categories must be studying with an active member of PMTNM.
- Section 6. All members agree to abide by the Code of Ethics of the Association.

ARTICLE II - REVOCATION OF MEMBERSHIP

- No person who has been convicted of a crime involving the sexual or other abuse of a person shall be a member of PMTNM. Any accusation that a member of PMTNM has been convicted of a crime involving sexual or other abuse of a person shall be reported to the President of PMTNM, who shall immediately report the accusation to the President of MTNA, who shall appoint a three-person committee to ascertain the validity of a conviction. If the committee substantiates that a person has been convicted of a crime involving sexual or other abuse of a person, the President of MTNA shall immediately terminate the membership and the certification of that person. Any action authorized by the MTNA President in this resolution may be appealed to the Board of Directors of MTNA. Any membership terminated under this section shall be reinstated upon the filing with the MTNA President of a certified copy of the judgment reversing the conviction.

ARTICLE III - MEMBERSHIP YEAR AND FISCAL YEAR

- The fiscal year and the membership year for all membership categories except that of student shall commence on July 1 and end on June 30, as required by the MTNA Bylaws. The student membership year shall be October 1 to September 30.

ARTICLE IV - DUES

- Section 1. Annual dues for all members are due on the first day of the membership year, as established by MTNA, after which date members are not in good standing nor entitled to any of the privileges of membership until dues are paid for the current membership year. The amount of PMTNM membership dues shall be determined by a majority vote at one of the business meetings of the annual state conference, if a change is necessary.
- Section 2. State Dues are prorated (half price) for new members who join the Association between Jan. 1 and June 30.

ARTICLE V - ELECTION OF OFFICERS

- Section 1. There shall be a nominating committee consisting of three members-at-large appointed by the President. This committee shall prepare a roster of candidates at least 15 days prior to the opening date of the annual conference, and it shall be presented to the Executive Secretary-Treasurer. The report of the nominating committee together with any other nominations made from the floor shall be submitted at the Conference business meeting for vote by the membership. The newly elected officers shall be installed at the Conference business meeting. Outgoing officers have 60 days after the election to bring any files, records, etc. pertaining to his or her office up to date before turning over such data to his or her successor.
- Section 2. Officers shall be elected by majority vote, in a secret ballot, of members attending the Conference meeting. In the event of only one nominee for an office, the President may recommend election by general consent.
- Section 3. Vacancies. Except for the office of President which is automatically filled by the Vice-President, a vacancy may be filled by a written ballot circulated to the membership by means of the Newsletter with a name (or names) submitted by the current nominating committee. Ballots should be returned to the chairman of the nominating committee by a specified date. If time does not permit this procedure before summer vacations, the President may appoint an officer pro tem to assume the duties of the office until the next regular conference. Should the elected be unable to assume the Presidency, the President shall be elected, for that term only, in the same manner as that of the other officers.
- Section 4. No officer may hold a national, division, or state office concurrently, except the Immediate Past President.

ARTICLE VI - DUTIES OF OFFICERS

- Section 1. The President shall be the principal elective officer and presides at meetings of the Association, calls and presides at meetings of the Executive Board, and appoints all standing and special committees as needed, and performs all other duties implied by his title, including the appointment of a Conference Chairperson as soon as possible after the selection of a conference site, and a budget committee to prepare a budget for the following year.
- Section 2. The Vice President assumes all the duties of the President in the absence of that officer. The Vice President shall act as the coordinating officer to the six District Vice Presidents in promotion of membership. The current Vice President shall work as an understudy to succeed the President, and help prepare a budget for the following year.
- Section 3. The Executive Secretary-Treasurer shall preside in the absence of the President and Vice President and shall be the custodian of all funds of the organization, shall keep an accurate record of members for the Roster, is responsible for the payment of all bills authorized by the Executive Board, for keeping an itemized account of all receipts and disbursements, and for the preparation of an annual report to the Conference. An annual audit is made by an auditing committee. Additionally, the

Section V - Constitution and Bylaws Executive Secretary-Treasurer shall be responsible for preparing the annual report to the IRS, keeping minutes of all business meetings of the Association and meetings of the Executive Committee and Board, and such other duties as are assigned by the Executive Board. *Section 4. The six District Vice Presidents shall act as members of a statewide membership committee and otherwise assist in the conduct of their respective district organizations.* Section 5. The Certification Board shall consist of three members, the Chairman who is elected, and two members each to be appointed for a term of two years. Only one member shall be appointed annually, thus staggering the terms of membership on the Board. In case of a vacancy on the Board, the Executive Board shall appoint a new member to hold office until the next conference, at which time more than one member may be appointed if necessary. * Section 6. A Handbook, going into greater detail as to the duties of each officer shall be prepared. It shall be the duty of each officer to maintain the book up to date and to pass it on to his/her successor.

