

New Mexico Society of Radiologic Technologists Bylaws

Article I: Name

The name of this organization shall be the New Mexico Society of Radiologic Technologists, hereinafter referred to as the NMSRT, affiliated with the American Society of Radiologic Technologists.

Article II: Purpose, Policy, Function and Definition

Section 1: Purpose

The purpose of the NMSRT shall be to advance the profession of radiation and imaging disciplines and specialties; to maintain high standards of education; to enhance the quality of patient care; and to further the welfare and socio-economics of Radiologic Technologists.

Section 2: Policy

- A. The NMSRT is committed to equal opportunity and nondiscrimination in all programs and activities. No one shall be denied opportunities or benefits on the basis of age, sex, color, race, creed, national origin, religious persuasion, marital status, sexual orientation, gender identity, military status, political belief or disability.
- B. No commercial enterprises shall be endorsed by the NMSRT. The name of the NMSRT or any member of its Board of Directors or its staff, in their official capacities, shall not be used in connection with a commercial company for other than the regular functions of the NMSRT.

Section 3: Functions of the NMSRT shall be to:

- A. Encourage quality patient care.
- B. Promote high standards of education and continuing professional development.
- C. Promote a forum to transact NMSRT business.
- D. Disseminate information pertinent to the profession.
- E. Establish and promote policies relevant to the profession.
- F. Encourage scientific research.
- G. Establish membership eligibility and define membership categories

Section 4: Definition

Radiologic Technologists shall be the term used to define individuals certified or licensed in any of the areas listed in the category code of the ARRT, or equivalent.

Article III: Membership

Section 1: Qualifications

- A. Membership in the NMSRT shall be available to those individuals associated with the practice, education, administration or commercial representation of the radiation and imaging disciplines and specialties.
- B. All candidates for membership shall submit the prescribed application form properly completed, together with the required fees, and shall furnish any additional information as may be required.

Section 2: Categories

The membership of the NMSRT shall consist of active members, associate members, student members, life members, and retired members.

- A. Active members are those who are registered by the American Registry of Radiologic Technologists (ARRT) or its equivalent or hold an unrestricted license under state statutes. They shall have all rights, privileges and obligations of membership including the right to vote, debate, hold office and serve as a delegate in the ASRT House of Delegates.
- B. Associate members shall be those persons who support the aims of the NMSRT, but who do not qualify for active membership. They shall have the rights, obligations and privileges of active members except the right to vote, hold office or serve as a delegate in the ASRT House of Delegates.
- C. Student members shall be those students enrolled in an accredited radiologic science educational program. Eligibility for this category shall terminate upon completion of, or discontinuation in, the educational program. They shall have the rights, obligations, and privileges of active members except the right to vote, hold office or serve as a delegate in the ASRT House of Delegates.
- D. Life members shall be active members who have rendered exceptional service to the NMSRT. Upon unanimous recommendation of the Board of Directors, life members shall be elected by a majority vote at an annual meeting. ~~They do not pay dues.~~ Life members shall receive complimentary registration to the NMSRT annual conference and shall have all the obligations and privileges of active members, except the obligation of paying dues.
- E. Retired members shall be those persons who have maintained membership in the NMSRT for a minimum of ten (10) years and who have retired from employment in healthcare. Retired members shall have the rights, obligations, and privileges active members except the right to

make motions, vote or hold an office. The Retired candidate must apply in writing to the Board of Directors for this status.

Section 3: Resignation of Membership

Any member shall have the right to resign by written communication to the NMSRT office

Section 4: Suspension and Expulsion

Any member may be suspended or terminated for cause. Sufficient cause for such suspension or termination of membership shall be a violation of the Bylaws or any lawful rule or practice duly adopted by the NMSRT or any other conduct prejudicial to the interests of the NMSRT.

- A. If the Board of Directors deems the charges to be sufficient; the person charged shall be advised in writing of the charges.
- B. A statement of the charges shall be sent by certified or registered mail to the last recorded address of the member at least twenty (20) days before final action is taken.
- C. The statement shall be accompanied by a notice of the time and place of the meeting of the Board of Directors at which the charges shall be considered.
- D. The member shall have the opportunity to appear in person and be represented by counsel to present any defense to such charges before action is taken.
- E. Suspension or expulsion shall be by two-thirds (2/3) vote of the entire membership of the Board of Directors.

