



The Academy for Technology and the Classics

74 A Van Nu Po
Santa Fe, New Mexico 87508
www.atcschool.org
505.473.4282

Governing Council Bylaws

Adopted February 27, 2012
Revised December 5, 2012
Revised August 20, 2014
Revised October 22, 2015

ARTICLE 1: OFFICES

Section 1: Principal Office

The principal office of the Academy for Technology and the Classics (ATC) is 74 A Van Nu Po Road, Santa Fe, New Mexico, 87508.

ARTICLE 2: ATC COUNCIL MEMBERSHIP

Section 1: Membership

The ATC Governing Council (Council) shall be composed of 7 Members: 2 parents or legal guardians of students enrolled at ATC at the time of their election, 2 professional educators one of whom may be a parent or legal guardian of a student enrolled at ATC, 2 members of the community who shall not be parents or legal guardians of students enrolled at ATC, and 1 member with a financial background. There may not be more than 3 members of the Council who are parents or legal guardians of a student enrolled at ATC.

Section 2: Representatives

Non-voting representatives to the Council may consist of the Principal of ATC, an ATC teacher selected by the ATC teachers, an ATC parent selected by the ATC Parent-Student-Teacher Coalition (or equivalent organization), and an ATC student selected by the ATC Student Council (or equivalent organization).

Section 3: Elections

Council Members shall be elected by eligible voters at ATC who shall consist of the parents and legal guardians of students enrolled at ATC and ATC teachers and administration. Elections shall be conducted using secret ballot. Under the direction of the Council, the ATC administration shall prepare all necessary materials for the election, including a roster of voters of persons eligible to vote and shall prepare the ballot. Proxy voting is not allowed. The ATC administration shall tally the votes. In the event of a tie vote, the winner shall be determined by a flip of the coin with the person whose last name is earliest in the alphabet and who is available calling the coin side. The ATC administration may enlist the assistance of a state or local election government department to assist in the conduct of the election.

Section 4: Notice of Elections

Elections shall occur at ATC or another location determined by the Council in October on a date determined by the Council. Notice of the election shall be posted on the ATC

website at least 15 days prior to the election. Notice soliciting candidates shall be posted in English and Spanish on the ATC website at least 30 days prior to the election.

Section 5: Term

Council Members shall be elected for 3-year terms. Terms shall be staggered so that no more than 4 Council Members shall be up for election in any year. Council membership shall be limited to 2 consecutive full 3-year terms. Former Council Members shall be eligible for election after a lapse of 2 years. If the child of a parent Member graduates from or disenrolls from ATC during that Member's term, that parent Member may serve the remainder of his or her term.

Section 6: Resignation and Removal

A Council Member may resign effective upon giving written notice to the Chair of the Council. A Council Member may be removed, with cause, by a vote of 5 Council Members. If a Council Member misses 4 consecutive meetings without cause, that position may be declared vacant by a majority vote of the other Council Members in attendance in an open meeting.

Section 7: Vacancies

A vacancy on the Council shall be filled by appointment by a majority vote of the Council in an open meeting. The newly appointed Council Member shall serve the remainder of the term vacated.

ARTICLE 3: POWERS, DUTIES AND LIMITATIONS

Section 1: General Powers and Duties

Subject to the laws and limitations of the State of New Mexico, the activities and affairs of ATC shall be conducted under the authority of the Council. The Council has the rights and responsibilities set forth in NMSA 1978, § 22-8B-4, and the powers and duties as set forth in the ATC Charter.

Section 2: Goals and Policy

The Council shall establish the mission, policies, and short-term and long-range academic, fiscal, and facility goals for ATC.

Section 3: Selection of Principal

The Council shall employ the ATC Principal and set the Principal's salary.

Section 4: Finances

The Council shall have the power to approve the ATC budget and enter into contracts relating to real property and the provision of goods and services for ATC.

Section 5: Execution of Instruments

The Council may authorize any officer or agent of the Council to enter into contracts or execute instruments on behalf of ATC, and such authority may be general or limited to specific instances.

Section 6: Exercise of Powers and Duties

The Council shall endeavor to work cooperatively with and to solicit input from ATC administration, teachers, parents and students in the exercise of its duties.

