

# BY-LAWS

NEW MEXICO ASSOCIATION OF THE DEAF, INC. (AS OF JULY, 1995)

## ARTICLE I

### BOARD OF DIRECTORS

#### SECTION 1. General Authority

- a. The affairs of the New Mexico Association of the Deaf, Inc. shall be managed by its Board of Directors
- b. The directors must be active members of the New Mexico Association of the Deaf.

#### SECTION 2. Terms of Office and Selection

- a. The Executive Board of Directors shall consist of the President, First Vice-President, Second Vice-President, Secretary, and Financial Director who shall serve for a term of two years.
- b. The Board of Directors shall be deaf or hard of hearing active members of the Association.
- c. The President and the Treasurer may not be related to each other in any way.
- d. The Board of Directors shall be elected at the Biennial Convention using paper ballots.
- e. The member shall be eligible for re-election to the Board of Directors.
- f. The members of the Board of directors may be impeached by 2/3 majority vote of the members of the New Mexico Association of the Deaf upon one (1 month's notice at any board meeting. A member of the Board of Directors may be removed from office if he/she fails to attend three consecutive Board meetings without adequate cause for such absences.

## ARTICLE II

### CONVENTIONS

#### SECTION 1. Biennial Conventions

The Association shall meet in convention every two years during the summer months.

#### SECTION 2. Selecting the Host City

The place of the third succeeding convention shall be decided upon by a majority vote of the active members at the final business meeting of each convention.

#### SECTION 3. Host City

The city voted for the next convention shall be the host city. The active members residing in the host city shall choose their own Convention Chairperson. He/she with his/her appointed committee shall make all preparations for the next convention.

#### SECTION 4. Convention Chairperson

The Convention Chairperson shall be directly responsible to the Board of Directors. He/she can seek their guidance or assistance in monetary or other matters pertaining to the convention.

#### SECTION 5. Convention Records

The Convention Chairperson shall be responsible for keeping accurate records of all income and expenditures pertaining to the convention. He/she must submit a statement of all income and expenditures to the Board of Directors no later than thirty (30) days after the conclusion of a convention.

#### SECTION 6. Miss Deaf New Mexico Pageant

- a. Whenever the Miss Deaf New Mexico Committee has sufficient candidates to justify a Pageant, the Pageant shall be held as a part of the Convention.
- b. The admission fee to the Pageant shall be included in Combination tickets and may also be collected 'at the door.'
- c. All funds collected through either combination tickets or 'at the door' shall be turned over to the Miss Deaf New Mexico Committee, and shall not be counted as "Convention income.

#### SECTION 7. Convention Funds

Funds for the convention will come from the New Mexico Association of the Deaf and income derived from convention activities. The amount of funds needed will be decided upon by the Board of Directors and the Convention Chairperson.

#### SECTION 8. Convention Profits or Losses

Any profits or losses from the convention shall be shared equally between the New Mexico Association of the Deaf and the host city.

#### SECTION 9. Eligibility

All active members of the N.M.A.D. are eligible to make motions and vote on general matters at the Convention.

## ARTICLE III

### MEETINGS

#### SECTION 1. Regular Meetings

- a. Regular meetings of the Board of Directors shall be held every four months between conventions.
- b. All meetings of the board will be open to the members.
- c. A special meeting of the board of Directors may meet at the call of the President or at the request of at least two

members of the board.

#### SECTION 2. Quorum

Four members of the board shall constitute a quorum of the board for transaction of business.

#### SECTION 3. Vote by Mail

In the case of the Board of Directors being unable to hold a meeting, a vote by mail upon a question shall be allowed in the following manner:

- a. The President shall instruct the Secretary to submit the question to each member of the board at the same time.
- b. Each member shall notify the Secretary whether he votes for or against such a motion.
- c. If a member does not send in his/her vote within ten (10) days, his/her vote will be considered a negative vote.

#### SECTION 4. Parliamentary Authority

Robert's Rules of Order shall be followed at all meetings of the board.

