

**Louisiana Council for Exceptional Children Constitution**

**ARTICLE I  
NAME**

The name of this organization shall be the Louisiana Council for Exceptional Children.

**ARTICLE II  
PURPOSE**

The principal purpose of this organization shall be to advance the welfare and education of exceptional children and youth. This shall be done through the dissemination of information among the members and the promotion of high professional standards.

**ARTICLE III  
MEMBERSHIP**

**Section 1.** Members shall consist of professional personnel and other persons interested in the education of exceptional children and youth.

**Section 2.** Minimum Membership Requirement

The Council shall maintain a minimum of one hundred (100) paid members who shall meet the membership qualifications established by the CEC Board of Directors

**Section 3.** Unified Membership

All Council Members must also be members of the Council for Exceptional Children. The Council may not accept enrollments for local membership only.

**Section 4.** Membership Year

The membership year shall be in accord with the policy of the Council for Exceptional Children.

**ARTICLE IV  
ORGANIZATION**

**Section 1.** Relationship to CEC

The Louisiana Council shall be affiliated with the Council for Exceptional Children. It shall be Council of the chapters of the Council for Exceptional Children in the state.

**Section 2.** Administrative and Fiscal Years

A. Administrative term of office shall be May1 through April 30.

B. The fiscal year shall be January 1 through December 31.

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**ARTICLE V  
DUES**

**Section 1. Special Assessment**

An annual assessment for the Louisiana Council, if necessary, shall be proposed by the Executive Committee and approved by a minimum twenty percent of membership. It shall be consistent with the dues policies of the Council for Exceptional Children.

**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  
DURATION AND DISSOLUTION**

The Council shall function as a non-profit organization. No part of its net earnings shall be used to the benefit of any individual member. The duration of the Council shall be perpetual unless the officers of the Council unanimously determine that it should be dissolved. Upon the dissolution and final liquidation of the Council, the officers shall, after paying or making provisions for the payment of all debts and liabilities of the Council, distribute all of its assets to:

1. The Headquarters of the Council of Exceptional Children (a non-profit organization) with a request that they be retained in a non-interest bearing account and made available to the Council should it ever be reorganized, or
2. Contribute them to the Foundation for Exceptional Children, a non-profit, tax-exempt public foundation which operates to advance the education of children and youth with exceptionalities; or
3. Contribute to another organization or organizations for the purpose of advancing the education of exceptional children.

**ARTICLE VII  
OFFICERS**

**Section 1. Composition**

The officers of this organization shall be a president, president-elect, vice-president, secretary, treasurer and past president.

**Section 2. Pre-requisite to Nomination and Election**

All officers must be members in good standing of the Council for Exceptional Children at the time of their nominations and election and remain so throughout the duration of their term of office. The nomination for the office of must be a candidate with prior LA CEC State Board experience.

**Section 3. Succession and Terms of Office**

The President-Elect shall succeed the President, and the Vice-President shall succeed the President-Elect. Secretary and Treasurer shall serve two-year terms. Treasurer shall begin his or her term in even years and the Secretary shall begin term in odd years.

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### **Section 4. Vacancies**

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. If a vacancy occurs in the office of president-elect, the vice-president shall serve as action president-elect for the remainder of the term of office and shall become president-elect at the beginning of the new term. A vacancy occurring in the office of vice-president, secretary, or treasurer shall be filled by appointment of the Executive Committee to serve only until the end of the current administrative year at which time an election will be held for that office.

### **Section 5. Removal from Office**

An officer may be removed from office by two-thirds majority of the remainder of the Executive Committee with a quorum being present, by written vote; these votes being received, counted and reported by the President of the Board. Grounds for removal shall be dereliction of duty, absence from 50% of the board meetings, malfeasance, misfeasance, and/or conviction of a felony. Said officer shall have the right to state in writing reasons for their action which led to a removal vote as their defense to be considered by the Board before the vote is called.

The Executive Committee has the right to replace an officer, by majority written vote, who has been removed before the end of their term to complete said term, or until a regular election takes place, this decision being at the discretion of the Board.

