

Bylaws of New Mexico AHEAD

ARTICLE I: NAME AND PURPOSE

Section 1: Name

The name of this organization is New Mexico Association on Higher Education and Disability (NM-AHEAD).

Section 2: Purpose

The purpose of this organization shall be to serve as a non-profit organization, and to further full participation for individuals with disabilities in New Mexico postsecondary education through collaboration, dissemination of information, advocacy, professional development, and policy management and research. NM-AHEAD recognizes the need to be responsive to diversity in its membership, the institutions from which its members come, and in the individuals with disabilities in New Mexico. NM-AHEAD will assure accessibility of its meetings, proceedings, products, websites, etc. to persons with disabilities. NM-AHEAD does not discriminate against any individual with regard to race, color, gender, age, national origin, religion, disability, sexual orientation, gender identity or any other constitutionally or statutorily impermissible reason. This policy extends to all programs and activities supported by NM-AHEAD.

ARTICLE II: MEMBERSHIP

Section 1: Membership. Membership shall be open and available to any interested person(s) according to membership categories and dues categories as established by the Board of Directors and contained in the Bylaws. The membership/dues year shall be the annual year from January 1 through December 31. Annual dues must be paid by January 31 for the coming year. Membership is nontransferable.

Section 2: Membership levels

A. Professional Member: Any individual working at a New Mexico post-secondary educational institution who shares NM AHEAD's goal to enhance educational opportunities and access for students with disabilities. This membership level has full voting privileges, is eligible to hold office, and has access to the listserv.

B. Associate Member: Any individual who lives or works in New Mexico and endeavors in their professional capacity to enhance educational opportunities and access for students with disabilities. This membership level has access to the listserv but does not have voting privileges and is not eligible to hold office.

ARTICLE III: MEETINGS OF THE MEMBERSHIP

Section 1: Meetings

Meetings of the members for the transaction of such business as may come before the Association shall be held in the spring and in the fall. Officers will be elected after the fall meeting and no later than December 31. Additional meetings will be determined at the spring and fall meetings for the purpose of conducting any association business and to hold workshops and training sessions. Meetings will be accessible to all participants.

Notice of the time and place of all meetings may be given by telephone or through the listserv within thirty (30) days.

Section 2: Quorum

The presence of 25% of the voting members shall constitute a quorum at such meeting. If a quorum is not present, a majority of those present may adjourn the meeting.

ARTICLE IV: EXECUTIVE AUTHORITY

Section 1: Executive Authority

Executive Authority shall be vested in the Board of Directors, which is composed of the elected officers and any additional board members appointed by the board. All officers and appointed board members must be a member in good standing with the association at the time of election or appointment and must maintain such standing throughout their tenure with the board.

Section 2: The Board of Directors

The Board of Directors will start their term in January after the fall elections. The board members shall serve until the expiration of their term of office or until the election and qualification of their respective successors, as otherwise provided in these Bylaws for filling vacancies. The Board of Directors shall be elected at the fall meeting and shall be chosen by a majority vote of the membership present.

Section 3: Special Meetings Notice

Special meetings of the Board of Directors shall be held whenever called by the President of the Association or any member of the Board at such time and place as may be specified in the notice. Notice of such special Board Meeting shall be given to each board member at least 2 weeks (14 days) before the day on which the meeting is to be held. Meetings will be accessible to all participants.

Section 4: Quorum and Voting

A majority of the board members shall constitute a quorum for the transaction of business, and all actions of the Board except otherwise provided in the articles of Incorporation or these Bylaws shall be taken by a majority vote. In the event that a board member is unable to be present for a vote, a proxy may be sent with authority to vote in the member's absence.

Section 5: Removal of Board Members

Any board member may be removed by a vote of the full Board of Directors, in person, at any regular or special meeting called for that purpose, with just cause. Any such board member proposed to be removed shall be entitled to at least five (5) days' notice in writing of the proposed removal and of the meeting and place at which such removal is to be voted upon and shall be entitled to appear and be heard at such meeting.

Section 6: Compensation

Board members shall not receive any compensation for their services.

ARTICLE V: OFFICERS OF THE ASSOCIATION

Section 1: Officers

Officers of the Association shall consist of Immediate Past President, President, President-Elect, Secretary, and Treasurer.

A. Term of Office: The term of office of any elected officer of the Association shall be for one (1) year, except for the treasurer which shall be two (2) years.

B. Vacancies: A vacancy in any office not otherwise provided for shall be filled for the unexpired portion of the term by the Board of Directors at any regular or special meeting.

Section 2: Duties of Officers.

A. Immediate Past-President: Assume the duties of the President in the absence of the President and President Elect; Act as Parliamentarian; Review Bylaws and present proposed revisions to the Board; and perform any duties assigned by the President, Board of Directors, or membership-at-large.