Section 5: Reinstatement

A member who has resigned or whose membership has been deleted from the NMSRT for other reasons may be reinstated only after filing a new application and paying the fees as a new member.

Section 6: Membership Dues

- A. Dues for all members, established by the Board of Directors, shall be adopted by a two-thirds (2/3) vote of the members voting at a business session of the annual meeting.
- B. Any intent by the Board of Directors to change the dues structure shall be communicated, to the membership, a minimum of thirty (30) days prior to the annual meeting.
- C. Dues shall be paid within sixty (60) days of the renewal date. The name of any member in arrears after (60) days shall be deleted from membership.

**Article IV:
Affiliate (District) Organizations**

Section 1: District Establishment:

- A. The number of district organizations and their boundaries shall be determined by the Board of Directors. Districts may be designated as geographic areas or specialty categories

Section 2: Termination of Districts

A district may be terminated by a majority vote of the NMSRT Board of Directors or a majority vote of the district members present at an official meeting of the district.

Section 3: Clarification of Responsibility

The NMSRT shall not be responsible for any debts, actions statements made by, or on behalf of any district.

**Article V:
Officers**

Section 1: Officers

The officers of the NMSRT shall be the President, Vice President, President Elect, Secretary and Treasurer. The offices of Secretary and Treasurer may be combined.

Section 2: General Qualifications for the NMSRT Officers

The officers shall:

- A. Be voting members with both the NMSRT and the American Society of Radiologic Technologist (ASRT)
- B. Show proof of continuing education.

Section 3: Duties of the Officers of the NMSRT

A. The President shall:

1. Preside at the annual meetings of the NMSRT and perform all duties consistent with the office.
2. Be an ex-officio member of all committees, with the exception of the nominating committee.
3. Appoint committees unless otherwise provided by the Bylaws.
4. Preside at the meetings of the Board of Directors should the past-president be unable to serve as chairman.

B. The President–Elect shall:

1. Become familiar with activities of the NMSRT
2. Make all preparations necessary for elevation to the office of President.

C. The Vice President shall:

1. Become acquainted with all the duties of the president.
2. Assume the duties of the President, in the absence of the President, ~~the Vice President~~
3. Assist the President with committees.

D. The Secretary shall:

1. Keep the minutes
2. Conduct correspondence
3. Perform all the duties that usually and customarily pertain to the office.

E. The Treasurer shall:

1. Keep an accurate record of the financials of the NMSRT

Section 4: Term

- A. The vice president, secretary and treasurer shall serve for a term of one (1) year or until their successors have been elected.
- B. The president-elect shall serve for a term of one (1) year as president-elect, one (1) year as president and one (1) year as immediate past president.
- C. The term shall begin at the close of each Annual Meeting.

Section 5: Nominations

- A. Nominations can be made at any time including from the floor of the annual meeting business meeting prior to elections.
- B. The committee on nominations shall consist of three (3) members and shall be appointed by the Board of Directors.

Section 6: Election of Officers

- A. The vice president, president-elect, secretary, and treasurer shall be elected by majority vote of the voting members present at the business session of the annual meeting. *This may be a parliamentary technicality, but this language disallows members their right to abstain, by counting an abstention, essentially, as a “No” vote. I would prefer that the language be*

Formatted: Highlight

“majority of the voting members present AND VOTING at the business session....”
(Emphasis added)

Here’s why it’s important: Assume you have 20 members present, and 2 candidates for VP. A majority of 20 members is 11 votes required to elect. But 10 vote for candidate A, and 9 vote for candidate B. One individual, for whatever reason, does not cast a vote. Using my language, candidate A is elected. Using the language currently in paragraph A, there is no election, and you have to re-ballot.

