

New York State Art Teachers Association

# Constitution ~~and Bylaws~~

Updated 3/2000  
Updated 10/2012

## New York State Art Teachers Association Constitution

### Article I—Name

The organization shall be known as the New York State Art Teachers Association (NYSATA or the Association) under section 501(c)(3) of the Internal Revenue Service code. ~~of 1986 or the corresponding provision of any future United States Internal Revenue Law and as incorporated by the Board of Regents of the State of New York, July 31, 1981 and amended May 25, 1990. It~~ is a New York State Educational Corporation chartered by the Regents for the State and is tax exempt.

~~The New York State Art Teachers Association shall hereinafter be referred to as “NYSATA” or as the “Association.”~~

### Article II—Mission

~~The NYSATA mission is to serve the art education community of New York State by promoting excellence in art education through instructional development, professional advancement, advocacy, public relations and communication.~~

The mission of NYSATA is to promote and advocate for excellence in art education throughout New York State.

### **Article III—Purpose**

The Association shall focus on the following purposes in support of its mission:

- Secure wider recognition of the importance of art education for all
- Develop and implement strategies for statewide advocacy
- Research, analyze, and inform the membership about current trends and other legal, educational, health-related, and economic issues that affect art education
- Provide high quality professional growth opportunities for the membership
- Recognize the achievements of students and art educators in New York State
- Foster leadership among members of the Association
- Monitor and influence policies and legislation that affect art education at state and local levels

### **Article IV—Membership**

#### **Section 1—Eligibility**

Membership in the Association shall be open to art educators and other individuals or groups whose purposes are consistent with those of the Association. ~~The members shall have voting privileges as defined in the NYSATA Bylaws. The Association shall maintain affiliate relationship roles with appropriate professional organizations.~~

#### **Section 2—Voting**

Members shall have voting privileges as defined in the Bylaws.

#### **Section 3—Dues and Categories**

Membership dues and categories shall be established by the Board of Trustees (BOT) in accordance with the Bylaws and the Policies of the Association.

### **Article V—Organization and Governance**

#### **Section 1—Governing Body**

~~The Association will be organized to include a Board of Trustees and other state level positions.~~  
The Association shall be governed by panel of executive officers elected by the membership and a Board of Trustees BOT elected by individual regions.

#### **Section 2—Executive Officers**

~~the executive officers shall be the President, the Vice President, the Treasurer, the Secretary and alternately the President Elect and Immediate Past President.~~

Officers of the Association shall include the President, Vice President, Secretary, Treasurer, and in alternating years, the President Elect or Immediate Past President.

##### **a. Duties of Executive Officers**

Executive Officers shall perform duties as ~~the Bylaws specify~~ specified in the Bylaws and as the titles of their offices imply and as implied by the title of each office.

##### **b. Requirements Eligibility**

1. All Candidates for executive office must be members in good standing of the Association

2. The qualifications of all candidates for executive offices shall be reviewed by the nominating committee ~~or the board member making the nomination~~ prior to presentation of the candidates to the ~~Board of Trustees~~ BOT for approval.

3. ~~Candidates for President must have served in a position on the BOT within the three years preceding their candidacy.~~ *This is moved from Article V, Section 2, C.3. Original 3. Moved to Article V, Section 2,.,4.*

~~2. The Treasurer, once elected, will be bonded by the association for his/her full term.~~

#### c. Terms of Office

1. Terms of office shall begin on July 1 and end on June 30.

2. ~~The term of office of President shall be two years, immediately preceded by a one year term as President Elect and followed by the one year term as Immediate Past President. constitute a four year commitment, including one year as President Elect, two years as President, and one year as Immediate Past President. A president may not succeed him/herself but may be reelected following a one term absence~~ (two years following the term as Immediate Past President).