B. President: Open and call to order all general and Board of Directors meetings; Establish the agenda and announce the business before the assembly; facilitate efficient transactions of the Affiliate business; Establish and oversee committees deemed necessary for the efficient operation of the Association; Serve as official liaison of the Association to AHEAD during active affiliation, and serve as liaison to other organizations or appoint a designee for such purposes; Ensure adherence of the Association to the Bylaws as set forth by the membership; Complete any reports requested by AHEAD; Attend all regularly scheduled meetings and any others; Perform any other duties assigned by the Bylaws or membership-at-large.

C. President Elect: In the absence of the President, the President-Elect follows the same list of duties as the President; Facilitate membership recruitment activities; Attend all regularly scheduled meetings and any others; coordinate the functions of all Standing Committees and assist them as appropriate.

D. Secretary: The Secretary shall Take written minutes of Board/membership meetings and Board working meetings; Prepare meeting minutes for review and revision no later than 3 weeks following the meeting; Submit revised minutes to the Board at the next meeting for approval; confirm timely posting of minutes to the listserv; Prepare and communicate Association documents for any required state and federal filings; attend all regularly scheduled meetings and any others; perform any duties assigned by the President, Board of Directors, or membership-at-large.

E. Treasurer: The Treasurer shall Establish Association banking accounts and pay liabilities (bills); Utilize accounting methodologies agreed upon by the Board of Directors; Provide reports to the Board of Directors and to the membership-at-large; Prepare summary of assets, income, and expenditures to be presented to the Board of Directors and membership at the spring and fall meetings; Prepare and/or assist in the preparation of regulatory filings; Ensure documentation of speakers to include name, SSN, and address for completion of 1099 forms; mail forms by January 31; Have charge of, supervise and be responsible for the funds, securities, receipts and disbursements of the Association; Record and deposit the dues or other monies of the Association; Perform any duties assigned by the President, Board of Directors, or membership-at -large.

F. Technology Coordinator: The Technology Coordinator shall be responsible to maintain, set up, and operate the technological equipment that NM AHEAD owns, for the purpose of facilitating virtual participation in membership meetings; make recommendations on what to purchase if additional technology is needed; ensure that the technological equipment is given to another NM AHEAD officer if they are not able to continue in their role as Technology Coordinator; attend all regularly scheduled meetings and any others; and perform any duties assigned by the President, Board of Directors, or membership-at -large. A current, signed copy of the Technology Coordinator Agreement is attached to these by-laws for reference.

Section 3: Nomination and Election of Officers

A. The President will appoint an election coordinator.

B. Elections shall take place each year after the fall meeting and no later than December 31, in a manner as determined by the Board of Directors. The board shall give the membership a minimum of thirty (30) days' notice of an election.

C. The Election Coordinator shall poll the membership for the names of possible candidates to be placed on the nomination ballot for positions and shall determine the eligibility of each nominee to be a candidate. No person shall be nominated for more than one office during a single election. The call for nomination shall be open for no more than two weeks. Likewise, once the ballot has been sent to the listserv, votes will be accepted for no longer than two weeks from that date.

D. A majority vote of those eligible members responding is required. No proxy voting will be allowed.

Section 4: Succession to Office

In case of resignation, a vote of "no confidence" by a two-thirds vote of the Board of Directors, or death of any elected officer of the Association other than the President or President Elect, any professional member in good standing may be elected by a majority vote to serve the remainder of the term of the vacated office. Should the President of the Association be unable to serve the remainder of the current term for any reason, the President Elect will immediately assume the office of the President for the remainder of the current term in addition to the elected term of office. Should the President Elect be unable to serve the remainder of the current or future terms of office, the Board of Directors will nominate a professional member in good standing and conduct a special election. A replacement President Elect will be elected by majority vote of the voting Association members. Should BOTH the President and the President Elect be unable to complete their terms of office for any reason, the immediate Past President and the current Treasurer will assume the remainder of their terms respectively.

Any other vacant positions at any time will be appointed by the President, with the approval of the

majority of the Board of Directors in accordance with these bylaws for the remainder of their current terms of office. This may be accomplished in person or via electronic communications, including for officers. Terms of Board Members, in the good faith interests for continuance of the aims and business of the Association, may be extended by up to a maximum of two years based on a simple majority vote of the Board if nominees are not present during an election for specific positions, with the exception of the Presidency, which may only be extended for a period of one year.

ARTICLE VI: FINANCE

Section 1: Fiscal Year

The fiscal year of the association shall be from January 1 to December 31.