### **ARTICLE IV DUTIES OF THE OFFICERS**

#### SECTION 1. President

- a. The President shall preside at all business meetings of the Association and the Board of Directors.
- b. The President shall be the principal executive of the Corporation. He may sign any deeds mortgages, bonds, contracts, or other instruments which the Board of Directors have authorized the president to execute on behalf of the Corporation.
- c. The President shall see that all orders and resolutions of the Board of Directors are carried into effect, and in general person all duties relative to the office of the President.
- d. The President shall appoint standing and special committees except the Law, Nominating and Legislative Committees.
- e. The President shall delegate, with the approval of the Board of Directors, members to represent the Association.
- f. The President shall fill vacancies created on all committees, except the Law Committee. A vacancy in any elected or appointed office because of death, resignations, disqualifications, or other reasons may be filled by the President with the approval of the Board of Directors for the unexpired portion of the term.
- g. The President shall have other duties and authority as may be prescribed by the Board of Directors from time to time.

#### SECTION 2. First Vice-President

- a. The First Vice-President shall have the authority to perform the duties of President in the event of the absence or inability of the President to act, or when requested to do so by the President.
- b. The First Vice-President shall be chairperson of the Legislative Committee and shall appoint at least two active members to serve on the Legislative Committee. He/she shall supervise all activities deemed necessary to introduce suggested bills to member(s) of the State Legislature and keep track of the bills as they go through legislative committees until the bills are either approved or killed by Legislative action.
- c. The First Vice-President shall have other duties and authority as may be prescribed by the Board of Directors from time to time.

#### SECTION 3. Second Vice-President

- a. The Second Vice-President shall have the authority to perform the duties of First Vice-President in the event of the absence or inability of the First Vice-President to act, or when requested to do so by the President,
- b. The Second Vice-President shall be chairperson of the Law committee and shall appoint four active members to serve on the Law Committee.
- c. The Second Vice-President shall see that the constitution and By-Laws are enforced.
- d. The Second Vice-President shall keep copies of the Constitution and By-Laws, entering all amendments, alterations, additions, and deletions as they are adopted from time to time, giving the dates of such actions for reference in order to keep the constitution and By-Laws up-to-date.
- e. The Second Vice-President shall file all Constitutions and By-Laws, amendments, alterations, additions, and deletions as they are adopted from time to time with the state of New Mexico Corporation Commission,
- f. The Second Vice-President shall have such other duties and authority as may be prescribed by the President and Board of Directors from time to time.

#### SECTION 4. Secretary

- a. The Secretary shall correctly record the proceedings of all the meetings of the Association and the Board of Directors.
- b. The Secretary shall see that all notices of meetings are given in accordance with the By-Laws.
- c. The Secretary shall read the Minutes of the previous meeting and copy such reports in a book of permanent form.
- d. The Secretary shall conduct the correspondence of the Association and Board of Directors.
- e. The Secretary shall read all letters pertaining to the Association and Board directors,
- f. The Secretary shall have such other duties and authority as may be prescribed by the President and Board of Directors from time to time.

SECTION 5. Financial Director

- a. The Financial Director shall receive all monies and checks belonging to or due to the Association.
- b. He/she shall keep an accurate and up-to-date financial statement of all receipts and expenditures to be published in the official publication of the Association at the end of each six months of the fiscal year after being audited.
- c. He/she will submit a report as to the state of finances of the Association at the convention or when called upon to do so by the Board of Directors.
- d. He/she shall turn over all books, records, receipts, and expenditures to the auditors at the end of each fiscal period every six months) for auditing purposes.
- e. He/she shall deposit monies and checks to be credited to the New Mexico Association of the Deaf in such banks or trust companies as may be approved by the Board of Directors.
- f. The Financial director shall keep a roster of members and shall send out notices of lapsed membership dues,

SECTION 6. Surrender of Monies, Documents, Papers

In the event an officer is not re-elected, discharged from his/her duties, resigns, or for other reasons, cannot perform the duties of his office, he/she shall, within thirty (30) days, surrender all books, papers, monies, and other properties of the Association which he/she holds to his/her successor.

**ARTICLE V  
DUTIES OF APPOINTED OFFICIALS**

SECTION 1. Duties of the Editor-in-Chief

- a. The Editor-in-Chief shall be in charge of the official publication.
- b. He/she shall appoint all editors and such other assistants as may be needed
- c. He/she shall be held accountable to the Board of Directors.
- d. He/she shall receive and keep a roster of all eligible persons whose subscriptions are paid in full from the Financial Directors.
- e. He/she shall edit and manage the official publication according to the written guidelines adopted by the Board of Directors.