Section 7: Spanish Translations

The Council shall use reasonable efforts to have documents that it generates translated to Spanish.

Section 8: Compensation

Council Members receive no payment for their services. With Council approval, Members may be reimbursed for out-of-pocket expenses incurred on Council business. Council Members must present receipts for all such expenses.

Section 9: Non-liability of Council Members and Insurance

Council Members shall not be individually liable for the debts, liabilities, or any obligations of ATC. The Council may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of Council Members against liabilities or claims asserted against Council Members arising out of their actions as Members if the Council is not otherwise adequately insured under state law.

Section 10: Conflicts of Interest

Council Members serve a public interest role and have an obligation to conduct all affairs of ATC in a manner consistent with that role. All actions taken and decisions made by Council Members shall be made solely on the basis of a desire to promote the best interests of ATC and not to further personal interests inconsistent with those of ATC. Council Members are subject to the conflict of interest provisions in NMSA 1978, § 22-8B-5.2 and any other applicable laws.

Section 11: Nepotism Prohibited

The Council shall not employ an ATC Principal or directly contract with a person who is the spouse, domestic partner, father, mother, father-in-law, mother-in-law, son, daughter, son-in-law, or daughter-in-law of any Council Member.

ARTICLE 5: OFFICERS

Section 1: Officers

The officers of the Council shall be a Chair, Vice-Chair, and Secretary.

Section 2: Election and Term

Officers shall be elected by the Council at the annual organizational meeting, and shall serve a 1-year term until successors are elected and seated. The Chair shall serve no more than 3 consecutive 1-year terms. Members elected to other offices may serve no more than 5 consecutive 1-year terms. Former Council Members shall be eligible for office after a lapse of 2 years.

Section 3: Duties of Chair

The duties of the Chair include but are not limited to working with the Principal and Council Members to develop agendas for Council meetings; presiding over Council meetings; voting to break a tie and voting as any other Council Member; appointing chairs of Council committees; participating as a member or ex-officio member of all Council committees; executing contracts as authorized by the Council; and working collaboratively with the Principal and Council Members to further the mission, goals, and interests of ATC.

Section 4: Duties of Vice-Chair

The duties of the Vice-Chair include presiding over Council matters in the absence of the Chair. If the Chair leaves office, the Vice-Chair shall assume the position of the Chair until the next.

Section 5: Duties of Secretary

The duties of the Secretary include assisting the Chair in developing agendas for Council meetings; ensuring that notice of Council meetings is provided in accordance with the Open Meetings Act; working with the Principal to disseminate the agenda and related materials to Council Members prior to meetings; ensuring that the minutes of all

Council meetings are adequately recorded, as provided for in these Bylaws; ensuring that all Council agendas, packets, minutes and signup sheets; the ATC Charter and Bylaws; and the Council's Open Meetings Act Resolution are maintained at ATC. The Secretary shall maintain a list of all current Council members, their contact information, and their terms, and a list of all current Council officers and their terms.

Section 6: Committees

The Council shall maintain standing finance and audit committees, as required by law, and any other committees required by law. The Council shall maintain a nominating committee for the purpose of recruiting qualified people to run for positions on the Council. The Council may establish other committees or task forces in its discretion. Such committees are advisory to the Council, and may include ATC administration, teachers, parents, students, and community members, as determined by the Council. The Chair of the Council shall appoint chairs of the committees and task forces. Any committee with a quorum of the Council is subject to the requirements of the Open Meetings Act.

ARTICLE 6: COUNCIL MEETINGS

Section 1: Open Meetings Act

All meetings of the Council shall be held in accordance with the requirements of the Open Meetings Act, NMSA 1978, §§ 10-15-1 *et seq.*, and in accordance with the Open Meetings Act Resolution adopted annually by the Council.

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Minutes shall be recorded and maintained for all Council meetings that are subject to the Open Meetings Act. The minutes shall include at a minimum the date, time, and place of the meeting; whether the meeting was a regular, special or emergency meeting; how notice of the meeting was provided; the names of Council Members in attendance and those absent; the substance of the proposals considered and a record of any decisions and votes taken that show how each Member voted. There shall be a sign up sheet at the meetings for other attendees. Draft minutes shall be prepared within 10 working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present.

