



NEW MEXICO
BUSINESS
PROFESSIONALS
of **AMERICA**

CONSTITUTION

ARTICLE I NAME

Section 1.1 The official name of this association shall be Business Professionals of America, New Mexico Association, and may be referred to as NM BPA.

ARTICLE II PURPOSE

Section 2.1 The mission of NM BPA is to develop and empower student leaders to discover their passion and change the world by creating unmatched opportunities for learning, professional growth, and service.

Section 2.2 NM BPA prepares students for real-world business skills and problem-solving abilities in finance, management, IT, and computer applications.

Section 2.3 The vision of NM BPA is: To be an innovator in Career and Technical Education, providing our members with opportunities for growth through education, competition, community service, and personal growth.

ARTICLE III ORGANIZATION

Section 3.1 Chartered Association

A. **Charter Holder.** NM BPA is chartered through the New Mexico Public Education Department as a Chartered Association of Business Professionals of America, Inc., with the administration, policy, and governance entrusted to Business Professionals of America, New Mexico Association, Inc.

B. **Chartered Association.** The state association shall consist of all affiliated chapters within the boundaries of the state of New Mexico. A chapter may be affiliated with public, private, and chartered schools in which Career Technical Education or the equivalent courses are offered. The chapters shall be composed of students possessing the qualifications for membership.

Section 3.2 New Mexico BPA shall be composed of four divisions including middle-level, Secondary, Post-secondary, and Alumni. Student members of the Middle and High School Division shall be governed by the State Executive Council of elected officers.

Section 3.3 **Administrative Authority.** The administration of all divisions shall be vested in the New Mexico BPA Board of Directors. The New Mexico BPA Corporate Bylaws define the membership, duties, authority, and selection process of the Board of Directors.

- Section 3.4 The State Executive Council may consist of the officers of the New Mexico BPA Middle and High School Divisions.
- A. The State Executive Council may appoint such committees, as they deem necessary for the operation of that division, subject to the approval of the State Advisor or their designee.
 - B. The State Advisor, or their designee, shall be an advisor to the State Executive Council. In addition, the respective advisors shall serve in an ex-officio capacity to the Executive Council.

Section 3.5 New Mexico BPA is divided into Regions to meet the needs of its membership. Regions will be determined by the State Advisor. A list of these regions will be provided to the membership.

ARTICLE IV LOCAL CHAPTERS

Section 4.1 **Charter.** Upon approval by BPA, Inc., and NM BPA a local chapter charter shall be issued. The local chapter shall then be recognized as an affiliate of NM BPA.

Section 4.2 **Organization.** A chapter may be organized whenever, in the judgment of teachers, students, and administrators, it would be advantageous to do so.

Section 4.3 **Affiliation.** Affiliation shall be made according to the process prescribed by BPA, Inc.

Section 4.4 **Chapter Bylaws.** Chapter bylaws shall be adopted by the local chapters to govern the transaction of business. Bylaws shall be consistent with those of the National and State Association.

Section 4.5 **Chapter Meetings.** Local chapters shall hold their meeting monthly or more often throughout the school year and at such times and places as may be decided upon by the chapter advisor or officers of the local chapter.

Section 4.6 **Chapter Officers.** Officers of the local chapter may consist of a president, vice-president, secretary, and treasurer. Other officers or positions may be elected or appointed as deemed necessary by the local chapter.

Section 4.7 **Good Standing.** Local chapters shall be considered in good standing with the state association when the following conditions are met: (1) State and national dues for each participating student are paid by published deadlines each year (2) all reports submitted to the State Executive Council as requested, (3) the chapter bylaws are not in conflict with the state bylaws in any of its provisions, (4) the chapter does not have any outstanding payments

due, and (5) activities are in harmony with the ideals and purposes of the state association.

Section 4.8 **Delinquent Chapter.** In case any local chapter is not in good standing with the state association any time before the opening of the state conference, the state advisor shall have the power to withdraw or suspend the chapter and refuse such chapter official representation at the state leadership conference. When, and if, such action is taken, the chapter in question and members thereof, shall be denied the regular privileges of the state association.