SECTION 2. Duties of the Auditors

- a. The Auditors (two) shall serve staggered terms of two and three years. The Board of Directors shall determine which auditor is to serve two years and which auditor is to serve three years.
- b. The Auditors shall audit the books of the Financial Director during every fiscal period (each six months of the calendar year) and submit a report certifying to the accuracy or inaccuracy of the books to the Board of Directors,
- c. In the event the Association purchases bonds, stocks, or other valuable securities, the three-year term auditor shall have charge of said securities and must keep same in a safe deposit box.
- d. Access to the box can only be made jointly by the auditors and the Financial Director.
- e. The three-year term auditor will be held responsible for the safe deposit key.

SECTION 3. Appointment of Auditors

Auditors are appointed by the Board of Directors.

**ARTICLE VI  
POWERS AND DUTIES OF  
THE BOARD OF DIRECTORS**

SECTION 1. Board of Directors

The elected officers of this Association shall constitute the Board of directors for the government, management and conduct of this Association.

SECTION 2. Meetings

A meeting of the Board of Directors shall be at the call of the President or at the request of at least two members. Otherwise, the board will meet every four months between conventions. All meetings of the board will be open to the public.

SECTION 3. Disbursements

The Board of Directors shall have charge of the disbursements and the monies of the Association. They may invest surplus money, provided no investment shall be made without good security,

SECTION 4. Expenditures Over \$100

An unanimous affirmative vote of all members of the board shall be required to pass any motion involving an expenditure over one hundred dollars.

SECTION 5. Quorum

Four members of the board shall constitute a quorum of the board for transaction of business. A majority vote shall be required to pass any monetary motions under \$100 dollars

SECTION 6. Expenses Incurred During NMAD Business

The board shall have the power to authorize the expenses and incidentals necessary to the attendance of the President, other officers, or members of the Association to a meeting, conference, or occurrence that will be in the best interest of the Association.

#### SECTION 7. Vote by Mail

In case the Board of Directors is unable to hold a meeting, a vote by mail upon a question shall be allowed in the manner:

- a. The President shall instruct the Secretary to submit the question to each member of the board at the same time
- b. Each member shall notify the Secretary whether he/she votes for or against such a motion
- c. If a member does not send in his/her vote within ten days, his/her vote will be considered a negative vote.

#### SECTION 8. General Policy

The board shall have the power to define and outline the general policy for the management and conduct of the official publication.

#### SECTION 9. Appeal Cases

The board will hear all appeal cases, subject to the recommendations submitted by the Appeals Committee.

### **ARTICLE VII MEMBERSHIP**

#### SECTION 1. Active Members

- a. Any hearing impaired, or hearing person who is committed to the best interests of the deaf, and is a resident of New Mexico, can become an active member upon the payment of the required fee and under such rules of admission as may be adopted by the Association.
- b. Active members shall have the right to vote and hold office - except as provided in Article I, Section 2

#### SECTION 2. Associate Members

- a. Any school student or out of state resident can become an associate member,
- b. They shall pay the nominal dues set by the Association.
- c. They can take part in discussions, but shall not be eligible to vote or to hold office.

#### SECTION 3. Honorary Members

- a. Any person interested in the welfare of the deaf may be made an honorary member upon majority vote of the Association at the convention.
- b. They shall not be liable for any fee, nor be eligible to hold office.
- c. They are privileged to vote at any meeting of the Association

#### SECTION 4. Student Membership

Hearing impaired students graduating or receiving certificates of completion at the New Mexico School for the Deaf or at any public school in New Mexico shall be given a free active membership for one year.

#### SECTION 5. Voting Rights

Each member eligible to vote shall be entitled to one vote on each matter submitted to vote.

#### SECTION 6. Expulsions

- a. The active and honorary members of the Association shall, by a majority vote, have the power to expel any member for acts or actions which may be considered a fraudulent attempt to obtain personal or financial gain from the Association.
- b. The expelled member has the right to submit his case before an appeals committee for possible reinstatement of membership.