Section 2: Income

Income shall be derived from membership dues and such other sources as the Board of Directors may approve within the guidelines set by the IRS for non-profit organizations.

Section 3: Membership Dues

Dues shall be assessed by the Board of Directors and collected in such amount and in such a manner as may be prescribed by the Association. Any proposal to change the dues of the association shall be circulated in writing to all members at least thirty (30) days before the vote is to be cast at an Association meeting.

Section 4: Petty Cash Fund

Petty Cash fund shall be an amount approved annually by the Board of Directors for the payment of expenses within this amount without membership approval. Examples include: stamps, supplies, etc. Expenses paid from this fund will be accounted for on the fiscal report to the Board of Directors and membership.

Section 5: Audit

The books of the Association shall be audited if requested by the Board of Directors.

Section 6: Chief Financial Officer

The treasurer shall serve as the chief financial officer of the Association under the supervision of the President. Funds for the Association shall be dispersed by the Treasurer with both the Treasurer's and President's signature.

Section 7: Dissolution of Association Assets

In the event of the dissolution of the NM-AHEAD Association, all assets will be liquidated, all debts shall be paid, and any remaining proceeds shall be donated, by a majority vote of members,

to other organizations or causes, either national or state-wide, which advance disability-related issues.

ARTICLE VII: COMMITTEES

The Board of Directors may appoint committees and delegate to them any and all duties allowed by the law of the State of New Mexico. All committees must consist of at least two members.

ARTICLE VIII: CONFLICT OF INTEREST

Section 1:

No Executive Board Member shall deliberately use his or her position, or the knowledge gained there from, in such a manner that a conflict between the interest of the Association and his or her personal interests arises.

Section 2:

Nothing herein shall be construed to prohibit or in any way limit the ability of the Association to retain, as employees, trainers or instructors, persons who are paid in full or in part by grants or other funding programs accepted by the Association. However, no Executive Board Member being considered for such a position may debate, discuss or otherwise participate in the approval process for any such grants or funding program.

ARTICLE IX: AMENDMENTS

Section 1: Limitations

Proposed amendments shall be within the scope and authority of the Association's Bylaws.

Section 2: Initiation

Amendments or other changes in these bylaws may be initiated in the following ways:

A. The President may propose amendments.

B. The Board of Directors may propose amendments.

C. Any member in good standing of the Association may submit to the President in writing a proposed amendment and a brief rationale thirty (30) days before a regularly scheduled Board of Directors meeting. The President shall be responsible for relaying the proposed amendment to the Board of Directors for discussion and vote.

Section 3: Adoption

These bylaws may be amended by the following method:

The President shall send all changes proposed under Section 1 of this article with explanations and recommendations to the Board of Directors. If a majority of the Board of Directors votes in favor of the amendments, then the amendments will be voted on by the membership-at-large, at a regular or special meeting, with thirty (30) days' notice provided in writing through the listserv. The written notice must include a copy of the proposed amendments and the meeting time and place at which the amendments will be voted upon.

If a majority of the membership-at-large votes in favor of the amendments, then the amendments have been approved. The approved amendments shall become effective immediately.

We certify that the above Bylaws of the Association were adopted by the Board of Directors on May 30, 2003.

____ Paul Smarrella, June 11, 2003 ____ _ President/Date

____ Bernita Nutt, June 23, 2003 ____ _ Secretary /Date

We certify that the above Bylaws of the Association were amended by a majority vote of the membership on April 1, 2005 _____ _

____ Terri Abraham, April 1, 2005 _____ _ President/Date

____ Daniel Thomas, April 1, 2005 _____ _ Secretary /Date

We certify that the above Bylaws of the Association were amended by a majority vote of the membership on April 18, 2006 _____ _

____ Bernita Davis, April 18, 2006 ____ _ President/Date

____ Trudy Meyer-Arrieta, April 18, 2006 ____ _ Secretary/Date

We certify that the above Bylaws of the Association were amended by a majority vote of the membership on October 24, 2008.

Bernita Davis, October 24, 2008 President

Trudy M. Luken, October 24, 2008 Secretary

We certify that the above Bylaws of the Association were amended by a majority vote of the membership on November 13, 2015.

____ Janet Ward, November 13, 2015 _____

____ Laura Pate, November 13, 2015 _____

We certify that the above Bylaws of the Association were amended by a majority vote of the membership on April 8, 2022 _____

___ Gary Bond, April 8, 2022 _____ President/Date

___ Verna Trujillo, April 8, 2022 _____ Secretary/Date

We certify that the above Bylaws of the Association were amended by a majority vote of the membership on June 15, 2023 _____

___ Tonia Trapp, June 15, 2023 _____ President/Date

___ Theresa Kappel, June 15, 2023 _____ President Elect/Date