~~Candidates for President must have served in a state level position within the preceding three years.~~ moved and changed

3. Terms of office for Vice-President, Treasurer, and Secretary shall be two years with a three term limit. Candidates who have served three terms may choose to run again for office after a one year term of absence. ~~These officers may be reelected following a one term absence.~~

4. ~~Executive officers shall be bonded by the Association for the duration of their term of office.~~

#### d. Elections

1. No later than the March/April meeting in ~~every~~ even numbered years, nominations for candidates for the offices of President-Elect and Treasurer shall be presented to the ~~Board of Trustees~~ BOT

2. No later than the March/April meeting in ~~every~~ odd numbered years, nominations for candidates for the offices of Vice President and Secretary shall be presented to the ~~Board of Trustees~~ BOT

3. All NYSATA members in good standing and with voting privileges as defined in the Bylaws may participate in the election of state officers

4. Executive officers shall be elected by a plurality of votes cast ~~by the membership.~~

#### e. Office Vacancy

In the event of a vacancy in any executive office of the Association, the Executive Committee shall recommend a candidate to the ~~Board of Trustees~~ BOT for approval. ~~The recommended candidate must meet the eligibility requirement for the vacant office.~~ Upon approval, the candidate shall complete the unfinished term of office. ~~He/she must fulfill the requirements for candidacy.~~

#### f. Removal from Executive Office

Any person elected to executive office, upon presentation of sufficient evidence that ~~their~~ his/her action or inaction is detrimental to the ~~organization~~ Association, may be removed from office ~~or position~~ by a 2/3 vote of no confidence by the ~~Board of Trustees~~ BOT.

### Section 3—Executive Committee

The Executive Committee shall administer, implement, and expedite the policies and ~~mandates~~

decisions of the ~~board of trustees~~ BOT. The Executive Committee shall further discharge the duties and responsibilities defined within the ~~Constitution and Bylaws~~.

a. Membership

The Executive Committee shall be comprised of the executive officers and ~~the two region representatives~~. ~~The two Region Representatives shall be rotated annually as outlined in the Bylaws.~~

b. Voting Privileges

Each member of the Executive Committee may cast one vote in committee deliberations.

c. ~~Removal from an Executive Office~~. Moved to V,2,F

#### Section 4—Board of Trustees

The ~~Board of Trustees~~ BOT is the governing body of the Association. It shall establish and maintain policy, ~~enunciate~~ ~~monitor~~ and evaluate ~~programs and~~ procedures, deliberate and approve expenditures of the Association, and ~~it shall~~ guide the Association in fulfilling its ~~the~~ mission ~~and purpose~~ statements.

a. Membership

1. The ~~Board of Trustees~~ BOT shall consist of the Executive Officers and the Region Representatives.
2. The President serves as chairperson of the ~~Board of Trustees~~ BOT. In the absence of the President, the President Elect or Immediate Past President shall assume the duties of chairperson.

b. Voting Privileges

Only members of the ~~Board of Trustees~~ BOT have voting privileges in ~~Board~~ BOT deliberations. Each member receives one vote. No member shall hold more than one voting position on the ~~Board of Trustees~~ BOT.

c. Responsibilities

~~Specific~~ Responsibilities of the ~~Board of Trustees~~ BOT shall include, but not be limited to:

1. ~~The board of Trustees shall vote~~ing to approve the annual budget, rates for membership dues and rates for all state level Association revenue generating programs as specified in the Policies and Procedures manual for the organization.
2. ~~The Board of Trustees shall ensure~~ing the ~~organization~~ Association of an annual state conference.
3. ~~The Board of Trustees shall vote~~ing on recommendations for conference sites and dates.
4. ~~approving additional expenses not included in the annual budget.~~
5. ~~reviewing and approving changes to the Bylaws, policies and procedures of the Association.~~

d. Elected Region Representatives ~~Terms of Office~~

1. Each Region ~~may~~ ~~shall~~ elect to the ~~Board of Trustees~~ BOT two Region Representatives to carry out the business of the ~~organization~~ Association at the state level. ~~They shall also elect two Alternate Representatives.~~
2. Region Representatives ~~and Alternate Representatives~~ must be elected by their region in order to retain their privilege to vote on the ~~Board of Trustees~~ BOT

