

## New York State Art Teachers Association

# Constitution

Updated 3/2000

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### 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. It is a New York State Educational Corporation chartered by the Regents for the State and is tax exempt.

#### Article II - Mission

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.

### **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.

## **Article V – Governance**

### **Section 1 – Governing Body**

The Association shall be governed by a panel of executive officers elected by membership and a Board of Trustees (BOT) elected by individual regions.

### **Section 2 - Executive Officers**

The 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 specified in the Bylaws and as implied by the title of each office.

#### **b. Eligibility**

1. 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 prior to presentation of the candidates to the BOT for approval.
3. Candidates for President must have served in a position on the BOT within the three years preceding their candidacy.

#### **c. Terms of Office**

1. Terms of office shall begin on July 1 and end on June 30.
2. The term of office of the 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).
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.
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 even numbered years, nominations for the offices of President-Elect and Treasurer shall be presented to the BOT.
2. No later than the March/April meeting in odd numbered years, nominations for the offices of Vice President and Secretary shall be presented to the 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 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.

f. Removal from Executive Office

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

**Section 3 - Executive Committee**

The Executive Committee shall administer, implement, and expedite the policies and decisions of the BOT. The Executive Committee shall further discharge the duties and responsibilities defined within the 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.

**Section 4 - Board of Trustees**

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

a. Membership

1. The BOT shall consist of the Executive Officers and the Region Representatives.
2. The President serves as chairperson of the 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 BOT have voting privileges in BOT deliberations. Each member receives one vote. No member shall hold more than one voting position on the BOT.

c. Responsibilities

Responsibilities of the BOT shall include, but not be limited to:

1. voting 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. ensuring the organization of an annual state conference.
3. voting 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

1. Each Region shall elect to the BOT two Region Representatives to carry out the business of the 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 BOT.
3. Term of office shall be two years beginning on July 1 and ending on June 30 of the second year, with no term limits.

**Section 5 - State Level Positions**

Members holding state level positions shall advise the BOT on matters related to their assigned functions as defined in the Policies and Procedures Manual for the.

State level positions consist of:

- All positions on the 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 provided an allocation in the annual budget.

Standing committees shall include the following:

- Advocacy
- Membership
- Public Relations & Promotions
- Publications & Website
- Awards & Honors
- Professional Advancement
- Conference

Terms of standing committee chairs shall be for one year beginning on July 1. 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 BOT.

## 2. Ad Hoc Committees

Ad Hoc committees shall be established by the BOT on an as-needed basis and shall be disbanded upon completion of their specific goals or at such time as the BOT determines appropriate. Ad hoc committees may be provided funds in an amount determined by the BOT. All Ad hoc committees 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 subject to the approval of the BOT. Ad hoc committees may include the following:

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

## 3. Committee Chair Position Vacancy

In the case of a vacancy of the chair position of either a standing committee or ad hoc committee, 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 BOT at the next meeting of the BOT.

### a. Advisory

1. Advisory positions may be established as deemed necessary by the BOT.
2. Persons in advisory positions have no voting rights.
3. Groups seeking advisory status may apply to the BOT for a renewable one year-term.

### b. Affiliates

1. The Association shall maintain affiliate relationship roles with appropriate professional organizations.
2. Affiliate positions shall include representatives from organizations outside of NYSATA that have purposes consistent with those of the Association.
3. Groups seeking affiliate status may apply to the BOT for a renewable one year term.

## 4. Representatives and Delegates to other Organizations

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 convention, the President shall appoint and alternate delegate.

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

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

## 5. 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 Association, may be removed from that position by a 2/3 vote of no confidence by the 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 - REGIONAL ORGANIZATION**

### **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 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.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 two year with no term limits, beginning on July 1 and ending on June 30 of the second year.
  - c. Appointed Region Positions – Region Chairs may appoint additional positions according to the needs of the Region. Terms of appointments shall be two years with no term limits, beginning July 1 and ending on June 30 of the second year.
  - d. Elections in odd numbered regions (1, 3, 5, 7, 9) will be conducted in odd numbered years and elections in even numbered regions (2, 4, 6, 8, 10) will be conducted in even numbered years.

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 - OPERATIONS**

### **Section 1 - Planning Goals**

A two year plan for the Association (i.e. Plan of Action), based on the mission statement and purposes described in the Constitution, shall be researched and organized by the President Elect prior to taking office as President. Input shall be requested from members in state level positions and the general membership. The plan must be presented 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 as per the requirements of section 501(c)(3) of the Internal Revenue Service.
- 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 BOT.
- b. A fidelity bond shall be maintained at all times for the Business Manager and Executive Officers. The amount of money set aside for fidelity bonds shall be determined by BOT.

### **Section 4 - Dues**

Dues shall be established by the BOT as described in the Bylaws of the Association.

## **ARTICLE VIII - MEETINGS**

The Association shall conduct meetings at various levels of membership, including the Executive Committee, the BOT and the general membership as needed.

### **Section 1 - General Membership**

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

### **Section 2 - Meetings of the Board of Trustees**

#### a. Schedule

- 1) The 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 BOT.

#### b. Distance Meeting

- 1) In 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 OT 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 of 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.

#### c. Procedures

- 1) Quorum – the quorum of the BOT 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 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 for the Association.



## **ARTICLE IX - AMENDMENTS**

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

- a. Amendments to the Constitution shall be originated by the Executive Committee or petition of ten members in good standing and shall be submitted to the BOT.
- b. If the BOT approves the proposed amendment(s), the BOT shall publish the changes and disseminate to the membership with a ballot.

### **Section 2 – Voting and Tabulation**

- a. The President shall appoint a Constitutional Amendment Voting and Tabulation Committee, of three members in good standing, each from a different NYSATA Region. At least one member must be from the BOT. 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. 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, 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.

### **Section 3 - Publication**

- a. The Constitution of this Association shall be published on the NYSATA website membership section.
- b. Upon ratification of amendments to the Constitution, the Executive Committee shall be responsible for uploading the revised Constitution, and shall be empowered to renumber paragraphs or other subdivisions of the document in order to 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.