

Note: This sample contains CEC's requirements for division's constitution and bylaws and includes changes in CEC programs and policy approved by the Board of Directors at their April 2007 meeting.

<p>CONSTITUTION AND BYLAWS OF THE _____ [DIVISION] OF THE COUNCIL FOR EXCEPTIONAL CHILDREN</p>

ARTICLE I
NAME

The name of this organization shall be the _____ of the Council for Exceptional Children (herein the "division").

ARTICLE II
PURPOSE

Section 1. Purpose

The primary purpose of this division shall be to advance the education of individuals with exceptionalities and to promote related educational, scientific, and charitable purposes. Specifically, the division intends: To assist and provide support to the Council for Exceptional Children (CEC) in all its efforts on behalf of persons with exceptionalities, and to participate in all appropriate governance activities of CEC subject to the general supervision and control of CEC.

Section 2. Secondary Purpose

The secondary purpose(s) shall be... *[NOTE: The statement of purpose must be in harmony with the Council's. Section 2 may reflect specific purposes related to the special interests the division represents.]*

ARTICLE III
MEMBERSHIP

Section 1. Qualifications

Membership shall consist of professional personnel and other persons interested in the education of individuals with exceptionalities.

Section 2. Minimum Membership Requirements

The division must attain a membership of 1.5% of the total CEC membership by the end of the second year of operation to receive a charter, and maintain a membership of at least 1.5% of the total CEC membership to continue charter status unless exempted by the Board of Directors of CEC.*

**The Division for Pioneers is exempted from this requirement. [CEC Policy Manual, Section Two, Part 3, paragraph 3(a)]*

Section 3. Unified Membership

All members of this division must hold concurrent membership in the Council for Exceptional Children. The division may not accept enrollments for division membership only.

Section 4. Membership Term

The policy pertaining to the membership year shall be consistent with the policy of the Council for Exceptional Children.

**ARTICLE IV
ORGANIZATION**

Section 1. Relationship to The Council for Exceptional Children

This division shall be affiliated with the Council for Exceptional Children.

Section 2. Fiscal and Administrative Term

The fiscal year and administrative term of office shall be

**ARTICLE V
DUES**

Section 1. Dues

Dues may be proposed by the Executive Committee and shall be consistent with the dues policies of the Council for Exceptional Children. Approval shall require a simple majority vote at the annual business meeting.

Section 2. Payment of Dues

Annual dues shall be payable before the end of the individual's membership year. Members whose dues are not paid by the last day of their membership year shall be considered delinquent, and they shall be dropped from membership of the organization.

**ARTICLE VI
OFFICERS**

IF THE REPRESENTATIVES TO THE CEC REPRESENTATIVE ASSEMBLY ARE ELECTED:*

Section 1. Elected Officers

The officers of this division shall be president, a president elect who shall succeed the president, a vice president who shall succeed the president elect, a secretary, a treasurer, and the two representatives to the CEC Representative Assembly.*

Section 2. Prerequisite to Nomination and Election

All officers must be members in good standing of the Council for Exceptional Children and this division at the time of their nomination and election and remain so throughout their term of office.

Section 3. Succession

An elected officer, with the exception of the representatives to the CEC Representative Assembly, cannot succeed himself in the same office until after the expiration of one administrative year, provided that this shall not apply in the case of an officer selected to fill any portion of an unexpired term. The representatives to the CEC Representative Assembly may serve a second consecutive two-year year term.**

**Use the wording in this boxed area if the division representatives to the CEC Representative Assembly are officers in the division.*

***Do not include this sentence if the representatives cannot be reelected.*

IF THE REPRESENTATIVES TO THE CEC REPRESENTATIVE ASSEMBLY ARE APPOINTED:*

Section 1. Elected Officers

The officers of this division shall be president, a president elect who shall succeed the president, a vice president who shall succeed the president elect, a secretary, and a treasurer.

Section 2. Appointed Representatives to the CEC Representative Assembly

The two representatives from the division to the CEC Representative Assembly shall be appointed by the division's Executive Committee/Board from nominations submitted by the nominations committee.

Section 3. Prerequisite to Nomination, Election, and Appointment

All officers and representatives to the CEC Representative Assembly** must be members in good standing of the Council for Exceptional Children and this division at the time of their nomination, election, or appointment and remain so throughout their term of office.

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Section 4. Succession

An elected or appointed officer, with the exception of the representatives to the CEC Representative Assembly, cannot succeed himself in the same office until after the expiration of one administrative year, provided that this shall not apply in the case of an officer selected to fill any portion of an unexpired term. The representatives to the CEC Representative Assembly may serve a second consecutive two-year term.***

[Note: Subsequent sections must be re-numbered.]