ARTICLE 7: AMENDMENT AND CONSTRUCTION OF BYLAWS

Section 1: Amendment

These Bylaws may be amended or repealed upon by a vote of 5 Members of the Council.

Section 2: Construction

If there is a conflict between the terms of the ATC Charter and these Bylaws, the terms of the Charter shall govern. Should any of the terms of these Bylaws be held

October 22 2015

unenforceable or invalid, the remaining provisions shall be severable and shall continue in full force and effect

The undersigned, with approval of the Council, hereby execute the foregoing Bylaws on behalf of the Council

Tannis Fox
ATC Council Chair

Date


Leslie Fagre
ATC Council Secretary


Date



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August 20, 2014

The undersigned, with approval of the Council, hereby execute the foregoing Bylaws on behalf of the Council.

Tannis Fox

Tannis Fox
ATC Council Chair

Aug. 20, 2014
Date

Leslie Fagre

Leslie Fagre
ATC Council Secretary

Aug. 20, 2014
Date



The Academy for Technology and the Classics

Susan Lumley, Principal
74 A Van Nu Po
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ACADEMY FOR TECHNOLOGY AND THE CLASSECS GOVERNING COUNCIL OPEN MEETINGS ACT RESOLUTION January 15, 2014

WHEREAS, the Academy for Technology and the Classics ("ATC") Governing Council ("Council") met in regular session at ATC, 74 A Van Nu Po, Santa Fe, New Mexico 87508 on January 15, 2014 at 6:30 p.m. as required by law;

WHEREAS, Section 10-15-1(B) NMSA 1978 of the Open Meetings Act states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public State of New Mexico agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times;

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public;

WHEREAS, Section 10-15-1(D) NMSA 1978 requires the Council to determine annually what constitutes reasonable notice of its public meetings;

WHEREAS, Section 10-15-1(C) NMSA 1978, a member of the Council may participate in a meeting of the Council by means of conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Council who speaks during the meeting; and

WHEREAS, the Council desires to allow Council Members to participate in a manner consistent with Section 10-15-1(C) NMSA 1978.

NOW, THEREFORE, BE IT RESOLVED by the Council that:

1. All Council meetings shall be held at the Multi-Purpose Room at ATC, 74 A Van Nu Po

Road, Santa Fe, New Mexico, beginning at 6:30 p.m. or as otherwise indicated in the meeting notice.

2. Unless otherwise specified, regular meetings shall be held each month on the third Wednesday at ATC. The agenda will be posted at least 72 hours prior to the meeting at ATC and on the ATC website at www.atcschool.org. Notice of regular meetings will be given ten days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.

3. Special meetings may be called by the Council President or a majority of Council Members upon three days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda will be posted at least 24 hours prior to the meeting at ATC and on the ATC website.

4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Council will avoid emergency meetings whenever possible. Emergency meetings may be called by the Council President or a majority of the Council Members upon twenty-four hours notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

5. For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, place and how to obtain an agenda is posted in a visible area at ATC and on the ATC website. Notice may also be provided through other methods. Copies of the written notice shall also be mailed, emailed or faxed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. Agendas shall be posted at ATC and the ATC website at least 72 hours before the meeting.

6. For the purposes of special meetings and emergency meetings described in paragraphs 3 and 4 of this resolution, notice requirements are met if notice of the date, time, place and how to obtain an is posted in a visible area at ATC and on the ATC website. Notice may also be provided through other methods. Copies of the written notice shall also be mailed, emailed or faxed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings. Agendas shall be posted at ATC and on the ATC website at least 24 hours before the meeting.

7. In addition to the information specified above, all notices shall include the following language:

If you are an individual with a disability who is in need of a reader, amplifier, qualified State of New Mexico sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the ATC office at 505.473.4282 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the ATC office at 505.473.4282 if a summary or other type of accessible format is needed.

7. The Council may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If a closed meeting is conducted when the Council is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity is given to the members and to the general public.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Council in an open public meeting.