Section 4.9 **Reinstatement.** Upon meeting the requirement for good standing, a chapter may be reinstated by action of the state officers not earlier than ten days after the closing date of the state leadership conference during which it was not in good standing.

ARTICLE V MEMBERSHIP

Section 5.1 **Classification.** The Business Professionals of America, New Mexico Association shall have the following membership classifications:

- A. **Student Members.** Students enrolled or previously enrolled, in a middle level, secondary, post-secondary, or special programs of career/technical education as approved by the New Mexico Public Education Department. Student members shall be eligible to hold office, make motions, and vote.
- B. **Advisor.** Instructors and/or administrators in a state-approved middle school, high school, charter school, or career/technical center.
- C. **Alumni.** Former BPA members who have paid state dues as established by the New Mexico Association, but shall be ineligible to be voting delegates or to participate in contests.
- D. **Professional members.** May be persons associated with or participating in the professional development of Business Professionals of America as approved by the State Association. Such members may include teachers, teacher coordinators, teacher educators, supervisors, persons enrolled in pre-service teacher-education programs, employers and/or training station sponsors, advisory committee members, business and industry personnel, and others willing to contribute to the growth and development of the organization. Professional membership will be an honorary-type membership and they will not be active in voting or participation in contests or other events.
- E. **Honorary members.** Are chosen leaders from the fields of education, business, and government. These members may be chosen by the state advisor, New Mexico Board of Directors, or by a vote of the membership.

Section 5.2 **Good Standing.** Any student member shall be considered in good standing when: (1) he/she attends local chapter meetings with reasonable regularity, (2) he/she shows interest in and takes part in the affairs of the chapter, (3) pays his/her dues regularly, (4) conducts himself/herself in a manner becoming a member of the Business Professionals of America organization.

ARTICLE VI DUES/FEES

Section 6.1 **Annual Dues.** New Mexico BPA members are required to pay both state and national dues. National dues will be set by the national organization, Business Professional of America, Inc., and published online. State dues are established by the NM BPA Board of Directors.

Section 6.2 **Participation.** Dues shall be paid before participation in any official activity of the Association.

Section 6.3 **Local Chapter Dues.** The dues of any chapter shall be fixed by the advisor or a majority vote of the membership for that local chapter.

Section 6.4 **Regional Fees.** The fees for the Regional Conference will be set by the Regional Advisor and the chapter advisors for that region. All regional conference fees must be paid before students participate at state and national levels.

Section 6.5 **Membership Year.** The membership year shall be from September 1 to August 31.

ARTICLE VII STATE EXECUTIVE COUNCIL

Section 7.1 **Elected Officers.** The elected officers of Business Professionals of America, New Mexico Association shall be a president, vice president of community relations, vice president of communications, vice president of membership, and vice president of correspondence.

Section 7.2 **Ex-Officio Members.** The state advisor and state executive officer coordinator are ex-officio, non-voting members of the state executive council. They must advise the state executive council, the delegates, and committees on matters of policy and assist the state officers in conducting meetings and carrying on programs for NM BPA.

Section 7.3

Qualifications

- A. Only members in good standing shall be eligible candidates. To be considered for an officer position, a candidate shall meet the following requirements:
1. Have the endorsement of his/her local chapter and be recommended by the local chapter advisor;
 2. Be currently enrolled, or have been enrolled, in a Business, Management, Marketing or Technology program;
 3. Be a current 8th grader, freshman, sophomore, or junior when running for office and an active member of BPA.
 4. Be familiar with the provisions of these bylaws;
 5. Be familiar with and follow the guidelines as published in the current State Executive Officer Handbook.

Section 7.4

Elections. Elections of the state officers shall be held as published in the current State Executive Officer Handbook.

Section 7.5

Duties of Officers. The elected officers shall perform the duties as prescribed for the office in the State Executive Officer Handbook, in the New Mexico Policies and Procedures Manual, by the state advisor or state executive officer coordinator, or in the adopted parliamentary authority.

Section 7.6

Meetings. The elected officers shall set a calendar of meetings for the year. Special meetings may be called at the discretion of the state advisor, state executive officer coordinator, or state president.