**Use the wording in this boxed area if the division representatives to the CEC Representative Assembly are appointed.*

***If the representatives are officers in the division, omit “and representatives to the CEC Representative Assembly.”*

****Do not include this sentence if the representatives cannot be reappointed.*

Section 4. Vacancies

A vacancy in the office of president shall be filled by automatic succession of the president elect to the office. A vacancy in the office of president elect shall be filled by automatic succession of the vice president to the office. A vacancy in any of the offices, including the division representatives to the CEC Representative Assembly except president and president elect, shall be declared and filled by action of the Executive Committee upon recommendation by the president, and such person(s) shall serve only until the end of the current administrative year or until replaced by a duly elected (*selected*) successor.

Section 5. Duties of Officers

A. The powers and duties of the president shall be:

1. To serve as the chief executive officer of the division with the powers and duties usually belonging to such a position;
2. To give leadership to general policy making and carry out the directives of the membership;
3. To call and preside at the annual business meeting and all meetings of the Executive Committee;
4. To recommend chairs of standing committees with the exception of the nominations and elections committee;
5. To be an ex-officio member of all committees with the exception of the nominations and elections committee;
6. To recommend to the Executive Committee the types of ad hoc committees and other appointive bodies needed;
7. To represent the division in coordinating efforts with other divisions, other units of CEC, and other organizations;
8. To submit an Assurance Form annually to the Council for Exceptional Children.
9. To assume the responsibilities of one of the division’s representatives to the CEC Representative Assembly.*

- B. The powers and duties of the president elect shall be:
1. To serve in the place of and with the authority of the president in case of the president's absence or inability to serve;
 2. To develop the division's program for the CEC annual convention, and plan other meetings according to the policies and directives of the Executive Committee. Prepare a draft of the complete convention program for approval of the Executive Committee.
 3. To assume the responsibilities of one of the division's representatives to the CEC Representative Assembly.*
- C. The powers and duties of the vice president shall be:
1. To serve in the place of and with the authority of the president in case of the president's and president elect's absence or inability to serve;
 2. To assume designated responsibilities which will provide training for advancement to the office of president elect and president.
- D. The powers and duties of the secretary shall be:
1. To keep a careful record of the proceedings of the annual business meeting and the meetings of the Executive Committee;
 2. To carry on correspondence as necessary for the operation of the division.
 3. To assume custody of all records except those specifically assigned to others;
 4. To keep accurate lists of Executive Committee and committee members;
 5. To transfer all records to the new secretary at the time of installation.
- E. The powers and duties of the treasurer shall be:
1. To serve as custodian of the funds of the division;
 2. To pay expenses approved by the Executive Committee and on authorization of the president;
 3. To make an annual report of the financial status of the division to the Executive Committee and at the annual business meeting;
 4. To prepare and submit an annual budget for approval by the Executive Committee at the annual business meeting;
 5. To transfer all monies and records to the new treasurer within 15 days after installation.
- F. The powers and duties of the division's representatives to the CEC Representative Assembly shall be:
1. To represent the division at meetings of the CEC Representative Assembly and to participate in balloting, and other activities necessary to the functioning of the CEC Representative Assembly.
 2. To report regularly to the division's executive committee/board and general membership on activities of the Representative Assembly and CEC.
 3. To communicate issues and concerns from the division to the CEC Representative Assembly.
 4. ***To inform the division about the disposition of Representative Assembly issues and advice forwarded to the CEC Board of Directors.***

*Include this responsibility if the officer will serve as a division representative to the CEC Representative Assembly.

Section 6. Election of Officers

The officers of the division shall be elected by the membership from those members in good standing who are nominated by the nominating committee.

The president, president elect, vice president, secretary, and treasurer shall serve one-year terms, which shall coincide with the fiscal year, _____. The two division representatives to the CEC Representative Assembly shall each serve a two year term which shall be on a staggered basis.

Section 7. Term of Office

The president, president elect and vice president shall serve one year. The secretary and treasurer shall serve two consecutive years. The division representatives to the CEC Representative Assembly shall each serve only a single two-year term which shall be on a staggered basis.* The election for secretary shall be held on even-numbered years; the election for treasurer shall be held on odd-numbered years; the election for one of the two representatives to the CEC Representative Assembly shall be held each year.**

Section 8. Removal from Office

- A. A petition for removal of a division officer shall be signed by at least five members of the division and submitted in writing to the president. If the president is the subject of the petition, it shall be submitted to the president elect.
- B. The president (or president elect) shall, within seven days, notify each Executive Committee member in writing of the receipt of such a petition, solicit relevant evidence from all parties concerned, and call a special meeting of the Executive Committee to consider the matter within 30 days following receipt of the petition.
- C. At the Executive Committee meeting, an opportunity shall be made available to all interested parties to present any relevant evidence; a two-thirds majority vote of the members present, provided there is a quorum, is necessary for removal of the officer. Removal from office is effective immediately.
- D. The officer being considered for removal shall be provided with the results of the Executive Committee action in writing within seven days.

ARTICLE VII EXECUTIVE COMMITTEE

Section 1. Composition

The Executive Committee shall consist of the president, president elect, vice president, immediate past president, secretary, treasurer, the division representatives to the CEC Representative Assembly, and chairs of standing committees.