9. When it is otherwise difficult or impossible for a Council Member to attend a meeting in person, the Council authorizes the Council Member to participate in the meeting by means of telephone conference call or other similar communications equipment. The ATC Administration shall assure that any equipment acquired for this purpose meets the conditions of Section 10-15-1(C) NMSA 1978 relating to the ability to identify participants and for Members of the Council and the public to hear the proceedings.

Passed by The Academy for Technology and the Classics Governing Council on January 15, 2014.



Tannis Fox
President



Leslie Fagre
Secretary





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The Council shall establish the mission, policies, and short-term and long-range academic, fiscal, and facility goals for ATC.

Section 3: Selection of Principal

The Council shall employ the ATC Principal and set the Principal's salary.

Section 4: Finances

The Council shall have the power to approve the ATC budget and enter into contracts relating to real property and the provision of goods and services for ATC.

Section 5: Execution of Instruments

The Council may authorize any officer or agent of the Council to enter into contracts or execute instruments on behalf of ATC, and such authority may be general or limited to specific instances.

Section 6: Exercise of Powers and Duties

The Council shall endeavor to work cooperatively with and to solicit input from ATC administration, teachers, parents and students in the exercise of its duties.

Section 7: Spanish Translations

The Council shall use reasonable efforts to have documents that it generates translated to Spanish.

Section 8: Compensation

Council Members receive no payment for their services. With Council approval, Members may be reimbursed for out-of-pocket expenses incurred on Council business. Council Members must present receipts for all such expenses.

Section 9: Non-liability of Council Members and Insurance

Council Members shall not be individually liable for the debts, liabilities, or any obligations of ATC. The Council may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of Council Members against liabilities or claims asserted against Council Members arising out of their actions as Members if the Council is not otherwise adequately insured under state law.

Section 10: Conflicts of Interest

Council Members serve a public interest role and have an obligation to conduct all affairs of ATC in a manner consistent with that role. All actions taken and decisions made by Council Members shall be made solely on the basis of a desire to promote the best interests of ATC and not to further personal interests inconsistent with those of ATC. Council Members are subject to the conflict of interest provisions in NMSA 1978, § 22-8B-5.2 and any other applicable laws.

Section 11: Nepotism Prohibited

The Council shall not employ an ATC Principal or directly contract with a person who is the spouse, domestic partner, father, mother, father-in-law, mother-in-law, son, daughter, son-in-law, or daughter-in-law of any Council Member.

ARTICLE 5: OFFICERS

Section 1: Officers

The officers of the Council shall be a Chair, Vice-Chair, and Secretary.

Section 2: Election and Term

Officers shall be elected by the Council at the annual organizational meeting, and shall serve a 1-year term until successors are elected and seated. Effective June 1, 2012, the Chair shall not be a parent or legal guardian of a student enrolled at ATC. The Chair shall serve no more than 3 consecutive 1-year terms. Members elected to other offices may serve no more than 5 consecutive 1-year terms. Former Council Members shall be eligible for office after a lapse of 2 years.

Section 3: Duties of Chair

The duties of the Chair include but are not limited to working with the Principal and Council Members to develop agendas for Council meetings; presiding over Council meetings; voting to break a tie and voting as any other Council Member; appointing chairs of Council committees; participating as a member or ex-officio member of all Council committees; executing contracts as authorized by the Council; and working collaboratively with the Principal and Council Members to further the mission, goals, and interests of ATC.

Section 4: Duties of Vice-Chair

The duties of the Vice-Chair include presiding over Council matters in the absence of the Chair. If the Chair leaves office, the Vice-Chair shall assume the position of the Chair until the next.

Section 5: Duties of Secretary

The duties of the Secretary include assisting the Chair in developing agendas for Council meetings; ensuring that notice of Council meetings is provided in accordance with the Open Meetings Act; working with the Principal to disseminate the agenda and related materials to Council Members prior to meetings; ensuring that the minutes of all Council meetings are adequately recorded, as provided for in these Bylaws; ensuring

that all Council agendas, packets, minutes and signup sheets; the ATC Charter and Bylaws; and the Council's Open Meetings Act Resolution are maintained at ATC.

