

**BYLAWS of the
NATIONAL EDUCATION ASSOCIATION-NEW MEXICO RETIRED**

Approved October 25, 2019

1. OBJECTIVES

1.1 Specific Objectives

The specific objectives directed toward the achievement of the stated goals of the Association shall be:

- a. To improve the structure of the Association in order to insure the full and effective participation of all members thereby establishing and maintaining an independent, self-governing organization;
- b. To support local affiliates in promoting and protecting the rights and welfare of its members;
- c. To advance professional rights and to enhance professional responsibilities in order to further the consistent development and improvement of the profession and its practitioners;
- d. To work among the people of New Mexico for broad support of education and for improvement of attitudes toward the profession.

2. MEMBERSHIP

2.1 Class of Membership.

Class of membership shall be as set forth in Article II, Section 1, of the Constitution.

2.2 Rights and Limitations

Any member of NEA-NMR who believes he/she has a grievance against the Association shall be entitled to invoke the following procedure:

- a. The member bringing the grievance against the Association shall file the grievance with the president and the Board of Directors in writing. The Board of Directors shall render a decision, in writing, within ten (10) calendar days.
- b. The decision, or failure to render a decision, by the Board of Directors may be appealed to the NEA-NMR Review Board as set forth in 7.1 which shall render a written decision within thirty (30) calendar days after receiving the appeal. If the decision is adverse to the member bringing the grievance, he/she shall notify in writing the NEA-NM Board of Directors. Such notification must be made within ten (10) calendar days following the decision of the Review Board. The NEA-NM Board of Directors will make decisions involving legal services.

2.3 Membership Year.

The membership year shall be July 15 through July 14.

2.4 Membership Dues.

The dues shall be as set by the NEA-NM Board of Directors.

2.5 Dues Transmittal.

The dues shall be transmitted to NEA-NM for deposit in a custodial account for NEA-NMR .

3. GENERAL MEMBERSHIP MEETING

3.1 Date and Location of Meetings

- a. The NEA-NMR Board of Directors shall determine the date and location of the General Membership Meeting.
- b. At least one (1) month prior to each General Membership Meeting, the Secretary shall notify all members of the time and place of said meeting and the agenda or business to be considered.

3.2 Special Meetings.

Special meetings of the membership may be called by the President, by request of a majority of the Board of Directors, or upon request of one-quarter (1/4) of the members for a special purpose; but no business other than that for which the meeting is called may be transacted

3.3 Powers and Duties.

Members present at the General Membership Meeting shall:

- a. Consider and certify amendments to the Constitution for placement on the all member ballot
- b. Adopt the budget of the Association;
- c. Give final approval to NEA-NMR programs and policies;
- d. Establish the Standing Rules;
- e. Consider an act on proposed amendments to the Bylaws and/or Standing Rules.

4. NEA-NM DELEGATE COUNCIL

4.1 Qualification

Any NEA-NMR member in good standing may be elected to the NEA-NM annual Delegate Council.

4.2 Allocation of Delegates

Allocation of delegates for NEA-NMR members shall be based on the ratio of 1:100 or major fraction thereof. NEA-NM will communicate to the NEA-NMR president the allocation of delegates based on membership figures of January 15 of the same calendar year of which the delegate council convenes.

4.3 Elections

- a. The Association president shall be responsible for conducting the election of delegates to represent the Association and for reporting the names of the official delegates no later than fifteen (15) days preceding a delegate council meeting.
- b. The Association shall take all reasonable steps to assure proportional ethnic minority representation in its delegation.
- c. Delegate shall be elected for a one-year term.
- d. Open nominations will be taken from all members no later than January 30.
- e. The delegates will be elected by secret ballot in a statewide election.
- f. The nominations and election processes will follow the Election Committee Procedures as set forth in Standing Rule 4.
- g. The candidates receiving the highest number of votes will fill the open positions. When the positions are filled, all other candidates will be alternates (placed in the order of highest number of votes to lowest), and may fill an elected delegate's position should he/she is not able to attend the delegate council.

4.4 Meetings

At least one meeting of the delegate council shall be held each calendar year. The NEA-NM Board of Directors shall determine the place and dates.

4.5 Council Deliberations

Only regularly certified delegates shall be seated on the Council floor; the privileges of debate and vote shall be restricted to Council delegates.

4.6 Powers and Duties

Delegates to the Council meeting shall:

- a. Certify amendments to the Constitution and amendments to the Bylaws establishing dues for the ballot;

- b. Nominate and elect such at-large members to the Board of Directors as are guaranteed by the Constitution; and
- c. Elect the NEA-NM representative to the Educational Retirement Board;
- d. Adopt legislative goals and platform; and
- e. Consider and vote on NEA-NM resolutions;
- f. Consider and vote on NEA-NM committee recommendations;
- g. Give final approval to the Association programs and policies;
- h. Establish and amend the Standing Rules;
- i. Consider and vote on amendments to the Bylaws, except as restricted in the Constitution
- j. Receive nominations for offices to be elected by the Council;
- k. Elect at-large members of the Board of Directors as required by the Constitution.