B The method of voting (voice vote, show of hands, or ballot) shall be decided by a two-thirds (2/3) vote of the voting members present. ~~You can use 2/3 vote but only a majority is required by Robert’s in this situation. Actually you can allow the chairman to decide the method of voting and save yourself some time. If the members don’t like the method they can make a motion to change the method. (Tammy, I would like to go with Becky’s recommendation that we go with the majority vote for election of officers.) (I agree that we should go with majority. Tmc) I HATE this. I strongly encourage the use of the following language: “The method of voting shall be by ballot, unless a single candidate is nominated for office, in which case the vote may be held viva voce.” Here’s why: elections are, at heart, about people. And conducting such a vote in the open can only lead to hurt feelings and anger.~~

C. If a tie occurs, the president shall cast the deciding vote. **Again, I have problems with this. First of all, in a ballot vote, the president has already voted. Surely you don’t give them two votes? Secondly, you are inherently refusing the president the right NOT to vote, and if he does vote, you are denying him a secret ballot. In the best of all worlds, Robert would have you rebalot. Realizing that might not be practical, I’d recommend having the Board ballot, and if that, too, comes out a tie, determine it by lot (coin toss, cutting cards, etc.)**

Formatted: Indent: First line: 0"

Formatted: Font: Italic

Formatted: Font: Bold

Section 7: Eligibility

An officer who meets eligibility requirements at the time of nomination shall be permitted to complete the term, even though employment status changes,

Section 8: Vacancies

- A. A vacancy in the office of president shall be filled by the vice president
- B. A vacancy in any elective office, except the office of President shall be filled by a unanimous ballot of the remaining members of the NMSRT Board of Directors.

Section 9: Censure, Reprimand and Removal

Any officer may be censured, reprimanded or removed from the office for dereliction of duty or conduct detrimental to the NMSRT. Such action may be initiated when the Board of Directors receives formal and specific charges against an officer.

- A. If the Board of Directors deems the charges to be sufficient; the person charged shall be advised in writing of the charges.
- B. A statement of the charges shall be sent by certified or registered mail to the last recorded address of the officer at least twenty (20) days before final action is taken.
- C. The statement shall be accompanied by a notice of the time and place of the meeting of the Board of Directors at which the charges shall be considered.
- D. The officer shall have the opportunity to appear in person and be represented by counsel to present any defense to such charges before action is taken
- E. Censure, reprimand or removal shall be by two-thirds (2/3) vote of the remaining membership of the Board of Directors.

**Article VI:
Board of Directors**

Section 1: Composition

- A. The Board of Directors shall be composed of the President, President Elect, Vice President, Secretary, Treasurer, and the immediate Past-President.
- B. The Immediate Past-President becomes the Chairman of the Board and shall chair all board meetings

Section 2: Chief Management Officer (CMO)

- A. The Chief Management Officer (CMO) ~~should~~shall attend the Board of Directors meeting in an advisory capacity.
- B. The Chief Management Officer shall be appointed by the Board of Directors and shall serve for a three (3) year term or until removed by a majority vote of the Board, mutual agreement with the Board, or resignation. Being an appointed position, the Chief Management Officer is not eligible to vote during the Board of Directors meetings.

Section 3: Duties

- A. The Board of Directors shall be vested with the responsibility of the management of the business of the corporation and carry out the policies and procedures established by the members and shall represent the NMSRT when the membership is not in session.
- B. The Board of Directors shall:
 - 1. Control funds and property owned by the NMSRT

2. Provide annually for the audit of the books and the accounts of the NMSRT.
3. Establish committees.
4. Temporarily suspend action adopted by the membership, if such policy is found to be contrary to Federal, State or Local Laws, NMSRT Bylaws or to be financially ~~in~~ feasible~~infeasible~~. Such action shall be ratified by the membership at the next annual meeting.
5. Change the dates or location of the annual meeting if found advisable. In the case of a state or national emergency, the Board may cancel the annual meeting and will provide for the election of officers.
6. Appoint qualified members to vacant offices until elections can occur.
7. Appoint and oversee the Chief Management Officer position including reimbursement of direct expenses of the Chief Management Officer upon receipt of statements. In the fall of each year the board will determine a salary for the services of the Chief Management Officer.
8. Appoint or nominate representatives to external organizations.

Section 3: Meetings

- A. The Board of Directors shall meet a minimum of four (4) times annually. (Tammy, I would recommend that this reads the Board shall meet annually and as needed during the fiscal year.) (Agree, tmc)
- B. Special meetings The president, or a majority of the members of the Board of Directors, upon written request to the chairman of the Board, may call a special meeting, provided a fifteen-(15-) day notice to all Board members is given.

