

Arkansas Division for Early Childhood Subdivision
of the Council for Exceptional Children

CONSTITUTION

ARTICLE I NAME

Section 1. Name

The name of the organization shall be Arkansas Division for Early Childhood Subdivision of the Council for Exceptional Children.

Section 2. Affiliation

Arkansas Division for Early Childhood Subdivision of the Council for Exceptional Children shall be recognized as an official Subdivision of the Arkansas Federation of The Council for Exceptional Children and shall be affiliated with the Division for Early Childhood of the Council for Exceptional Children.

ARTICLE II PURPOSE

Section 1. Purpose

The primary purpose of this subdivision shall be to promote policies and practices that support families and enhance the optimal development of young children. Specifically the subdivision 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, provided, however;

1. No part of the subdivision's net earnings or assets will, either directly or indirectly, inure to the benefit of the subdivision's founders, or any of its officers or member, or their families, or otherwise to any private individual (except that reasonable compensation may be paid for services rendered to or on behalf of the subdivision and payments and distributions may be made in furtherance of the purposes set forth in Article II);

2. No substantial part of the activities of the subdivision shall consist of carrying on propaganda or otherwise attempting to influence legislation (except as may be permitted by Section 501 (h) of the Internal Revenue Code, as amended), and the subdivision shall not participate in or intervene (including the publication or distribution of statements) in any political campaign on behalf of any candidate for public office nor shall the subdivision engage in any activities that are unlawful under applicable federal, state, or local law;

3. The subdivision shall not be operated for profit and shall not carry on any other activities not permitted to be carried on by an association exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code, or by an association to which contributions are deductible under Section 170 (c) (2) of the Internal Revenue Code; and

4. If at any time the subdivision is deemed to be a private foundation as defined in Section 509 of the Internal Revenue Code, the subdivision shall distribute its income and principal, if necessary, in such manner so as not to subject the subdivision to tax liability under Section 4942(2) of the Internal Revenue Code, and the subdivision shall not engage in any act of self-dealing (as defined in Section 4941(d) of the Internal Revenue Code), retain any excess business holdings (as defined in Section 4943(c) of the Internal Revenue Code), or make any taxable expenditures (as defined in Section 4945(d) of the Internal Revenue Code).

Section 2. Secondary Purpose

The secondary purpose shall be to encourage and promote professional growth and research as a means of better understanding the unique needs related to young children with exceptionalities and their families.

ARTICLE III MEMBERSHIP

Section 1. Minimum Membership Requirements

The subdivision shall maintain a minimum of 20 paid members who shall meet the membership qualifications established by the CEC Delegate Assembly and as may have been supplemented by the Division for Early Childhood.

Section 2. Unified Membership

All members of the Arkansas Division for Early Childhood Subdivision of the Council for Exceptional Children shall be members of the Council for Exceptional Children and the International Division for Early Childhood.

Section 3. Membership Term

The policy pertaining to the membership year shall be consistent with the policy of CEC, and the period of membership for each Subdivision member shall coincide with his/her membership with CEC.

ARTICLE IV OFFICERS

Section 1. Elected Positions

The officers of this organization shall be a president, a president elect who shall succeed the president, and immediate past president, a vice president who shall succeed the president elect, and a secretary. All Past Presidents willing to serve will remain on the board as long as their membership is active.

Section 2. Term of Office

The terms of *elected* officers shall be as follows:

President	One Year
President Elect	One Year
Vice President	Two consecutive years
Secretary	Two consecutive years

The elections of consecutive year terms shall be as follows:

Secretary on odd numbered years

Section 3. Administrative Year

The fiscal year and administrative term of office shall be July1 – June 30.

Section 4. Vacancies

- A. A vacancy in the office of president shall be filled by automatic succession of the President elect to the office.
- B. A vacancy in the office of president elect shall be filled by automatic succession of the vice president of the office.
- C. A vacancy in any of the offices, except president and president elect shall be declared and filled by action of the Executive Board 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 successor.

Section 5. Succession

An elected officer cannot succeed himself/herself in the same office. However, the officer may be re-elected to the same office after the expiration of one year. An officer selected to fill any portion of an unexpired term may be elected to the same office immediately following his/her appointed term.

Section 6. Prerequisite to Nomination and Election

Individuals nominated for office must currently be members *in good standing* of The Council for Exceptional Children, the International Division for Early Childhood, and the Arkansas Division for Early Childhood Subdivision of the Council for Exceptional Children throughout their term of office. Failure to maintain such membership may result in immediate removal from office.

