

Oklahoma Federation of the Council for Exceptional Children

Constitution and Bylaws Revision

Article I. Name

Section 1. This organization shall be known as the Oklahoma Federation of the Council for Exceptional Children, a unit within The Council for Exceptional Children.

Section 2. The Oklahoma Federation of the Council for Exceptional Children shall abide by all the official decisions of The Council for Exceptional Children Representative Assembly.

Article II. Purpose

The purpose of this organization shall be to advance the education of individuals with exceptionalities and to promote related educational, scientific, and charitable purposes. Specifically, the federation 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 federation's net earnings of assets will, either directly or indirectly, inure to the benefit of the federation's founders, or any of its officers or members, 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 federation 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 federation 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 federation 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 federation engage in any activities that are unlawful under applicable federal, state, or local law;
3. The federation 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 any time the federation is deemed to be a private foundation as defined in Section 509 of the Internal Revenue Code, the federation shall distribute its income and principal, if necessary, in such manner so as not to subject the federation to tax 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).

Article III. Membership, Assessment and Dues

Section 1. Any person interested in the education and general welfare of children with exceptional needs may become a member of the Oklahoma Federation by joining the Council for Exceptional Children and by paying such dues as shall be determined by the Oklahoma Federation. Special assessments may be levied by a majority vote of those present at the Executive Board meeting when this matter is considered, provided there is a quorum.

Section 2. The federation shall maintain a minimum of one hundred (100) paid members who shall meet the

membership qualifications established by the CEC Delegate Representative Assembly.

Section 3. Persons for whom membership in a local chapter is not feasible may become individual members of the Oklahoma Federation by paying dues in The Council for Exceptional Children and the Oklahoma Federation as stated in the By-Laws.

Section 4. The majority of members must be actively engaged in professional work related to the education of children with exceptional needs.

Section 5. All federation members must also be members of the Council for Exceptional Children. The federation may not accept enrollments for state membership only.

Section 6. The membership year shall coincide with the policies of The Council for Exceptional Children pertaining to membership year.

NOTE: Student CEC (SCEC) - Student members enjoy equal membership and privileges. However, they are organized as a separate entity with their own constitution and officers. The president of the Oklahoma SCEC is an official member of the OFCEC Executive Board.

Article IV. Organization

Section 1. Relationship to The Council for Exceptional Children

The Oklahoma Federation shall be affiliated with The Council for Exceptional Children. It shall be a federation of the chapters of The Council for Exceptional Children in the state.

Section 2. Fiscal Year, Administrative, and Membership Term

The fiscal year and administrative term of office shall be July 1 through June 30. The policy pertaining to the membership year shall be consistent with the policy of The Council for Exceptional Children.

Article V. Officers

Section 1. The officers of the federation shall be duly elected by the membership and consist of a president, president elect, vice president, secretary, treasurer, and newsletter editor.

Section 2. All offices shall be for a term of one year, from July 1 through June 30, except the office of the treasurer, which is a term of two years, elected in 1996 and every two years thereafter.

Section 3. All officers must be current members of The Council for Exceptional Children in order to be nominated for office. Officers must maintain a current membership in The Council for Exceptional Children through their term of office.

Section 4. Vacancies

- A. If a vacancy occurs in the office of president, the president elect shall serve as acting president for the remainder of the term of office and shall become president at the beginning of the new term.
- B. A vacancy in the office of president elect shall be filled by automatic succession of the vice president to 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 Executive Committee, 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. Duties of Officers

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

1. To serve as chief executive of the federation with the powers and duties usually belonging to such a position
2. To preside at the meetings of the Federation;
3. To call meetings of the Executive Board and/or Executive Committee and to preside at such meetings;
4. To preside at the annual conference;
5. To appoint all committees and to act as ex-officio nonvoting member of all committees;
6. To recommend to the executive board the types of ad hoc committees and other appointive bodies needed;
7. To represent the Federation in coordinating its efforts with those of other agencies;
8. To act as an official delegate to the Delegate Representative Assembly of The Council for Exceptional Children which meets during his/her term of office;
9. To appoint all other delegates to the Representative Assembly;
10. To show concern for the history of the Federation by collecting at the conclusion of his/her term the important Federation papers given him/her by members of the Executive Board and turning these over to the incoming president;
11. To prepare and submit the annual report to the Council for Exceptional Children;
12. To appoint a parliamentarian annually and a CAN coordinator every three years.

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 his/her absence;
2. To serve as chair of the program committee in planning the program for the annual state conference;
3. To prepare a draft of the complete convention program for approval of the executive board.

C The vice president shall assist the president elect in the program planning for the annual meeting. He/She shall serve in the place of the president in case of the absence of the president and president elect.