3. ~~The terms of office for region representatives shall be determined by each region.~~ Term of office shall **be one year** beginning on July 1 and ending on June 30, with no term limits.

e. ~~Elections—Region Representatives (Moved to d above)~~

### **Section 5—State Level Positions**

~~The state level positions are all positions on the Board of Trustees, chairs of Standing and Ad Hoc Committees, representatives of the Affiliate and Advisory Groups, and NYSATA representatives to the New York State Council of Education Associations and the National Art Education Association.~~

Members holding state level positions shall advise the Board of Trustees **BOT** on matters related to their assigned functions as defined in the ~~Bylaws~~ **Policies and Procedures Manual for the Association**. State level positions consist of

- All positions on the Board of Trustees **BOT**
- Chairs of standing and ad hoc committees
- Program Chairs
- Representatives of affiliate and advisory groups
- NYSATA representatives to the New York State Council of Education Associations **(NYSCEA)** and the National Art Education Association **(NAEA)**

a. Committees

#### 1. Standing Committees

~~Standing Committees are permanently part of NYSATA's structure. Standing Committees are each provided an annual budget. The Standing Committees shall include, but not be limited to, the following: Advocacy, Membership, Promotion, Public Relations, Publications, Awards, Professional Advancement, Student and Teacher Art Resource service (STARS).~~

Standing committees are provided an allocation in the annual budget.

Standing committees shall include the following:

- Advocacy
- Membership
- ~~Promotions~~
- Public Relations **& Promotions**
- Publications **& Website**
- Awards **& Honors**
- Professional Advancement
- **Conference (moved from ad hoc committees)**
- ~~Student and Teacher Resource Service (STARS)~~

Terms of standing committee chairs shall be for one year ~~and they may succeed themselves~~ beginning on July 1. ~~Appointments of Standing Committee Chairs shall be made by the President Elect who is succeeding to the position of President or the President as he/she begins his/her second year in office. Such appointments shall be subject to the approval of the Board of Trustees.~~ There shall be no limit on number of successive terms served. Appointments of

standing committee chairs shall be made by the President, **or the President-elect at the June BOT meeting immediately prior to assuming the presidency,** and shall be subject to the approval of the ~~Board of Trustees~~ **BOT**.

## 2. Ad Hoc Committees

Ad Hoc committees shall be established by the ~~Board of Trustees~~ **BOT** on an as-needed basis and shall be disbanded upon completion of their specific goals or at such time as the ~~Board of Trustees~~ **BOT** determines appropriate. Ad hoc committees are **may** be provided funds in an amount determined by the ~~Board of Trustees~~ **BOT**. ~~The Ad Hoc Committees shall include, but not limited to the following: Nominations, Elections, Budget, Financial Review Committee and Conference. Within a reasonable timeframe~~ All Ad hoc committees **members** shall develop a plan of action, timeline, and budget to complete their mission and goals. Ad hoc committee chairs shall be appointed by the President ~~unless otherwise stated in the Bylaws and are subject to the approval of the Board~~ **BOT**. Examples of ad hoc committees may include the following:

- **Nominations and Elections**
- Budget
- Financial Review
- **Student Scholarship**
- Conference

## 3. Committee Chair Position Vacancy

In the case of a vacancy of the chair position of either a standing committee or ad hoc committee ~~after July 1,~~ the President shall make a temporary appointment to take effect immediately **if the committee needs to remain active.** Such temporary appointments shall be subject to the approval of the ~~Board of Trustees~~ **BOT** at the next meeting of the ~~Board~~ **BOT**.

### a. Advisory

~~1. Advisory positions shall include a representative from the State Education Department and a representative from each group within NYSATA in which all members are also members of NYSATA may be established as deemed necessary by the board~~ **BOT**.