Section 4: Censure, Reprimand, and Removal:

Any Board member may be censured, reprimanded or removed from the position for dereliction of duty or conduct detrimental to the NMSRT. Such action may be initiated when the Board of Directors receives formal and specific charges against a Board member.

- A. If the Board of Directors deems the charges to be sufficient, the person charged shall be advised, in writing, of the charges.
- B. A statement of the charges shall be sent by certified or registered mail to the last recorded address of the Board member at least twenty (20) days before final action is taken.

- C. The statement shall be accompanied by a notice of the time and place of the meeting of the Board of Directors at which the charges shall be considered.
- D. The Board member shall have the opportunity to appear in person and be represented by counsel to present any defense to such charges before action is taken.
- E. Censure, reprimand or removal shall be by two-thirds (2/3) vote of the remaining membership of the Board of Directors.

Section 5: Quorum

. A majority of the Board of Directors' members shall constitute a quorum for all meetings.

**Article VII:
NMSRT Delegate to ASRT**

Section 1: NMSRT Delegate

- A. ~~The President-elect shall serve as a delegate and an additional delegate and one alternate delegate shall be appointed by the Board of Directors. To a four (4) year term or until a successor has been appointed.~~ **It is more appropriate to state how and /or who are the delegates. Although delegates may serve a 4 year term according to ASRT bylaws it is not necessary for the NMSRT to state that the delegate serves a four year term. It is probably better to allow the Board to appoint the delegate and alternate annually. If an appointed delegate cannot attend it gets into vacancy vs. absence which can be confusing for the affiliate. The Board can always appoint the same person as delegate for 4 years in a row. (Tammy, I would recommend that we follow Becky's recommendation that the Board appoint the "delegate & alternate delegate" annually. We can keep, in my opinion, that the President-elect shall serve as one of the delegates.) (Agree, tme)**
- B. NMSRT shall submit to ASRT the names of the NMSRT delegates and alternate delegate by the first business day of April **or the NMSRT delegate positions shall remain open until after the ASRT House of Delegates' meeting. (I question whether we should leave the last portion on here because if delegates are not appointed and in attendance at HOD, the society goes on probation. There are no onsite credentialing allowances anymore. tme) ~~The second part is listed as a "required statement" by ASRT.~~**
- C. The Society has the power to remove delegates.

Section 2: Qualifications

- A. A delegate shall show proof of continuing education.
- B. A delegate shall be a voting member of the ASRT and the NMSRT for two (2) years immediately preceding nomination.
- C. A delegate shall have served as an officer, or on the Board of Directors or as a committee member in the NMSRT.
- D. A delegate shall practice in the radiologic science profession or health care.

- E. A delegate may serve concurrently on the board of any national radiologic science certification or national accreditation agency.
- F. A delegate shall have the time and availability for necessary travel to represent the ASRT.

Section 3: Responsibilities (I love this section! Outstanding!)

- A. A delegate shall attend and participate in the ASRT House of Delegates' meeting and all meetings required of delegates.
- B. Respond to communications from the ASRT and the House of Delegates
- C. Disseminate information from the ASRT and House of Delegates to the NMSRT members and Board of Directors.

Section 4: Absence:

An absence exists when an appointed Society delegate is unable to fulfill the duties of the position during the ASRT House of Delegates' meeting. The delegate shall be considered absent for the purpose of that meeting only. It is the responsibility of the Society delegate to notify the ASRT, the Speaker of the House, and the alternate delegate of the delegate's inability to attend the conference as soon as possible. The alternate delegate shall be seated for that meeting only. Any delegate position or alternate delegate position not filled by the appointment process remains open. There shall be no on-site credentialing of delegates.

Section 5: Vacancies:

A vacancy exists when a delegate has submitted a written letter of resignation or when a delegate position has not been filled by the appointment process. A delegate vacancy caused by the written resignation of a delegate shall be filled by the appointed alternate delegate.

Section 6: Censure, Reprimand and Removal:

Any NMSRT delegate may be censured, reprimanded or removed from the position for dereliction of duty or conduct detrimental to the ASRT or the NMSRT. Such action may be initiated when the ASRT or NMSRT Board of Directors receives formal and specific charges against the delegate.