### **ARTICLE VIII BIENNIAL MEMBERSHIP DUES AND ALLOCATIONS**

#### SECTION 1. Dues for Active Members

- a. Dues shall be voted upon at the convention.
- b. Membership is to take effect upon payment of dues.
- c. Renewal of membership shall fall on the anniversary of the month said member first became a paid-up member of NMAD

#### SECTION 2. Dues for Associate Members

- a. Dues shall be voted upon at conventions.
- b. Membership is to take effect upon payment of dues.
- c. Renewal of membership shall fall on the anniversary of the month said associate member first became a paid-up member of NMAD.

#### SECTION 3. Subscriptions of Newsletter

- a. The subscription rate shall be voted upon at the conventions.

- b. Subscriptions, when paid in full, will entitle the subscriber to two years of the Deaf New Mexican.
- c. All dues or subscriptions must be paid in full before subscriptions can begin.
- d. Active, associate, and honorary members are entitled to all issues of the Deaf New Mexican for two years.

**SECTION 4. Student Membership**

Hearing impaired students graduating or receiving certificates of completion at the New Mexico School for the deaf or any public school in New Mexico shall be given a free one year active membership and subscription of six newsletters from NMAD.

**SECTION 5. Order of the Roadrunner**

An active member who has paid dues continuously for ten consecutive years shall be admitted to the Order of the Roadrunners.

**ARTICLE IX  
STANDING AND SPECIAL COMMITTEES**

**SECTION 1. Terms of Committees**

- a. All committee members are chosen for two-year terms.
- b. The standing committees will consist of the following:
  - 1) Special Committees
  - 2) Nominating Committee
  - 3) Law Committee
  - 4) Legislative Committee
  - 5) Educational Committee
  - 6) Ways and Means Committee
  - 7) Appeals Committee
  - 8) Grievance Committee
  - 9) Miss Deaf New Mexico Pageant Committee
  - 10) Distinguished Awards Program Committee

**SECTION 2. Numbers of Committee Members**

There shall be three active members on each committee, unless the Board of Directors or the By-Laws indicate otherwise.

**SECTION 3. Records of Committees**

All literature, articles, files, or records compiled by the committee members shall be turned over to their successors when their term of service is concluded.

**ARTICLE X  
DUTIES OF THE COMMITTEES**

**SECTION 1. Special Committees**

Duties of the Special Committees will be assigned to them by the President or by the Board of Directors.

**SECTION 2. Nominating Committee**

Duties of the Nominating Committee will be to contact members for the purpose of asking if they are interested in running for office, and to present the names of those who are interested to the Convention for consideration. The Chair of the Nominating Committee shall run the election at the Convention. Voting for Board members shall be conducted from top to bottom, with the President going first- Voting shall be by paper ballots if there is more than one candidate for any office.

**SECTION 3. Law committee**

Duties of the Law Committee will be to receive, study and consider all written proposed changes to the Constitution or By-Laws to recommend their adoption or rejection at convention time.

**SECTION 4. Legislative Committee**

- a. Duties of the Legislative Committee will be to study all bills introduced in the State Legislature and Federal Congress. If there are bills which reflect adversely or promote the welfare of the hearing impaired The Board of Directors shall be notified immediately so proper action may be taken.
- b. On bills of interest pending in the Legislature and Congress, the committee shall notify all members to contact their respective representative to support or not support the bills.
- c. The Legislative Committee will coordinate with other committees or the Board of Directors in drafting bills and/or seeking legislative sponsors.

**SECTION 5. Educational Committee**

- a. Duties of the Educational Committee will be to gather and study all pertinent data or information from federal, state or other institutions that offer funds or programs to help or can be applied to help the hearing impaired better their education.
- b. The committee will inform members of programs that may help improve their education and knowledge.
- c. It will make available brochures and/or information concerning educational opportunities for the hearing impaired in

the official publication.

**SECTION 6. Ways and Means Committee**

Duties of the Ways and Means Committee will be to promote and coordinate membership drives or rallies and other means of raising revenues for the Association's use.

**SECTION 7. Appeals Committee**

Duties of the Appeals Committee will be to hold hearings at the request of expelled members. The committee shall recommend or deny reinstatement of expelled members.