5. EXECUTIVE OFFICERS

5.1 Powers and Duties of the President.

The President shall be the executive officer of the Association and shall be accountable to the Board of Directors. The President shall:

- a. Represent NEA-New Mexico Retired exclusively before the public either personally or through a designated representative;
- b. Set the agenda for all General Membership Meetings ~~Annual~~ and any special meeting.
- c. Appoint the chairperson and members of all standing committees and ad hoc committees with the approval of the Board of Directors.
- d. Request resignation of any executive officer or member of the Board of Directors due to two (2) consecutive unexcused absences of any scheduled meeting and shall be subject to the approval of the Board of Directors.
- e. Be an ex-officio member of all committees;
- f. Approve disbursements from the treasury in accordance NEA-NMR governance documents, adopted budget and established custodial guidelines;
- g. Preside over all meetings of the NEA-NMR Board of Directors and General Membership Meeting;
- h. Call a special Board of Directors meeting via email or conference call to review and approve minutes of the previous meeting within forty-five (45) days of said meeting.
- i. Be responsible for the official correspondence of NEA-NMR
- j. Be responsible for maintaining upcoming events, current information and documents on the NEA-NMR website link

- k. Perform all other functions usually attributed to the office.

5.2 Powers and Duties of the Vice President.

The Vice President shall;

- a. Act for the President when the President is unable to perform the duties of the office;
- b. Perform such other duties as are stipulated by the constitution, by these By Laws, and by the President;
- c. Serve as chair of the budget committee and member ex-officio of all other committees authorized by the governing bodies.
- d. Prepare and present the financial report to the Board of Directors for approval and submission to the Annual General Membership meeting.
- e. Submit a mid-year financial report showing income and payables through March 31st to the Board of Directors no later than April 30th.

5.3 Powers and Duties of the Secretary.

The Secretary shall;

- a. Keep accurate minutes of all Board and Membership meetings;
- b. Keep copies of the minutes of all Board and Membership meetings and distribute said minutes to all Board members within thirty (30) days of meeting date;
- c. Maintain the official files of any other pertinent information.
- d. Notify the appropriate members of the time and place of Board of Directors meetings at least thirty (30) calendar days prior to the meeting date;
- e. Notify the membership at least one (1) month prior to the date of the Membership Meeting;
- f. Insure the publication of all proposed amendments to the Constitution and Bylaws as prescribed in Article VI, Section 1, of the Constitution;
- g. A custodial arrangement shall be established with NEA-NM to ensure that NEA-New Mexico Retired funds are properly safeguarded and disbursed upon approval by designated NEA-New Mexico Retired officials.
- h. Serve on the Budget Committee and assist the Vice President in the preparation and distribution of the financial report.

- i. If the Secretary is absent, the President shall appoint a member to be responsible for recording and distributing minutes of a scheduled meeting (s).

5.4 Recall

- a. If the Board of Directors has proposed recall of the President or of both executive officers of the Association, the board shall select a temporary chairperson to preside until the proceedings are resolved. If the Vice-President alone is named in the proceeding, the President may continue to preside.
- b. The Board of Directors shall certify the validity of recall petitions from the general membership list.
- c. The Board of Directors shall convene the Review Board within thirty (30) days of validation.
- d. If the Review Board sustains the charge by two-thirds (2/3) vote, the Board of Directors shall arrange for a recall vote by the general membership within thirty (30) days of the decision of the Review Board.
 - 1. The ballot shall have printed two choices: "This officer shall be recalled", and, "This officer shall not be recalled".
 - 2. Voting shall be by secret ballot and shall follow regular election procedures as outlined in standing rules.
- e. The Board of Directors shall certify the election results. Upon the certification that the vote of the membership has sustained the recall, the office immediately becomes vacant.
- f. The Board of Directors shall report the results of the election to the general membership in the next scheduled newsletter.

6. BOARD OF DIRECTORS

6.1 Composition. The Board of Directors of NEA-New Mexico Retired shall be constituted on the basis of one-person-one-vote and shall consist of:

- a.** The President who shall be the chairperson;
- b.** The Vice-President;
- c.** The Secretary;
- d.** One Region Director from each NEA-NM Governance Region as elected by the membership
- e.** At-large Directors, if any, as provided in Article V. Section 2c, of the Constitution.

6.2 Election of Region and At-large Directors

- a. Terms of office and related conditions for NEA-New Mexico Retired Region and At-large Directors shall be provided in the Constitution.
- b. Newly elected Region and At-large Directors shall assume their duties on July 15 of the election year.