Section 7.7

Term of Office The elected officers shall assume office at the close of the national leadership conference in the year in which they are elected. These officers shall serve until the close of the next national leadership conference or until their successors assume office. Elected officers shall not serve more than two consecutive terms.

Section 7.8

Removal from Office. If any state officer member fails to fulfill his/her duties and responsibilities, as stated in the state executive officer handbook, they would become subject to the process outlined in the state executive officer handbook.

Section 7.9

Vacancy in Office. In the case of a vacancy in the office of president, the position shall be filled from among the elected officers by a majority vote of the state officers. A vacancy in any other position shall remain vacant and the state officers will divide the duties of the vacant officer position among the remaining officers.

Section 7.10 New Mexico BPA members seeking to be a national candidate shall follow the procedures outlined in the New Mexico National Officer Handbook and shall be approved by the New Mexico Board of Directors.

ARTICLE VIII VOTING

Section 8.1 Members shall exercise their voting privileges in New Mexico through duly selected voting delegates of each chapter of NM BPA in good standing.

Section 8.2 Each chapter is allowed 2 voting delegates.

Section 8.3 Whenever possible for the state to hold a delegate assembly, voting will be conducted at this assembly. When this is not possible, voting will be by e-mail ballot.

ARTICLE IX COMMITTEES

Section 9.1 **Special Committees.** Special committees may be created as necessary by the state executive council, state advisor, or the voting delegates at the state leadership conference.

ARTICLE X MEETINGS

Section 10.1 **Annual Meeting.** An annual meeting known as the state leadership conference of Business Professionals of America, New Mexico Association shall be held at such a time or place as may be deemed advisable by the state advisor in consultation with the Board of Directors to elect officers, receive reports, and transacting such other business as may properly come before it.

Section 10.2 **Call to Annual Meeting.** The call to meeting, giving notice of the place, date, and time of the meeting shall be published 30 days before the meeting.

Section 10.3 **Quorum.** The quorum at any annual meeting shall be the majority of the voting delegates in attendance, provided that at least twenty-five percent of the local chapters are represented.

Section 10.4 **Postponement.** In the event of an emergency, the Board of Directors by a two-thirds vote may postpone an annual meeting. All local chapters shall be notified of the postponement in a manner determined by the state adviser to be fair and reasonable under the circumstances.

Section 10.5 **Voting.** No member or delegate shall vote in more than one capacity. There shall be no absentee voting or voting by proxy.

Section 10.6 **Electronic Meetings.** The state executive council and special committees are authorized to meet by telephone conference or through other electronic

communications media so long as all the members of the state executive council and the special committee may simultaneously hear each other and participate during the meeting.

ARTICLE XI LEADERSHIP CONFERENCES

Section 11.1 **Regional Leadership Conference.** Each region shall hold a regional leadership conference for competitive events assessment testing.

Section 11.2 **State Leadership Conference.** A state leadership conference shall be held annually at a place, date, and time to be determined by the state advisor for education, leadership training, orientation, networking, and competitive events assessment testing. The state officers will preside over this conference.

ARTICLE XII FINANCES

Section 12.1 The Finance Committee Chair (Treasurer) of the NM BPA Board will oversee the other accounts obtained in the name of NM BPA. Those accounts that are under the management of a fiscal agent will be reviewed by the board. All monies generated by fundraising, sponsorships, registration, and membership fees belong to Business Professionals of America, New Mexico Association.

Finances will be maintained following generally accepted accounting principles through NM BPA's fiscal agent. If NM BPA no longer has a fiscal agent, the responsibility of the maintenance and auditing of NM BPA financial records falls to the Business Professional of America, New Mexico Association Board of Directors.

Section 12.2 The Board of Directors shall have the authority to determine fees to cover program and operational expenses of Business Professionals of America, New Mexico Association.

ARTICLE XIII EMBLEM, COLORS, AND LOGO

Section 13.1 The emblem and logo of NM BPA shall be determined by BPA, Inc.

Section 13.2 The colors of NM BPA shall be the same as those adopted by BPA, Inc.