Section 7. First Election

At the first election of this organization, eligible members shall elect a full set of officers from members of the International Division for Early Childhood who agree to serve until the next election.

Section 8. Removal from Office

Procedures for removal from office will be as follows:

- A. A petition for removal of an Arkansas Division of Early Childhood Subdivision of the Council for Exceptional Children office shall be signed by at least five members of the subdivision 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 thirty 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.
- D. The Executive Committee shall then forward the petition and relevant documentation, with or without recommendations, to the general membership. A ballot is to be enclosed and members are to be asked to vote on the removal of the officer.
- E. The ballot must be returned to the president (president elect) within 30 days. A two-thirds majority vote of voting members is necessary for the removal of the officer.
- F. Removal from office is effective immediately. The officer being considered for removal shall be provided with the results of the Executive Committee action in writing within seven days.

ARTICLE V EXECUTIVE BOARD

Section 1. Composition

The president, president elect, vice president, immediate past president, secretary, chairpersons of standing committees, and a student representative shall constitute the Executive Board.

Section 2. Quorum

Five members shall constitute a quorum.

Section 3. Meetings

The Executive Board shall meet at least once a year. Meetings of the Executive Board shall be called by the president or by the petition of three members of the Board, by individual notification of the members at least seven days prior to the meeting.

Section 4. Appointed Members

Appointed members of the Executive Board include the chairpersons of the membership, legislative, publications, and family concerns committees, and the student representative.

Section 5. Appointment of Committee Chairpersons

Recommendations for appointment will be solicited from the membership. The positions will be filled from the recommendations by appointment by the president with approval of the Executive Committee.

Section 6. Voting Rights

Appointed members shall have full voting rights.

ARTICLE VI COMMITTEES

Section 1. Standing Committees

Standing committees shall include:

- A. Membership/Publications
- B. Nominations and Elections

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. Chairpersons of these committees are not members of Executive Board.

ARTICLE VII DISSOLUTION

The duration of the subdivision shall be perpetual unless the officers of the subdivision unanimously determine that it should be dissolved. Upon the dissolution and final liquidation of the subdivision, the officers shall, after paying or making provision for the payment of all debts and liabilities of the subdivision, follow specific procedures as determined by the international division, or, if no such procedures are mandated:

1. Forward them to the headquarters of The Council for Exceptional Children (a non-profit organization) with a request that they be retained in a non-interest bearing account and made available to the subdivision should it ever be reorganized; provided, however, that if The Council for Exceptional Children has theretofore dissolved or is not the qualified as a tax-exempt organization within the meaning of Section 501(c)(3) of the Internal Revenue Code, then to such organizations designated by the Officers of the association which are organized and operated exclusively for exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or
2. Contribute them to the CEC International Center for Scholarship in Education, a nonprofit, tax exempt public foundation which operates to advance the education of exceptional children and youth, or
3. Contribute them to another unit of CEC that is active and conducts programs and activities with those as described in ARTICLE II.

Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction in the county or city in which the principal office of the subdivision is located, exclusively for such purposes or to such organizations, as said court shall determine, which are organized and operated exclusively

for such purposes, or to the federal government or a state or local government to be used for a public purpose.

ARTICLE IX AMENDMENTS

Section 1. Constitutional Amendments

The Constitution and Bylaws may be amended at any regular meeting by a two-thirds vote of the membership present. Such amendment or amendments shall have been submitted to the membership in writing. The membership shall have received the proposed amendment or amendments at least 14 days prior to the meeting. No amendment shall authorize the officers to conduct the affairs of the subdivision in any manner or for any purpose contrary to the provisions of Section 501(c) (3) of the Internal Revenue Code.

BYLAWS

ARTICLE I MEMBERSHIP

All members shall be entitled to all rights and privileges of this subdivision.

ARTICLE II DUES AND FEES

There shall be no state/local dues.

ARTICLE III DUTIES OF OFFICERS

Section 1. Duties of Officers

The duties of officers shall be such as are implied by their respective titles and such as are specified in these bylaws.

Section 2. President

The President shall:

- A. Be the chief Executive office of the subdivision
- B. Call and preside at all sessions of the annual business meeting.
- C. Call and preside at meetings of the Executive Board.
- D. Recommend chairs of committees with the exception of the Nominations and Elections Committee.
- E. Be an ex-officio member of all committees with the exception of the Nominations and Elections Committee.
- F. Represent the subdivision in coordinating efforts with other agencies.
- G. Give leadership to general policy making and carry out directions of the membership.
- H. Make an annual report to the Federation and to the International Division President.
- I. President will approve all routine expenditures and bring other expenditures to the Board for approval.