### **Section 6. Duties of Officers**

#### **A. The powers and duties of the President shall be”**

1. To serve as chief executive of the Council with the powers and duties usually belonging to such as position.
2. To give professional leadership to the Council’s planning and program.
3. To call and preside at meetings of the Executive Committee.
4. To preside at a meeting(s) of the general membership.
5. To serve as an ex-officio non-voting members of all committees except those making nominations or conducting elections.
6. To recommend to the Executive Committee, chairperson of standing committees except nominations and the types of ad-hoc committees and other appointed bodies needed.
7. To prepare annual report for the Council of Exceptional Children.
8. To serve as Council delegate to the Representative Assembly.
9. To serve as General Chair and coordinate all activities of the annual state convention.
10. To keep and pass all presidential records at the end of the term to the new President.

#### **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 absence or disability.
2. To develop the program for the annual convention.
3. To plan other meetings according to the policies and directives of the Executive Committee.
4. To keep and pass on all records of the President-Elect at the end of the term to the new President-Elect.
5. To solicit volunteers and strand coordinators, to monitor speaker sessions, and to manage the presentations on site.

#### **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 absence or disability of the President and President-Elect.

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2. To serve on any committee as a representative of the President.
3. To solicit vendors and make arrangements for vendors' displays and participation at annual state convention.
4. To serve as parliamentarian for Executive Committee and General meetings.
5. To keep and pass on all records of the Vice-President at the end of the term to the new Vice-President.

### D. The powers and duties of the Secretary shall be:

1. To keep a careful record of the proceedings of the meetings of the Executive Committee and any general meeting.
2. To carry on correspondence as necessary for the operation of the organization.
3. To assume custody of all records, including historic, except those specifically assigned to others.
4. To keep accurate rolls of Executive Committee, committee memberships, and General meetings.
5. To have available copies of the constitution and by-laws, and minutes of all meetings of committees and conventions.
6. To transfer all records to the new secretary.
7. To assist the treasurer in registration responsibilities for annual state convention.

### E. The powers and duties of the Treasurer shall be:

1. To serve as custodian of the funds and official financial records of the Council.
2. To pay out money for expenses approved by the Executive Committee and on authorization of the President.
3. To submit record of all monies collected and expended to contracted Certified Public Accountant and the finance committee for auditing.
4. To transfer all monies and records to the new treasurer within 15 days after installation.
5. To verify and file annual tax report with the assistance of contracted CPA.
6. To serve as registration chairperson of annual state convention.
7. To become chair of Finance Committee at the end of his or her term.

### F. The powers and duties of the Immediate Past-President shall be:

1. To serve as chair of the Nomination Committee.
2. To serve as one of the Council delegates to the Representative Assembly.
3. To serve as an active mentor to the President and newly elected officers.
4. To serve as Special Events Coordinator at annual state convention as designated by President.
5. To serve as liaison person for the Council in an advisory role to chapters and sub-divisions.

## **ARTICLE VIII EXECUTIVE COMMITTEE**

### **Section 1.** Composition

The Executive Committee shall consist of the officers of the organization, the chairperson of the standing committees, student governor, and the president or designated alternate from each chapter, student and adult, and subdivision of the Council. Each member of the Executive Committee shall have one vote and may also hold proxy votes for absent members. Twenty percent of the membership of the Executive Committee must be present to constitute a quorum with only one-fourth allowed in proxy vote.

### **Section 2.** Duties of the Executive Committee

The duties of the Executive Committee shall be:

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- A. To serve as the Council's administrative policy-making body.
- B. To act upon such official recommendations and petitions as may be received including proposed amendments.
- C. To adopt the annual budget.
- D. To recommend policies and programs to the General Membership.
- E. To decide on publications that should be issued.
- F. To select the site of the annual state convention and approve related recommendations.
- G. To establish the registration fee for the annual convention.
- H. To approve the annual audit of the finances of the Council.
- I. To assume such other responsibilities as are, or as shall be, assigned through the constitution and by-laws.

### **Section 3. Voting**

In the event that an Executive Committee member is absent from the meeting, the Council proxy form shall be submitted to president prior to the meeting.

## **ARTICLE IX COMMITTEES**

### **Section 1. Standing Committees**

Standing Committees shall be the Membership Committee, Newsletter/Publication Committee, Government Relations Committee, Publicity/Awards Committee, Constitution and By-Laws Committee, Finance Committee, Scholarship Mini-grants Committee, Culturally and Linguistically Diverse Committee, Nominating Committee, SCEC Committee and Technology Committee.