~~2. Persons in advisory positions have no voting rights. The Advisory Groups shall include but not be limited to, the Association of Retired Teachers and Administrators of Art (ARTAA).~~

~~3. Additional Groups seeking advisory status may apply to the Board~~ **BOT** for a **renewable one three-year-term.**

~~4. Advisory Groups from within NYSATA shall be provided an annual budget.~~

### b. Affiliates

~~1. The Association shall maintain affiliate relationship roles with appropriate professional organizations. The Affiliate positions shall include representatives from organizations outside of NYSATA that have purposes consistent with those of the Association and/or work closely with art education.~~

~~2. Affiliate positions shall include representatives from organizations outside of NYSATA that have purposes consistent with those of the Association. To maintain Affiliate status, membership in NYSATA is required only of the representatives to NYSATA or of the institution that they represent.~~

3. Groups seeking affiliate status may apply to the Board of Trustees BOT for a renewable one three year term. The Affiliate groups shall include, but not be limited to, the Commercial Exhibitors.

4. Additional groups seeking affiliate status may apply to the Board of Trustees for a renewable three year term.

#### 4. Representatives and Delegates to other Organizations

##### a. NAEA Representative

1. This NYSATA Representative to the NAEA will serve with the President on the NAEA Delegates Assembly.

2. This representative to the NAEA shall be appointed for a three year term by the President subject to the approval of the Board of Trustees. The appointee must have served in a state level position within the three years prior to his/her appointment.

##### b. New York State Council of Education Association (NYSCEA) Representatives

1. NYSATA shall have at least two representatives on NYSCEA.

2. The President may choose to serve as one of the NYSCEA representatives. the Advocacy Chair may choose to serve as one of the NYSCEA representatives.

3. The President shall appoint other NYSCEA representatives as necessary subject to the approval of the Board of Trustees.

NYSATA shall maintain representation in related organizations including but not limited to

##### a. National Art Education Association (NAEA)

The President and President Elect or Immediate Past President shall serve as delegates to the NAEA. In the event that one of these delegates cannot attend the NAEA annual conference, the President shall appoint an alternate delegate.

##### b. New York State Council of Education Association (NYSCEA)

The President shall appoint at least two representatives to NYSCEA, subject to the approval of the Board of Trustees BOT.

#### 5.f. Removal from a State Level Position

Any persons appointed to a position, upon presentation of sufficient evidence that his/her action or inaction is detrimental to the organization Association, may be removed from that position by a 2/3 vote of no confidence by the Board of Trustees BOT.

### Section 6—Contracted Positions

The BOT has the right to determine whether payment for professional services is appropriate and whether those contracted individuals should be responsible to report to the BOT.

## ARTICLE VI V—REGIONAL ORGANIZATION

Regions shall be based on geographic divisions of the state of New York as defined in the NYSATA Bylaws.

### Section 1—Definition and Membership

The Association shall be divided geographically into Regions. Region membership shall be determined by county of residence of the NYSATA member unless he/she elects to join a different region.

## **Section 2—Subdivisions**

The NYSATA Regions may be subdivided into chapters as determined by each Region, but shall maintain representation on the BOT as defined in this Constitution.

## **Section 3—Region Representatives**

### a. Election of Region Representatives

1. Each Region shall hold elections for two representatives to serve on the BOT. One or both of the Region Representatives may be the Region Chair(s) or Vice Chair if indicated as such on the ballot at the time of election.
2. A Region may also choose to elect up to two alternate representatives who may vote only when the regular representatives cannot be in attendance at the BOT meeting.
3. In the event that no representative is elected in a particular Region, the state Vice President may appoint one or two representatives for that Region until an election is held and representatives are duly elected. Appointed representatives may participate in BOT Board discussions but have no voting rights on the BOT.

### b. Responsibilities

Responsibilities of Region Representatives shall include but not be limited to the following:

1. Shall serve as a member of the BOT and entitled to one vote in deliberations.
2. Shall represent the membership of his/her Region at BOT meetings.
3. Shall submit a written/electronic report of Region activities, concerns, plans, etc. prior to each BOT meeting.
4. Shall communicate pertinent information from BOT meetings to the membership in his/her Region.
5. Shall serve as a Region representative on the Executive Committee as defined in Article V, Section 3.4.a.
6. Shall assume other duties as implied by the title of the position or as specified in the policies of the Association and by the BOT.