- A. If the Board of Directors deems the charges to be sufficient, the person charged shall be advised, in writing, of the charges.
- B. A statement of the charges shall be sent by certified or registered mail to the last recorded address of the delegate at least twenty (20) days before final action is taken.
- C. The statement shall be accompanied by a notice of the time and place of the meeting of the Board of Directors at which the charges shall be considered.
- D. The delegate shall have the opportunity to appear in person and be represented by counsel to present any defense to such charges before action is taken.
- E. Censure, reprimand or removal shall be by two-thirds (2/3) vote of the respective Board of Directors.

**Article VIII:
Meetings**

Section 1: Annual Meeting

- A. The annual meeting of the membership shall be held in the spring of each year and shall include the business session of the NMSRT.
- B. The site of the annual conference shall be decided by the Board of Directors.

Section 2: Special Meeting

Special meetings of the NMSRT may be called at such time and place as may be designated by the Board of Directors. A majority of the Board of Directors shall constitute sufficient authority to call a special meeting. The membership shall be notified of the business to be transacted. No business other than that specified shall be transacted.

Section 3: Parliamentarian

A parliamentarian, selected by the President, shall be in attendance at each business session during the annual meeting or special meeting of the NMSRT.

Section 4: Quorum A quorum for a business meeting or any special Society meeting shall consist of twenty-five percent (25%) of the voting members in attendance and includes not less than two (2) officers. No business can be conducted with less than 15 voting members present. **In re-looking at the quorum it really should be based on a percentage of members present at the meeting. Almost all affiliates use 25% because it is easily attainable and of course the meeting should have officers present. I got to thinking that your 15 member statement was really a minimum number the NMSRT want to conduct business so I added the last sentence. (Tammy, I recommend that we accept Becky's recommendation regarding 25% of voting members & 2 officers.)(Agree, tmc)**

Article IX Committees

Section 1: Standing Committees

- A. The Board of Directors shall establish standing committees as deemed necessary to carry out the activities of the NMSRT. Such committees shall be responsible to the Board of Directors and may be altered or eliminated at any time by the Board of Directors.
- B. The President shall appoint the committees unless in conflict with other sections of the bylaws.

Section 2: Vacancies.

- A. A vacancy in any Board of Directors' committee shall be filled by an appointment of the Board of Directors.
- B. A vacancy in a presidential committee shall be filled by an appointment by the president.

Article X Parliamentary Authority

The rules contained in the latest edition of Robert's Rules of Order, Newly Revised shall govern the NMSRT in all cases to which they are applicable and in which they are consistent with these bylaws. .

Article XI:

Bylaw Amendments

Amendments to these bylaws may be made by two-thirds (2/3) vote of the voting members present at the annual meeting business session.

Notice of the proposed Bylaws amendments shall be provided to the membership at least thirty (30) days prior to the annual meeting. Amendments shall be effective at the conclusion of the business meeting unless otherwise specified. I **restructured it to make it a bit cleaner. I also added the last sentence to notify when the amendments take place. I strongly suggest that you remove the words “by mail” from this section. The notification time limit should be enough. This change will allow the Board more flexibility in how the members are notified. The NMSRT may want to send out a postcard telling the membership that the proposed bylaw amendments are posted on the Web site or you may want to send them by e-mail. Societies are always trying to save money and this could save a lot of time, materials and money.**

(Tammy, I suggest that we use Becky's wording for bylaw amendments) (Agree, tmc)

Article XII: Indemnification

Every officer, employee, or delegate of the NMSRT shall be indemnified by the NMSRT against all expenses and liabilities, including attorney's fee in connection with any threatened, pending, or completed proceeding in which the above-named individual is involved by reason of the above-named individual being or having been an officer, employee, or delegate of the NMSRT if the above-named individual acted in good faith and within the scope of the above-named individual's authority and in a manner reasonably believed to be not opposed to the best interest of the NMSRT. In no event shall indemnification be paid to or on behalf of any above-named individual going beyond or acting beyond the powers granted by authority of this organization or bylaw. The foregoing right of indemnification shall be in addition to and not exclusive of, all other rights to which such officer, employee, or delegate may be entitled.

Article XIII: Dissolution

In the event of dissolution or final liquidation of the NMSRT, all of its assets remaining after the payment of its obligations shall have been made or proved for, shall be distributed to and among such corporations, foundations or other organizations organized and operated exclusively for scientific and educational purposes, consistent with those of the NMSRT, as designated by the Board of Directors.