**Other alternatives for the terms of office for the representatives to the CEC Representative Assembly include: may serve two consecutive two year terms if reelected (reappointed); or may serve another two year term after the absence of a complete two year term; or may serve another two year term after the expiration of one year.*

***This may vary with individual division's constitutions.*

Section 2. Duties of the Executive Committee

The duties of the Executive Committee shall be:

- A. To serve as the division's administrative policy-making body;
- B. To act upon such official recommendations and petitions as may be received;
- C. To adopt an annual budget;
- D. To decide on publications that should be issued;
- E. To select the site of the meeting sponsored by the division;
- F. To ensure delivery to the division's members the services, benefits, and products that the division advertises.
- G. To assume such other responsibilities as are, or as shall be; and assigned through the constitution and bylaws.
- H. To appoint the division's representatives to the CEC Representative Assembly.*

**ARTICLE VIII
MEETINGS**

Section 1. Meetings

A minimum of one annual business meeting shall be held.

Section 2. Special Meetings

The Executive Committee shall have the authority to conduct regional meetings, conventions or conferences in addition to the annual meeting.

Section 3. Quorum

_____ of the membership shall constitute a quorum at a regular or specially-called meeting.

**ARTICLE IX
COMMITTEES**

Section 1. Standing Committees

Standing committees shall be Membership, Publications, Nominations and Elections, Governmental Relations, Constitution and Bylaws, and Finance.

Section 2. Ad Hoc Committees

Ad hoc committees may be established and their functions assigned at the discretion of the president. Such establishment must clearly indicate the purpose and length of service of the committee.

*Include "H" if the executive committee is responsible for appointing these positions.

Section 3. Appointment of Committee Chairs

The president, with the approval of the Executive Committee, shall appoint the chairs of the standing committees. The immediate past president shall serve as chair of the nominations and elections committee.

Section 4. Appointment of Committee Members

Committee members shall be appointed by the chair, subject to approval by the president.

Section 5. Membership Committee Composition

The membership committee shall have no less than two members in addition to the chair. The chair and members shall serve three-year terms. One-third, or the nearest fraction thereof, of the membership shall be appointed each year.

Section 6. Publications Committee Composition

The publications committee shall include the newsletter and/or journal editors.

Section 7. Nominations and Elections Committee Composition

The nominations and elections committee shall have four members in addition to the chair, representing a broad geographical selection. The chair and members shall serve one year terms.

Section 8. Duties of Committees

A. The duties of the membership committee shall be:

1. To maintain a current record of members and to provide all officers and committee chairs with such a list;
2. To maintain an active program for the recruitment of new members;
2. To support Council headquarters in its follow-up of membership renewals;
3. To keep a written record of the activities conducted to maintain and increase membership.

B. The duties of the publications committee shall be:

1. To continuously review the publications structure of the division and recommend policies and procedures related to its growth and development;
2. To assess the composition of the membership for consideration in determining the scope of the publications program;
3. To recommend to the Executive Committee publications to be issued;

C. The duties of the governmental relations committee shall be:

1. To develop a legislative program under the direction of the Executive Committee.
2. To disseminate information pertinent to national and state/provincial legislative programs.

- D. The duties of the nominations and elections committee shall be:
1. To solicit recommendations for nominations from the entire membership;
 2. To nominate at least two candidates for vice president, for the positions of division representatives to the CEC Representative Assembly,* and for other officer positions to be filled.
 3. To distribute the ballots to the membership eight (8) weeks prior to the annual business meeting.
 4. To determine winners by the preferential voting procedure described in the Roberts Rules of Order, Newly Revised, latest edition.
 5. To announce the results at the annual business meeting.
- E. The duties of the constitution and bylaws committee shall be:
1. To receive and review all proposed amendments to the constitution and bylaws and refer with recommendations to the Executive Committee;
 2. To call to the attention of the Executive Committee other changes which may be needed in the constitution and bylaws.
- F. The duties of the finance committee shall be:
1. To develop plans for raising funds;
 2. To audit the treasurer's reports.

ARTICLE X DURATION AND DISSOLUTION

The duration of the division shall be perpetual unless the officers of the division unanimously determine that it should be dissolved. Upon the dissolution and final liquidation of the division, the officers shall, after paying or making provision for the payment of all debts and liabilities of the division, distribute all of its assets to the Council for Exceptional Children (a non-profit organization), its *Yes I Can!* Program, or the Council's scholarships.

ARTICLE XI PARLIAMENTARY PROCEDURE

The rules of parliamentary practice comprised in Roberts Rules of Order, Newly Revised, latest edition, shall govern the proceedings of this division.

**Include "for the positions of division representatives to the CEC Representative Assembly" only if these are elected positions.*

**ARTICLE XII
AMENDMENTS**

Section 1. Submission of Proposed Amendments

Proposed amendments to the constitution must be petitioned by ten active members and circulated by mail to the active membership within eight months thereafter, subject to a vote at or before the annual meeting. All amendments must be submitted to the president.

Section 2. Voting

This Constitution and Bylaws may be amended by either a mail vote or a voice vote and must pass by a two-thirds majority of the members voting.