Section 6: Committees

The Council shall maintain standing finance and audit committees, as required by law, and any other committees required by law. The Council shall maintain a nominating committee for the purpose of recruiting qualified people to run for positions on the Council. The Council may establish other committees or task forces in its discretion. Such committees are advisory to the Council, and may include ATC administration, teachers, parents, students, and community members, as determined by the Council. The Chair of the Council shall appoint chairs of the committees and task forces. Any committee with a quorum of the Council is subject to the requirements of the Open Meetings Act.

ARTICLE 6: COUNCIL MEETINGS

Section 1: Open Meetings Act

All meetings of the Council shall be held in accordance with the requirements of the Open Meetings Act, NMSA 1978, §§ 10-15-1 *et seq.*, and in accordance with the Open Meetings Act Resolution adopted annually by the Council.

Section 2: Notice of Meetings

Notice of Council meetings shall be conducted in accordance with the Open Meetings Act and the Council's Open Meetings Act Resolution.

Section 3: Organizational Meeting

An annual organizational meeting of the Council shall be held during each November regular meeting of the Council. At that meeting, all newly elected Council Members shall be seated and take an oath of office, and officers shall be elected.

Section 4: Regular Meetings

The Council shall meet at least once each month September through June to conduct Council business, which includes but is not limited to hearing reports, considering and adopting policies, acting on committee recommendations, and allowing for public input about matters of ATC.

Section 5: Special Meetings

Special meetings of the Council may be called at any time by the Chair or by any 2 Council Members.

Section 6: Quorum and Majority Action by Council

Four Members of the Council shall constitute a quorum for the transaction of business of the Council. When a quorum is present, a majority of Council Members may take action on behalf of the Council, unless otherwise provided for in these Bylaws.

Section 7: Conduct of Meetings

Meetings of the Council shall be presided over by the Chair or, in his or her absence, the Vice-Chair. The Council shall rely upon *Roberts Rules of Order*, as revised, as guidance to conduct its meetings, unless other laws or regulations govern. When appropriate, the Chair may use discretion in adherence to any procedural rule.

Section 8: Minutes

Minutes shall be recorded and maintained for all Council meetings that are subject to the Open Meetings Act. The minutes shall include at a minimum the date, time, and place of the meeting; whether the meeting was a regular, special or emergency meeting; how notice of the meeting was provided; the names of Council Members in attendance and those absent; the substance of the proposals considered and a record of any decisions and votes taken that show how each Member voted. There shall be a sign up sheet at the meetings for other attendees. Draft minutes shall be prepared within 10 working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present.

ARTICLE 7: AMENDMENT AND CONSTRUCTION OF BYLAWS

Section 1: Amendment

These Bylaws may be amended or repealed upon by a vote of 5 Members of the Council.

Section 2: Construction

If there is a conflict between the terms of the ATC Charter and these Bylaws, the terms of the Charter shall govern. Should any of the terms of these Bylaws be held unenforceable or invalid, the remaining provisions shall be severable and shall continue in full force and effect.

The undersigned, with approval of the Council, hereby execute the foregoing Bylaws on behalf of the Council.

TCE FOX

Tannis Fox
ATC Council Chair

12-5-12

Date

Leslie Fagre

Leslie Fagre
ATC Council Secretary

12-5-12

Date

Appendix A
Revised December 5, 2012

<u>Council Member</u>	<u>End of Term</u>
Parent 1 Member ¹	Oct. 2014
Parent 2 Member ²	Oct. 2013
Educator 1 Member ³	Oct. 2015
Educator 1 Member ⁴	Oct. 2014
Community Member ⁵	Oct. 2014
Community Member ⁶	Oct. 2013
Financial Member ⁷	Oct. 2015

¹ Currently held by Tannis Fox.

² Currently held by Gordon Lawrie.

³ Currently held by Leslie Fagre.

⁴ Currently held by Kelly Horne.

⁵ Currently held by Natalie Eliot (filling vacancy of Donna Grein).

⁶ Currently held by Martin Dryden.

⁷ Currently vacant (previously held by Larry Mirabal and Mel Morgan).