**SECTION 8. Grievance Committee**

Duties of the Grievance Committee will be to carry out the grievance policies of the Association as outlined in the grievance policy established by the Board of Directors.

**SECTION 9. Miss Deaf New Mexico Pageant Committee**

- a. The NMAD President appoints the State Pageant Director who is responsible for the conduct of the Miss Deaf New Mexico Pageant. The director shall select three (3) or more people to serve on the committee. They all serve as assistant director, treasurer, public relations, personnel, or fund raisers.
- b. The State Pageant committee must set up guidelines in accordance with the National Pageant and serve as liaison to the National Pageant Director.
- c. The Pageant Committee is responsible for recruiting eligible hearing impaired participants to enter the pageant. The participants must be deaf or hard-of-hearing with a hearing loss of at least decibels.
- d. The Pageant committee is responsible for the participants throughout the Pageant program, the girls must have chaperons to accompany them, and see that they abide by the rules and set exemplary conduct
- e. The State Pageant committee may request interested organizations to act as sponsors for each girl participating in the state pageant. The sponsoring organizations will be responsible for the contestant's room and meals and see that the contestant is properly attired with accoutrements in keeping with the program of the state pageant as well as props for talent presentations. The sponsoring organization may choose a chaperon for their contestant at the state pageant.
- f. The Pageant Committee is responsible for the state title holder throughout her reign. All personal appearances or invitations for the title holder to participate in, must be channeled through the director. The state pageant committee is not responsible for the title holders expenses when she is invited by other organizations to participate in their events.
- g. The State Pageant Committee is responsible for the state title holder's expenses in the Miss Deaf America Pageant. The Pageant Committee must provide a chaperon to accompany the state title holder throughout the national pageant.
- h. The Pageant Committee is not responsible for Miss Deaf New Mexico's wardrobe. However, the director and the chaperon are responsible for insuring that the state title holder has the appropriate wardrobe as stipulated by the national pageant.
- i. The State title holder must abide by all rules and guidelines as set forth by the state pageant in accordance with the National Pageant guidelines throughout her reign. Failure to adhere by the rules and guidelines may lead to disciplinary action and/or loss of title.

**SECTION 10. The Distinguished Awards Program Committee The distinguished Awards Program Committee**

- a. Will be composed of 5 members selected by the membership at the New Mexico Association of the Deaf convention. Every subsequent NMAD convention will select a new committee.
- b. Will select the chairperson.
- c. Will be responsible to the President of NMAD and answer to the NMAD Board of Directors
- d. Will have the authority to raise funds (with permission of the NMAD Board of Directors) to help defray the costs or expenses connected with the awards to be given.
- e. Will provide awards for the following areas, but not necessarily limited to those listed:
  1. Distinguished award in the area of rehabilitation.
  2. Distinguished award in the area of employing the hearing impaired.
  3. Distinguished award in the area of service to NMAD.
  4. Distinguished award in the area of the arts.
  5. Distinguished award in the area of education of the deaf.
  6. Distinguished award in the area of sports.

**ARTICLE XI  
VOUCHER SYSTEM**

**SECTION 1. Reimbursements**

All officers and persons acting for the NMAD shall be reimbursed for expenses while performing official duties of their office.

**SECTION 2. Period for Reimbursements**

Periods for reimbursements shall be determined by the Board of Directors. Exceptions to the periods will be when an urgent request is made for reimbursement by an officer or eligible person.

## **ARTICLE XII ENCUMBRANCE**

### SECTION 1. Encumbrance Designation

Each officer or person designated by the Board of Directors shall be allowed an encumbrance of a specified amount of NMAD's funds with which to pay his/her expenses incurred while performing official duties or his/her office or services.

### SECTION 2. Amount of Encumbrance

The specified amount of encumbrance will be determined by the Board of Directors for each officer or eligible person based on previous experience and estimated expenditures of his/her respective offices or services.

### SECTION 3. Informing the Financial Director

- a. The Board of Directors, through the President, will inform the Financial Director of each allowable encumbrance
- b. The Financial Director will be responsible to see that an encumbrance is not overdrawn.