ARTICLE VII - AFFILIATED LOCAL ASSOCIATIONS *Section 1. Any city, town or district music teachers association may petition to the Executive Committee for affiliation in PMTNM by providing evidence that the following requirements have been fulfilled: A. That two copies of the Local Association governing documents (e.g. Constitution, Bylaws, and Articles of Incorporation) have been filed with the Secretary and that they are consistent with those of PMTNM. B. That its fiscal and membership year coincide with that of PMTNM.* Section 2. Upon determining that a petitioning local music teachers association has fulfilled the requirements of Section 1 of this Article, PMTNM shall approve the petition. *Section 3. In referring to its affiliation, each Local Association shall use the phrase "Affiliated with the PMTNM." This specified phrase shall be included in the constitutions of all affiliated Local Associations.* Section 4. If a local music teachers association has affiliated

with PMTNM as a Local Association, all members of that Local Association must be members of both PMTNM and MTNA. * Section 5. Annual renewal of a Local Association shall be made without reconsideration by PMTNM provided: A. That the affiliate has not formally notified PMTNM that it wishes to discontinue affiliation. B. That all changes in the Constitution and Bylaws of the affiliated Local Association have been filed with PMTNM, that they are consistent with the Constitution and Bylaws of PMTNM, and have been approved by PMTNM. C. That all provisions of Sections 1 and 4 of this Article continue to be fulfilled.

ARTICLE VIII - COMMITTEES *Section 1. The Executive Board may authorize the appointment by the President of such standing and special committees as represent the well-defined and continuing interest of the Association's membership in all fields.* Section 2. Chairmen of such committees are appointed for terms of one year. Personnel of a standing committee may be changed upon recommendation of the chairman. Termination of a chairmanship may be effected by the President. *Section 3. Standing committees are composed of not more than ten members.* Section 4. The Executive Board is responsible for continuing or changing the status of all standing committees.

ARTICLE IX - ARCHIVIST

- Section 1. The President appoints an Archivist, with the approval of the Executive Board, to serve until a successor is named. The Archivist is an ex-officio member of the Executive Board.
- Section 2. Duties of the Archivist are to collect and keep in secure place all items of historical interest to the Association, including programs, pertinent newspaper and magazine articles, photographs and correspondence.

ARTICLE X - NON-PROFIT STATUS

- Section 1. The Association is organized exclusively for charitable and educational purposes, including the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).
- Section 2. No part of the net earnings of the Association shall inure to the benefit of, or be distributable to, its members, officers, or other private persons, 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 Section 1 hereof. No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of the articles, the Association shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under section 501

(c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by an organization to which contributions are deductible under section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

- Section 3. Upon the dissolution of the Association, the Executive Board shall, after paying or making provision for the payment of all of the liabilities of the Association, dispose of all of the assets of the Association by donation to The MTNA Foundation, or to another organization or organizations organized and operated exclusively for charitable and educational purposes as shall at the time qualify as an exempt organization or organizations under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) as the Executive Board shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the current President of the Association resides, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.
- Section 4. The Association is a non-profit organization.
- Section 5. The recipients of scholarships cannot be related to the members of the selection committee.

ARTICLE XI - AMENDMENTS

- Section 1. The Association meeting at the Conference shall have the power to make amendments to these Bylaws as necessity may require, provided the amendment shall have been submitted in writing to the body at least 30 days prior to the vote.
- Section 2. A two-thirds vote of Conference attendees must approve any amendment.
- Section 3. Upon recommendation of the Executive Committee and Board, these Bylaws may be amended by mail, using the same procedures.