### **Section 2. Appointment of Chairpersons**

A. The President with the input of the Executive Committee shall appoint the chairpersons of the following Committees: Membership, Newsletter/Publication, Government Relations, Publicity/Awards, Constitution and By-Laws, Finance, Scholarship Mini-grants, SCEC Committee, Culturally and Linguistically Diverse, and Technology Committee. The most recent Past-President available, and willing and able to serve as determined by the President, shall serve as chairperson of the Nominating Committee.

B. In the event any committee chair is absent for 50% or more of the Executive Board meetings in a year or fails to satisfactorily execute the responsibilities associated with chairing the committee, the President shall have the option of replacing the chair.

### **Section 3. Appointment of Committee Members**

Committee members shall be appointed by the chairpersons, subject to the approval by the President.

### **Section 4. Membership Committee Composition/Duties**

A. The Membership Committee shall have at least two members in addition to the chairperson. The Chairperson shall serve a three-year term.

B. The duties of the Membership Committee shall be:

1. To maintain active record of members and provide the President and the Secretary with such a list;
2. To maintain an active program for the recruitment of new members;
3. To support Council headquarters in its follow-up of membership renewals;
4. To be responsible for membership transactions with Council headquarters.

### **Section 5. Newsletter/Publications Committee Composition/Duties**

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A. The committee shall have at least two members in addition to the chairperson. Each member shall serve one year term.

B. The duties of the Publication Committee shall be:

1. To continuously review the publications structure of the Council membership and recommend policies and procedures related to the growth and development;
2. To recommend to the Executive Committee publications to be issued;
3. To publish a minimum of two newsletters each year.

### **Section 6. Governmental Relations Committee Composition/Duties**

A. The committee shall have at least two members in addition to the chairperson. The chairperson shall serve three-year term.

B. 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 legislative programs;
3. To be responsible for maintaining communications with other individuals and/or groups who share interests similar to those of the Louisiana Council;
4. Chair or chair's designee will attend National Governmental Relations meetings.

### **Section 7. Publicity/Awards Committee Composition/Duties**

A. The committee shall have at least two members in addition to the chairperson. Each member shall serve one year term.

B. The duties of the Publicity Committee shall be:

1. To disseminate information on the annual state convention and other special events to the media prior to its occurrence and after;
2. To collect information and photographs of annual convention activities and other special events for media and archives.
3. To solicit nominations for awards designated by the Executive Committee to given which will include: Yes I Can, Clarissa Hug, J. Wallace Wallin, Research, Business, Student, and Chapter recognition.
4. To select winner of each category and secure award recognitions as certificates and plaques.

### **Section 8: Constitution and By-Laws Committee Composition/Duties**

A. The committee shall have at least two members in addition to the chairperson. Each member shall serve one year term.

B. The duties of the Constitution and By-Laws Committee shall be:

1. To receive and review all proposed amendments to the Constitution and By-Laws, and refer the same, with recommendations to the Executive Committee.
2. To develop proposals for the Executive Committee of changes which may be needed in the Constitution and By-Laws.

### **Section 9: Finance Committee Composition/Duties**

A. The committee shall have at least two members in addition to the chairperson. Membership will include the following: Immediate Past Treasurer as Chair and Treasurer. Each member shall serve a one- year term except chair and treasurer, who will serve two years.

B. The duties of the Finance Committee shall be:

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1. To assist treasurer to prepare budget and annual tax reports, and receive annual audit.
2. To review the budget reports as needed.

### **Section 10: Scholarship and Mini-Grants Committee Composition/Duties**

A. The committee shall have at least two members in addition to the chairperson. Each member shall serve a one year term.

B. The duties of the Scholarship and Mini-Grants Committee shall be:

1. To maintain contact and relationship with existing scholarship organizations as directed by the Executive Committee and report to the same;
2. To explore options of establishing additional scholarships and/or foundations to encourage careers in fields related to children with special needs;
3. To solicit applications for Mini-Grant prospects;
4. To review and select winners of Mini-Grant Projects,

### **Section 11: Culturally and Linguistically Diverse Committee Composition/Duties**

A. The committee shall have at least two members in addition to the chairperson. Each member shall serve a one year term.