### SECTION 4. Overdrawn Encumbrance

- a. In the event that an encumbrance is overdrawn the Financial Director shall report it to the Board of Directors through the President.
- b. The Board of Directors will take action deemed necessary to correct the error.

## **ARTICLE XIII PARLIAMENTARY AUTHORITY**

The parliamentary procedures at all meetings of the Association or Board of Directors shall be according to Robert's Rules of Order.

## **ARTICLE XIV JURISDICTION**

The jurisdiction of the Association shall extend to active, associate, honorary members and approved chapter of the New Mexico Association of the Deaf.

## **ARTICLE XV CHAPTERS**

### SECTION 1. Definition and Purpose

- a. Chapters are subdivisions affiliated with the New Mexico Association of the Deaf.
- b. To maintain better relationship between the Board of Directors and the active members.
- c. To develop better leadership among the members.
- d. To lead to more involvement by the active members in the projects provided or suggested by the Board of Directors.
- e. To allow more members a chance to vote
- f. And to get more input from the active members to the Board of Directors.

### SECTION 2. Membership

- a. Anyone joining a chapter must be an active NMAD member.
- b. A chapter shall be issued a charter by the NMAD. This charter will authorize the chapter to enjoy the same privileges as outlined in the NMAD Constitution and Bylaws.
- c. A person may belong to the NMAD without belonging to a chapter,
- d. At least five (5) active NMAD members living in a town or city interested in forming a chapter may seek a charter from the NMAD.

### SECTION 3. Chapter Representatives

- a. A chapter representative may attend NMAD Board of Directors meeting in his/her official capacity.
- b. A chapter having five (5) to nine (9) members may not have an official representative.
- c. A chapter enrolling ten (10) to nineteen (19) members is entitled to one representative.
- d. A chapter having twenty (20) to twenty-nine (29) members is entitled to two representatives.
- e. Three (3) representative may represent a chapter when it has thirty (30) to thirty-nine (39) members (and soon).
- f. When a chapter has more than one representative, its representative may serve the chapter's interests at board meetings. However, only chapter presidents and the Board of Directors have the right to vote on official business.

### SECTION 4. Number of Chapters per Town/City

Only one chapter may be established in any town or city.

### SECTION B. Compliance

Local chapters shall comply with the NMAD Constitution.

**ARTICLE XVI  
DUTIES OF CHAPTER OFFICERS**

SECTION 1. Officers

The officers of a local chapter shall be: President, Vice-President, Secretary, and Treasurer.

SECTION 2. Chapter Representative

- a. The President of a local chapter shall serve as the chapter's representative on the NMAD Board of Directors.
- b. He/she shall be extended all the rights and privileges of the NMAD Board of Directors.

SECTION 3. Officers

- a. The officers of a chapter shall be administered the oath of office by the NMAD Board of Directors. The President of the chapter shall see that the constitution and By-Laws of the NMAD are observed by his/her respective chapter. He/she shall have general supervision over all the affairs of the chapter.
- b. The representative of a chapter shall be responsible for gathering information from the Board of Directors meeting and passing it out at local chapter meetings and for carrying out messages and/or requests to the board meetings.
- c. The Vice-President shall perform the duties of President during his/her absence, and shall succeed him/her in case of his/her resignation, removal, or death before the expiration date of his/her term,
- a. The Secretary shall keep all records of chapter meetings and take care of all correspondence.
- b. The Treasurer shall keep all financial records and collect all dues,
- g. The election of chapter officers shall be held after the NMAD convention. The terms of the officers shall be for two years each.

**ARTICLE XVII  
DUES OF CHAPTERS**

The local chapter shall keep 10% of the NMAD dues collected.

**ARTICLE XVIII  
DISSOLUTION OF CHAPTERS**

SECTION 1. Cancellations

The NMAD Board of directors shall have the authority to cancel the chapter's charter for failing to comply with the NMAD Constitution and By-Laws.

SECTION 2. Dissolution

When a local chapter is dissolved, all monies and properties of that chapter shall become the property of the NMAD.

**ARTICLE XIX  
OTHER OF OFFICE**

"On my honor I do solemnly swear to uphold and perform the duties of my office to the best of my ability and knowledge"