6.3 Powers and Duties.

The Board of Directors shall:

- a. Be the body to whom the executive officers shall be accountable;
- b. Implement all business as passed at the General Membership meeting;
- c. Determine the time and place of the General Membership meeting and, in the event of an emergency, shall have the power to call or postpone a General Membership meeting by a two-thirds (2/3) vote;
- d. Receive all reports of committees, and shall transmit with its recommendations such reports as may be appropriate to the General Membership meeting;
- e. Act on committee appointments, recommendations, and/or resignations as submitted by the President;
- f. Keep a full record of its proceedings and make provision for appropriate publication of records;
- g. The board will manage the approved budget in between Annual Membership Meetings. However, any meeting of the General Membership may by a two-thirds (2/3) vote, require the Board to amend the budget in accordance with the directives of the General Membership.
- h. By at least a two-thirds (2/3) vote, authorize the spending of money for non-budgeted items over one hundred fifty dollars (\$150) in any one case.

7. REVIEW BOARD

7.1 Compositions and Selection.

The Review Board shall be composed of five (5) members appointed by the President and approved by the Board of Directors for three (3) year staggered terms. Members of the Review Board shall be NEA-NMR members but shall not hold any elective or other appointive positions.

- a. Two (2) alternates shall be selected by the same procedures as those outlined above for Review board members.
- b. Review Board members who are unable to serve for a particular case will be replaced by alternates when possible.
- c. Three (3) members or alternates of the Review board, qualified to deliberate a particular case, will constitute a quorum of the Board.

7.2 Hearing Procedures and Decisions.

- a. From among its members, the Review Board shall elect a chairperson for the hearing.
- b. Both the charging and charged parties shall have the right to appear at the hearing, to present witnesses and other evidence, to cross-examine witnesses and to make brief opening and closing arguments.
- c. If the charging or charged parties do not appear at the hearing, the Review Board may proceed with the hearing and render its decision.
- d. A hearing of the Review Board shall be open except that by request of either party or by majority vote of its members, the Review Board may choose to restrict attendance to ONLY persons necessary to the hearing.

7.3 Deliberations and Decision

- a. Immediately following the close of the hearing, the Review Board will begin its deliberation and continue until a decision is reached.
- b. The findings and decision of the Review Board shall be communicated to all parties concerned in the dispute within sixty (60) of the filing of the appeal to the Board of Directors.
- c. If a recall is sustained by a two-thirds (2/3) vote of the Review Board, the appropriate procedure outlined in the constitution (Article IV, Section 5) or Bylaw 5.4 shall be followed.

8. COMMITTEES

8.1 Types of Committees.

There shall be Standing and Ad Hoc committees appointed by the President for a term of three (3) years with any vacancies to be filled as they occur. The President shall appoint the chairperson for each committee except the Budget Committee. All committee chairpersons are responsible for reporting and distributing results of their meeting(s) to the President and the Board of Directors. An unexcused absence of a committee member from two consecutive committee meetings shall constitute a resignation.

8.2 Standing Committees of the Association shall be:

a. Committee on Constitution, Bylaws and Rules

1. Committee on Constitution, Bylaws and Rules will have 3 to 4 members.
2. Members may not serve more than two (2) consecutive three-year terms.

b. Budget

There shall be a Budget Committee comprised of five (5) members including the Vice President and Secretary.

d. Elections

An Elections Committee of at least three (3) members shall be appointed by the NEA-NMR President with the approval of the Board of Directors for a term of one (1) year. See Standing Rules for procedures.

8.3 Other Committees and Task Forces

With the approval of the Board of Directors, the President shall appoint members to necessary task forces and other committees as the need arises.

8.4 Membership

Shall be responsible for the recruitment and retention of members.

8.5 The Legislative Committee

The Legislative Committee will be comprised of 3 to 5 members appointed by the President and approved by the Board of Directors. Committee members will work cooperatively to support NEA-NM's legislative platform.

9. ELECTIONS

9.1 Composition of Committee

At least three (3) members will be appointed by the President and approved by the Board of Directors for the term of one (1) year. If an election committee member becomes a candidate, alternate committee member shall be appointed. A committee member may not be a candidate for any office. See Standing Rules for process and procedures.

9.2 Duties

An Election Committee, appointed by the President and approved by the Board of Directors, shall establish time lines for nominations and elections and shall uniformly

inform all members of vacancies in elective positions and upcoming elections. The committee shall be responsible for conducting secret ballot elections and shall be responsible for protecting the integrity of the election process.

9.3 Exclusions

NEA-NM staff will have no involvement in promoting the candidacy of any individuals for any NEA-NM Retired or NEA Retired position. The staff person will not assist in counting the ballots or handling the nominations.

10. Open Meetings

10.1 All meetings of the Association shall be open to all members of NEA-NMR.

10.2 Exceptions

- a.** Closed executive sessions of governing bodies of NEA-NMR may be called to discuss appeals at the request of either party or the governing body.
- b.** Executive sessions shall be for the purpose of discussion only. All decisions must be affirmed by vote in open session.

10.3 Closed to Non-Members and/or the Press.

11. Parliamentary Authority

11.1 Robert's Rules of Order Newly Revised

The most recent edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall be the authority in all matters of procedure at the NEA-NMR General Membership meeting except as otherwise specified in the Articles of Incorporation, the Constitution, these Bylaws, or the Standing Rules