## **Section 4—Region Governance**

The BOT shall establish appropriate election procedures for all Regions. Elections procedures shall abide by the Constitution and Bylaws. The Executive Committee may request evidence of appropriate election procedures from each Region.

### a. Elected Officers for each Region shall include but not be limited to the following:

1. Region Chair
2. Optional Vice Chair or Co-Chair
3. Two Region BOT Representatives
4. Treasurer
5. Secretary
6. Two Alternate Region BOT Representatives

b. Terms of Office—Terms of Office shall be one year with no term limits, beginning on July 1 and ending on June 30.

c. Appointed Region Positions—Region Chairs may appoint additional positions according to the needs of the Region. Terms of Appointments shall be one year with no term limits, beginning on

**July 1 and ending on June 30.**

Additional positions may include such roles as:

1. Region Newsletter
2. Portfolio Project Coordinator
3. Awards Coordinator
4. Nominations/Elections Coordinator
5. Membership Coordinator
6. Exhibits/Workshops/Events Coordinator(s)

## **ARTICLE VII VI —OPERATIONS**

### **Section 1—Planning Goals**

A two year plan for the Association ( i.e. Plan of Action), based on the mission statement and ~~the General initiatives as~~ **purposes** described in the ~~Bylaws~~ **Constitution**, shall be researched and organized by the President Elect ~~prior to taking office as President~~ **with input requested. Input shall be requested** from members in state level positions and the general membership. The plan must be presented ~~to the Board of Trustees~~ for approval at the **June BOT meeting**.

### **Section 2—Finance**

- a. The fiscal year shall be from July 1 to June 30.
- b. By November 15. of each year, appropriate tax forms shall be filed with the Internal Revenue Service by the President and the Treasurer who were in office during the **previous** fiscal year ~~involved as per~~ **the requirements of section 501(c)(3) of the Internal Revenue Service code.**
- c. **Proposed Association budget for upcoming fiscal year shall be presented for approval at the June BOT meeting.**

### **Section 3—Insurance**

- a. Liability insurance for NYSATA shall be maintained at all times in such an amount that has been determined appropriate by the ~~Board of Trustees~~ **BOT.**
- b. A fidelity bond shall be maintained at all times for the ~~positions of Treasurer, Business Manager and any other position that the Board of Trustees may deem necessary~~ **Executive Officers**. The amount **of money** set aside for fidelity bonds shall be determined by the ~~board of Trustees~~ **BOT.**

### **Section 4—Dues**

Dues shall be established ~~as described in the Bylaws~~ by the ~~Board of Trustees~~ **BOT** as described by ~~in the policy~~ **Bylaws** of the ~~organization.~~ **Association.**

## **ARTICLE VIII VH —MEETINGS**

There shall be meetings of the ~~Executive Committee, the Board of Trustees and the general membership.~~ **The Association shall conduct meetings at various levels of membership, including the Executive Committee, the BOT, and the general membership as needed.**

### **Section 1—~~Annual Business Meeting~~ General Membership**

#### **a. Schedule**

~~The annual Business Meeting shall be held for the general membership at the state conference.~~

Meetings of the general membership shall be scheduled and conducted as the BOT determines is appropriate and necessary.

b. Business

~~(1) At the Annual Business Meeting, the immediate Past President or the President in the second year of his/her term shall deliver a “State of the Association” report for the preceding year.~~

~~(2) The Treasurer shall present a financial report for the preceding year.~~

~~(3) The President shall outline goals and the “Plan of Action” for the current year.~~

~~(4) Resolutions and/or constitutional amendments shall be presented to the membership for discussion and a vote of approval.~~

~~(5) Individual members or groups shall be given the opportunity to make proposals for consideration by the Board of Trustees.~~

e. Procedures

~~Robert’s Rules of Order Newly Revised shall be the authority for legislative and parliamentary procedures.~~

~~d. Quorum—the quorum for the annual business meeting shall be those members in attendance.~~

## Section 2—Meetings of the Board of Trustees

a. Schedule

(1) The Board of Trustees BOT shall meet four times during the year - once in September, once at the state conference, once in March or the first two weeks of April, and once in June or July.