D. The powers and duties of the secretary shall be:

1. To keep a careful record of all meetings of the federation, of the executive board and executive committee;
2. To carry on correspondence as necessary for the operation of the federation;
3. To keep a register of all members of the executive board and committees;
4. To have available copies of the Constitution and Bylaws, and minutes of all meetings of committees, assemblies, and conventions;
5. To send immediately all changes in the Constitution and Bylaws to The Council for Exceptional Children;
6. To transfer all records to the new secretary by July 1.

E. The immediate past president shall act in an advisory capacity and serve as chair of the Nominating Committee.

F. The newsletter editor shall produce a newsletter to be sent to all Federation members as often as the Executive Board shall decide is necessary.

G. The powers and duties of the treasurer shall be:

1. To receive all funds belonging to the Federation;
2. To pay out money for expenses approved by the executive board;
4. To submit record of all monies collected and expended to the auditing committee annually;
5. To file with the secretary a written report prior to the annual meeting of the Federation;
6. To transfer all monies and records to the new treasurer within 15 days after July 1.

NOTE: It shall be the duty of each member of the Executive Committee, at the conclusion of his/her term of office, to transfer all pertinent records to the appropriate incoming officer.

Section 6. Election of Officers

The officers of the federation shall be elected by the membership from those members in good standing who are nominated by the nominating committee. Nominations may also be made by petition and from the floor.

Section 7. Term of Office

The president, president elect, vice president, secretary, treasurer, and newsletter editor shall serve one year, the treasurer shall serve two years, which shall coincide with the fiscal year, July 1 through June 30.

Section 8. Succession

The president elect shall automatically succeed to the presidency at the expiration of the president's term of office and the vice president shall succeed the president elect.

Section 9. Removal from office

- A. A petition for removal of a Federation officer shall be signed by at least five members of the Federation 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. A two-thirds majority vote of the members present, provided there is a quorum, is necessary for removal of the office. Removal from office is effective immediately.
- D. The officer being considered for removal shall be provided with the results of the Executive Committee's action in writing within seven days.

Article VI. The Executive Committee**Section 1. Composition**

The Executive Committee of the Oklahoma Federation shall be the duly elected officers of OFCEC consisting of the President, President Elect, Vice President, Secretary, Treasurer, Newsletter Editor, the Parliamentarian, and the Historian, as well as the immediate Past President of OFCEC.

Section 2. Duties of the Executive Committee

The duties of the Executive Committee shall be:

1. To meet prior to any Executive Board meeting to decide items that will appear on the Board's agenda, and to accept written recommendations for agenda items from the membership, including members of the Executive Board;
2. To prepare an agenda for the Executive Board from the recommendations received as well as the addition of any unfinished and/or new business that needs the attention of the Executive Board; and
3. To accept or reject written petitions for removal of an officer of OFCEC. If the petition is accepted, the Committee will contact the parties affected by the petition, collect all relevant information from both sides, and conduct a fair and impartial hearing. Any action taken shall require a two-thirds majority vote of the Committee members. The decision of the Committee shall be final.
4. To recommend to the Executive Board a replacement due to the vacancy in any office except president and president elect, such person(s) to serve only until the end of the current administrative year or until replaced by a duly elected successor.

Section 3. Quorum

A quorum of the Executive Committee shall consist of all members of that committee in attendance.

Article VII. The Executive Board**Section 1. Composition**

The Executive Board shall consist of the members of the Executive Committee, the OFCEC membership chairman, the Children and Youth Action Network (CAN) Representative, the president of each division, the president of each local chapter, and the president of the Oklahoma Student Council for Exceptional Children. A quorum shall be those members of the board in attendance.

Section 2. Duties of the Executive Board

The Duties of the Executive Board shall be:

1. To serve as the federation's administrative policy-making body;
2. To act upon such official recommendations and petitions as may be received;
3. To adopt an annual budget;
4. To recommend policies and programs to the participants at its annual conference;
5. To decide on publications that should be issued;
6. To select the site of the conventions sponsored by the federation and approve recommendations made by the local arrangement committee;
7. To be involved in the selection of the student association advisor;
8. To assume such other responsibilities as are, or as shall be, assigned through the constitution and bylaws, or by vote of the membership at the annual conference;
9. To meet at least four times a year, with one meeting taking place during the annual conference.

Section 3. Quorum

A quorum of the Executive Board shall consist of all members of the Board in attendance.

Article VIII. Annual Meetings

Section 1. The Annual Conference

The Federation shall meet annually at a time and place designated by the Executive Board, for a period of time equivalent to at least one full day.

Section 2. Other Meetings

Other meetings shall be called by the President with the consent of the Executive Committee.