B. The duties of the Culturally and Linguistically Diverse shall be:

1. To keep the Council informed on current multicultural endeavors at the national level.
2. To help facilitate an atmosphere within the Council that encourages diversity.

### **Section 12: Nominating Committee Composition/Duties**

A. The committee shall have at least three members in addition to the chairperson. Most recent past-president available shall serve as chair. Each member shall serve a one year term. Members of the committee shall reflect a **BROAD** geographical base.

B. The duties of the Nominating Committee shall be:

1. To advertise and present by multiple media to the general membership upcoming vacancies to complete the annual slate of candidates and to present the proposed slate to the Executive Committee minimum of 60 days prior to the election.
2. To prepare annually a ballot with slate of candidates for vice-president, secretary (odd years) and treasurer (even years) to present to the membership by multiple media in such a way to ensure one vote per documented member a minimum of 30 days prior to the election;
3. To make arrangements for the accurate counting of the annual election votes with the approval of the President and Executive Committee.

### **Section 13: SCEC Committee Composition/Duties**

A. The committee shall have at least two members in addition to the chairperson. Membership will include the following: chairperson-SCEC advisor and two other members. The chairperson shall serve a three-year term.

B. The duties of the SCEC Committee shall be:

1. To support the issues of SCEC within the Council.
2. To develop and implement plans to provide technical and financial assistance to SCEC chapters.
3. To report to the Council Executive Committee and general membership on projects and activities promoted and implemented during the year.
4. To select a theme for the annual conference and choose cover art for the program.

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### **Section 14: Technology Committee Composition/Duties**

A. The committee shall have at least one member in addition to the chairperson. Each member shall serve a one year term.

B. The duties of the Technology Committee shall be:

1. To ensure the functional maintenance of the Council Website;
2. To keep all information on website current;
3. To maintain the linkage to the national CEC website;
4. To assume any additional technology responsibilities as requested by the Board.

### **Section 15: Ad-Hoc Committee Composition/Duties**

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 this committee.

## **ARTICLE X MEETINGS**

### **Section 1: Annual Convention**

A. There shall be an annual state convention of the Council.

B. The Executive Committee will decide whether or not whether any annual state convention will be held in those years that the national convention also meets in the state.

### **Section 2: Special Meetings of the Membership**

Special meetings of the general membership may be called by the President with the consent of the Executive Committee.

### **Section 3: Quorum**

Twenty percent (20%) of the membership shall constitute a quorum at a regular or specially-called meeting

### **Section 4: Louisiana Open Meeting Law (Sunshine Law)**

Meetings will adhere to Louisiana Open Meeting Law. Louisiana's Constitution provides ART. XII, Section 3 as it pertains to meeting announcements, publication of meeting minutes, and availability of financial statements

## **ARTICLE XI AMENDMENTS**

### **Section 1: Submission of Proposed Amendments**

Any proposed amendment to this constitution and by-laws shall be submitted in writing to the constitution and by-laws committee for review.

### **Section 2: Review by Executive Committee**

The constitution and by-laws committee shall refer all proposed amendments with recommendations to the Executive Committee.

### **Section 3: Referral to General Membership**



All proposed amendments presented to the Executive Committee and approved by same with majority vote shall be submitted to the membership not less than 30 days prior to voting.

**Section 4: Final Action**

Any proposed amendment shall become a part of this constitution by a majority of the votes cast by the general membership.

**ARTICLE XII  
DURATION AND DISSOLUTION**

The duration of the chapter shall be perpetual unless the officers of the chapter unanimously determine that it should be dissolved. Upon the dissolution and final liquidation of the chapter, the officers shall, after paying or making provisions for the payment of all the debts and liabilities of the chapter, contribute all of its assets to either:

1. The identified state/province Council for Exceptional Children for its use in advancing the education of exceptional children; or
2. The Council for Exceptional Children, a nonprofit, tax-exempt 501(c)(3) organization, to apply to one or more of its programs.

**ARTICLE XIII  
PARLIAMENTARY PROCEDURES**

Robert's Rules of Order, Newly Revised, latest edition, shall be used as a guide by this chapter in carrying out its parliamentary procedures.

Ratified via membership referendum, November 28, 2018. Adopted November 29, 2018.