(2) In the case of an emergency, the Executive Committee may convene an additional meeting of the Board of Trustees BOT.

b. Distance Meeting

(1) In the case of a cancellation of a BOT meeting due to a weather or other emergency beyond its control, the Executive Committee may conduct BOT business online (i.e. through email or video conferencing) or by conference call.

(2) Additionally, the Executive Committee may conduct votes of the BOT, on-line or by conference call, on items that require immediate action and when the next BOT meeting is determined to be too late for such action or when the BOT moves in advance that such a vote be taken. Any such vote requires the notification all of the BOT’s voting members. The results will be shared with the BOT within two days of the conclusion of any such vote.

b. Procedures

(1) Quorum—the quorum of the Board of Trustees BOT shall be the majority, or half of the eligible members plus one. Quorums for conducting the business of the Annual meeting and the meetings of the Executive Committee and the Board of Trustees shall be established in the Bylaws.

~~(2) Robert’s Rules of Order Newly Revised shall be the authority for legislative and parliamentary procedures unless those present decide by simple majority to use specific alternate procedures.~~ Robert’s Rules of Order Newly Revised shall be the authority for legislative and parliamentary procedures for the Association.

### **Section 3—Meetings of the Executive Committee**

#### **a. Schedule**

1. The Executive Committee shall meet prior to each BOT meeting and additionally as need is determined by the Executive Committee.

#### **b. Procedures**

1. Quorum—the quorum of the Executive Committee shall be the majority, or half of the eligible members plus one.

2. Robert's Rules of Order Newly Revised shall be the authority for legislative and parliamentary procedures.

## **ARTICLE IX VIII—AMENDMENTS**

### **Section 1—Preliminary Procedure**

a. Amendments to the ~~bylaws~~ Constitution shall be originated by the Executive Committee or petition of ten members in good standing and shall be submitted to the Board of Trustees BOT.

b. If the Board of Trustees BOT approves the proposed amendment(s), the Board BOT shall publish the changes and disseminate to the membership along with a ballot. ~~The ballot for Constitutional amendments shall allow for selective voting on each proposed change.~~

### **Section 2—Membership Voting and Tabulation**

a. The President shall appoint a ~~tallying~~ Constitutional Amendment Voting and Tabulation Committee, of three ~~members in good standing~~, each of whom resides in from a different NYSATA ~~section~~ Region. ~~At least~~ one member must be from the Board of Trustees BOT. ~~The other two shall be NYSATA members in good standing. A fourth person, who is not a NYSATA member shall act as a witness.~~ This committee shall determine the manner in which votes will be cast and tabulated (i.e. paper ballot, on-line voting, etc.) and shall oversee the completion of the tabulation.

b. The deadline for receipt of ballots must be within thirty days following the official publication of the proposed amendment(s).

c. ~~The~~ Votes shall be counted within thirty days of the deadline date for receipt of ballots.

d. Upon the count of affirming votes from 2/3 of the returned ballots ~~membership responding~~, the President shall declare the amendment(s) duly adopted.

e. The results of the vote shall be published to the membership within 30 days of the vote tally. ~~The membership shall be notified of the results of the vote in the next published edition of the NYSATA News.~~

### **Section 3—Publication**

a. The Constitution of this Association shall be published ~~and maintained in sufficient number of copies to be made available on demand at the annual conference or on written request by any member and shall be distributed to all members~~ on the NYSATA website membership section.

~~of the Board of Trustees and all persons holding state level positions.~~

b. Upon ratification of amendments to the Constitution, the Executive Committee shall be responsible for uploading ~~the publishing the~~ revised Constitution ~~in its revised form~~, and shall be empowered to renumber paragraphs or other subdivisions of the ~~Constitution~~ document in order to ~~assure~~ ensure a consistent and logical presentation. The date of such publication shall be clearly visible on each page of said Constitution. The cover page shall list the dates of all Constitutional updates.