NOTE: There shall be a meeting of the Executive Committee followed by an Executive Board meeting to be held at the time of the annual conference. Special meetings shall be called by the president with the consent of the executive committee.

Article IX. Committees

Section 1. Standing committees shall be appointed by the president with the approval of the Executive Board.

- A Standing committees shall be
 1. Membership
 2. Public Relations
 3. Legislative
 4. Nominating
 5. Constitution/Policies and Procedures
 6. Budget
 7. Program
- B. The president, with the approval of the Executive Committee, shall appoint the chair of the standing committees. The immediate past president shall serve as chairperson of the nominating committee.
- C. Committee members shall be appointed by the chair, subject to approval by the president.
- D. Each standing committee shall be composed of three or more members.
- E. Each standing committee shall formulate plans for executing its duties. The plans shall be subject to approval by the Executive Committee.

Section 2. The membership committee shall assist the membership chair in a continuing promotion of membership

growth in the Federation. The committee shall assist in developing new chapters.

Section 3. The public relations committee shall assist the Newsletter Editor in disseminating information about OFCEC and its activities, and increase awareness of OFCEC through multiple media.

Section 4. The chair of the legislative committee shall be the CAN coordinator. The committee shall provide leadership in matters relative to legislation, and shall keep the membership informed on legislative problems in the state and at the national level.

Section 5. The chairman of the nominating committee shall be the immediate past president. The duties shall be:

- A. to prepare annually a slate of officers of one candidate each for vice president, secretary, and newsletter editor and every two years for treasurer. All nominees must currently be members in good standing of The Council for Exceptional Children and remain so throughout the duration of their term of office.
- B. to add to this slate the name(s) of any member(s) who petition(s) the committee to be nominated for designated office.
- C. to submit this slate to the members at least thirty (30) days prior to the annual meeting.
- D. to conduct the election at the annual meeting after taking any nominations from the floor that might be presented.

Section 6. The chair of the constitution/policies and procedures committee shall be the current vice president. The duties shall be:

- A. to annually review all constitution/ policies and procedures^ to receive and review all proposed amendments (See Article XII), and to present recommendations to the executive committee. If approved by the committee, the proposed amendments shall then be submitted to the executive board for approval to present to the membership.
- B. to forward all proposed amendments to Public Relations chair so that they will be made available for publication to the OFCEC membership at least 30 days prior to the annual conference through a variety of media.

Section 7. The chair of the budget committee shall be a past OFCEC treasurer. The duties shall be:

- A. To prepare the budget for the current fiscal year for approval by the Executive Board.
- B. To audit the treasurer's report at the end of the fiscal year for approval by the executive board.

Section 8. The chair of the program committee shall be the president elect. The duties of the committee shall be:

- A. To assist the president elect and vice president in planning the program for the annual meeting and any special meetings called by the executive board.

Section 9. 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.

Article X. Duration and Dissolution

Section 1. The duration of the federation shall be perpetual unless the officers of the federation unanimously determine that it should be dissolved.

Section 2. Upon the dissolution and final liquidation of the federation, the officers shall, after paying or making provision for payment of all the debts and liabilities of the federation, distribute all of its assets to either:

- A. The headquarters of The Council for Exceptional Children with a request that they be retained in a non-interest bearing account and made available to the federation should it ever be reorganized; provided, however that if The Council for Exceptional Children has dissolved or is not then qualified

as a tax-exempt association within the meaning of Section 501(c)(3) of the Internal Revenue Code, then to another CEC unit designated by the officers of the federation which is organized and operated exclusively for exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code; or

- B. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction in the county or city in which a principal officer of the federation is located, exclusively for such purposes or to such association or organization, 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 XI. Quorum

A quorum of the Executive Committee shall consist of all members of that committee that are in attendance. A quorum of the Executive Board shall consist of those members that are in attendance. A quorum of the membership shall be those members that are in attendance.

Article XII. Amendments

Section 1. Submission of Proposed Amendments

Any proposed amendment to this constitution and bylaws shall be submitted in writing to the Constitution and Bylaws committee for review.

Section 2. Review by Executive Board

The Constitution and Bylaws committee shall refer all proposed amendments with recommendation to the Executive Board.

Section 3. Referral to the Membership

All proposed amendments presented to the Executive Board shall be submitted to the membership not less than 30 days prior to any meeting of the membership.

Section 4. Final Action

All proposed amendments will require a two-thirds majority of the votes cast at any legally constituted meeting of the membership. No amendment shall authorize the officers to conduct the affairs of the federation in any manner or for any purpose contrary to the provisions of Section 501(c) (3) of the Internal Revenue Code.

Article XIII. Parliamentary Authority

The latest edition of Roberts' Rules of Order shall be the parliamentary authority in matters of procedure.