The Academy for Technology and the Classics

74 A Van Nu Po
Santa Fe, New Mexico 87508
www.atcschool.org
505.473.4282

The Academy for Technology and the Classics Governing Council Bylaws

Effective February 27, 2012

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ARTICLE 1: OFFICES

Section 1: Principal Office

The principal office of the Academy for Technology and the Classics (ATC) is 74 A Van Nu Po Road, Santa Fe, New Mexico, 87508.

ARTICLE 2: ATC COUNCIL MEMBERSHIP

Section 1: Membership

The ATC Governing Council (Council) shall be composed of 7 Members: 2 parents or legal guardians of students enrolled at ATC at the time of their election, 2 professional educators one of whom may be a parent or legal guardian of a student enrolled at ATC, 2 members of the community who shall not be parents or legal guardians of students enrolled at ATC, and 1 member with a financial background who shall not be a parent or legal guardian of a student enrolled at ATC.

Section 2: Representatives

Non-voting representatives to the Council may consist of the Principal of ATC, an ATC teacher selected by the ATC teachers, an ATC parent selected by the ATC Parent-Student-Teacher Coalition (or equivalent organization), and an ATC student selected by the ATC Student Council (or equivalent organization).

Section 3: Elections

Council Members shall be elected by eligible voters at ATC who shall consist of the parents and legal guardians of students enrolled at ATC and ATC teachers and administration. Elections shall be conducted using secret ballot. Under the direction of the Council, the ATC administration shall prepare all necessary materials for the election, including a roster of voters of persons eligible to vote and shall prepare the ballot. Proxy voting is not allowed. The ATC administration shall tally the votes. In the event of a tie vote, the winner shall be determined by a flip of the coin with the person whose last name is earliest in the alphabet and who is available calling the coin side. The ATC administration may enlist the assistance of a state or local election government department to assist in the conduct of the election.

Section 4: Notice of Elections

Elections shall occur at ATC or another location determined by the Council in October on a date determined by the Council. Notice of the election shall be posted on the ATC website at least 15 days prior to the election. Notice soliciting candidates shall be posted in English and Spanish on the ATC website at least 30 days prior to the election.

Section 5: Term

Except as provided for in Appendix A, attached hereto and incorporated herein, Council Members shall be elected for 3-year terms. Terms shall be staggered so that no more than 3 Council Members shall be up for election in any year, unless a vacancy must be filled. Council membership shall be limited to 2 consecutive full 3-year terms. Former Council Members shall be eligible for election after a lapse of 2 years. If the child of a parent Member graduates from or disenrolls from ATC during that Member's term, that parent Member may serve the remainder of his or her term.

Section 6: Resignation and Removal

A Council Member may resign effective upon giving written notice to the Chair of the Council. A Council Member may be removed, with cause, by a vote of 5 Council Members. If a Council Member misses 4 consecutive meetings without cause, that position may be declared vacant by a majority vote of the other Council Members in attendance in an open meeting.

Section 7: Vacancies

A vacancy on the Council shall be temporarily filled by appointment by a majority vote of the Council in an open meeting until the next election of the Council. The newly elected Council Member shall serve the remainder of the term vacated.

ARTICLE 3: POWERS, DUTIES AND LIMITATIONS

Section 1: General Powers and Duties

Subject to the laws and limitations of the State of New Mexico, the activities and affairs of ATC shall be conducted under the authority of the Council. The Council has the rights and responsibilities set forth in NMSA 1978, § 22-8B-4, and the powers and duties as set forth in the ATC Charter.

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Section 1: Amendment

These Bylaws may be amended or repealed upon by a vote of 5 Members of the Council.

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If there is a conflict between the terms of the ATC Charter and these Bylaws, the terms of the Charter shall govern. Should any of the terms of these Bylaws be held unenforceable or invalid, the remaining provisions shall be severable and shall continue in full force and effect.

The undersigned, with approval of the Council, hereby execute the foregoing Bylaws on behalf of the Council.

Tannis Fox

Tannis Fox
ATC Council Chair

February 27, 2012
Date

Leslie Fagre

Leslie Fagre
ATC Council Secretary

Feb. 27, 2012
Date