Section 13.3 NM BPA shall follow the branding guidelines as outlined by BPA Inc.

ARTICLE XIV DISSOLUTION

Section 14.1 In the event of dissolution, all assets, real and personal, shall be distributed to such organization with similar goals and objectives as are qualified as tax-exempt under Section 501(c)(3) of the Internal Revenue Code or the corresponding provisions of a future United States Internal Revenue Law.

ARTICLE XV NONDISCRIMINATION CLAUSE

Section 15.1 It is the policy of Business Professionals of America, New Mexico Association that diversity is a fundamental part of the world of business and industry, and enriches the experiences of our student members as they prepare for successful careers. Therefore, no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination during any program or activity, or in employment, based on race, color, national or ethnic origin, marital status, veteran status, religion, sex, pregnancy, sexual orientation, gender identity, age, or disability.

ARTICLE XVI PARLIAMENTARY AUTHORITY

Section 16.1 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the proceedings of Business Professionals of America, New Mexico Association in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules of order that Business Professionals of America, New Mexico Association may adopt, and any statutes applicable to this organization that does not authorize the provisions of these bylaws to take precedence. The parliamentary authority of Business Professionals of America, New Mexico Association shall be adopted by each local chapter in New Mexico.

ARTICLE XVII AMENDMENTS

Section 17.1 **Amendments.** Proposed amendments to these bylaws may be offered in writing by any chapter, member, state officer, state advisor, or Board of Directors and must be received in writing by the State Office sixty (60) days before the annual business meeting. Proposed amendments shall be reviewed by the Board of Directors which shall submit them to the voting delegates of the state leadership conference with recommendations at least fifteen days before the state leadership conference.

Section 17.2 This Constitution may be amended at the annual business meeting by a two-thirds (2/3) vote of the voting delegates present and voting.

Section 17.3 The amendments may be proposed by:

- Any local chapter in good standing
- The State Executive Council

- The Board of Directors
- The State Advisor or their designee

Section 17.4 Proposed amendments must be received in writing to the State Office sixty (60) days before the annual business meeting.

Section 17.5 Notices of the proposed amendments shall be distributed to local chapters by the State Advisor before the annual business meeting.

Section 17.6 Revision. These bylaws may be revised only upon authorization by a majority vote of the voting delegates at the annual meeting. If a revision is authorized there shall be no other amendments proposed to the existing bylaws. Amendments to the revision documents shall be allowed from the floor.

Amendment History:

Adopted 1968

Amended June 8, 2012

Amended September 2016

Amended February 2021

Amended February 17, 2022

Standing Rules

New Mexico Business Professionals of America

Electronic Meetings

Procedures for electronic meetings:

- A. The chair, or upon the request of three executive board members, or a committee chair, may call for an electronic meeting.
- B. Electronic meeting minutes shall be approved at the next board meeting or by a minutes' approval committee before the next executive board meeting.
- C. The chair, secretary, or committee chair shall schedule a conference service line and provide all participants an electronic meeting notice that includes the time of the meeting, and access information needed to participate.
- D. Members shall announce themselves at the first opportunity after joining the electronic meeting.
- E. Members who leave the electronic meeting before adjournment shall announce their departure before disconnecting.
- F. The presence of a quorum shall be established by roll call at the beginning of the electronic meeting and on the demand of any member.
- G. To obtain the floor, a member shall address the chair and state his or her name.
- H. Members are entitled to make motions orally during a meeting and are required to write the motion in the chat. Members may also submit motions in writing to the secretary at least 24 hours before the electronic meeting. The secretary shall send any such pre-submitted motions by e-mail to all members in advance of the electronic meeting.
- I. All votes taken at the electronic meeting shall be taken by roll call. The business may also be conducted by unanimous consent.
- J. Each member is responsible for his or her connection to the conference call; no action shall be invalidated because the loss of, or poor quality of, a member's connection prevented him or her from participating in the electronic meeting.
- K. The chair may disconnect or mute a member's connection if it is causing undue interference with the electronic meeting. The chair's decision to do so, which is subject to an undebatable appeal that can be made by any member, shall be announced during the meeting and recorded in the minutes.