Section 3. President Elect

The President Elect shall:

- A. Serve in the place of the president with authority in case of absence or disability of the president.
- B. Serve as subdivision-representative on the Federation (Arkansas Council for Exceptional Children) Program Planning Committee for the Federation Annual Convention to be held during that term of office.
- C. Assist President with planning annual convention when appropriate.

Section 4. Vice President

The Vice President shall:

- A. Serve in the president's place and with the president's authority in case of absence or disability of the president elect.
- B. Assume designated responsibilities which will provide training for advancement to the office of president elect and president.
- C. Assist president with planning annual convention when appropriate.

Section 5. Immediate Past-President

The Immediate Past-President shall serve as the chairperson of the Nominations and Elections Committee.

Section 6. Secretary

The Secretary shall:

- A. Keep a record of all proceedings of the annual business meeting and the meetings of the Executive Board.
- B. Keep a record of all correspondence as necessary for the operation of the organization.

Section 7. Student Representative

The Student Representative shall:

- A. Represent issues of students in higher education.
- B. Will present an annual report detailing the number of students enrolled in early childhood special education personnel preparation programs in Arkansas.
- C. Will assist the Membership Committee with recruitment of student members.

ARTICLE IV COMMITTEES

Section 1. Appointment of Committee Chairpersons

The president, with the approval of the Executive Board, shall appoint chairpersons of the following standing committees: membership/ publication, legislative, and family concerns. The immediate past president shall serve as chairperson of the Nominations and Elections Committee.

Section 2. Appointment of Committee Members

With the exception of the Nominations and Elections Committee members shall be appointed by the chair subject to approval by the Executive Board.

Section 3. Committee Membership

The membership publication, and legislative and family concerns committees should have no less than two members in addition to the chair. The chair and members shall serve three year terms.

Section 4. Reporting Procedures

All standing committees reporting at the annual meeting shall first report to the Executive Board.

Section 5. Nominations and Elections Committee Membership

The Nominations and Elections Committee should have three members in addition to the chair, representing a broad geographical and professional selection. The members shall serve one (1) year terms.

Section 6. Nominations and Elections Committee Procedures

A. The Nominations and Elections Committee's procedure shall be:

1. Solicit recommendations for the nominations from the entire membership prior to March 1.
2. Nominate at least two candidates for vice president annually; for the secretary on odd numbered years-
3. In case of vacancies in the offices of president elect and vice president, nominate candidates for president and president elect.

B. Ballots shall be sent or posted for/to all active members by April 1 and shall be voted upon by mail, e-mail, or electronic method and returned to the committee chairperson by the new administrative year. Those receiving a simple plurality shall be elected.

C Results of the election shall be announced on the AR CEC Website.

Section 7. Membership/Publication Committee

The Membership/Publication Committee shall:

- A. Formulate plans to be approved by the Executive Board for membership recruitment and growth of the Division.
- B. Keep records of membership.
- C. Keep a written record of the activities conducted to maintain and increase membership.
- D. Provide a minimum of 2 articles annually to the Arkansas Council for Exceptional Children newsletter.

ARTICLE V EXECUTIVE BOARD

The Executive Board shall:

- A. Conduct all appropriate executive business of the Subdivision.
- B. Recommend policies and programs for the Subdivision at the annual business meeting.
- C. Advise on the annual subdivision budget.
- D. Formulate such administrative policies and assume such other responsibilities as are appropriate.

ARTICLE VI ANNUAL MEETING

The annual business shall consist of:

- A. Report of subdivision activities and other matters of concern by the president.
- B. Minutes of the previous meetings.
- C. Report by the President using information obtained from the Council for Exceptional Children Treasurer.
- D. Approval of the budget and program for the coming year.
- E. Report of all committees.
- F. Report of Federation activities that concern the Subdivision.
- G. Other matters which are of interest and concern to the Subdivision.

ARTICLE VII PARLIAMENTARY RULES

The rules of parliamentary practice comprised in *Robert's Rules of Order*, Newly Revised, shall govern the proceedings of this subdivision subject to the special rules which have been or may be adopted.

Constitution revised, General Membership Meeting November 15, 2007