

**CONSTITUTION AND BYLAWS OF THE
FLORIDA COUNCIL FOR EXCEPTIONAL CHILDREN**

Updates proposed May 21, 2021

Article I - Name

The name of this organization shall be the Florida Council for Exceptional Children (FCEC).

Article II - Purposes

This state unit shall be organized for charitable, educational, and scientific purposes to advance the education of children and youth with exceptionalities and to establish and administer programs and activities for the education of its members. Specifically, the Florida Council for Exceptional Children 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.

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 Requirement

The Florida Council for Exceptional Children shall maintain a minimum of one hundred (100) paid members who shall meet the membership qualifications established by the CEC Board of Directors, unless exempted by special action of the CEC Board of Directors.

Section 3. Unified membership

The Florida Council for Exceptional Children's membership shall consist of all members of the Council for Exceptional Children affiliated with this state. The Florida Council for Exceptional Children may not accept enrollments for state 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

The Florida Council for Exceptional Children shall be affiliated with the Council for Exceptional Children.

Section 2 Fiscal Year and Administrative Term

The fiscal year and administrative term of office shall be July 1 through June 30.

Article V - Dues

Annual dues to the Council 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 dropped from membership of the organization.

Article VI - Officers

Section 1 Elected Positions

The officers of the Florida Council for Exceptional Children shall be duly elected by the membership and consist of a president, president elect, immediate past president, and secretary.

Section 2 Prerequisite to Nomination and Election

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

Section 3. Succession

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

The president will automatically succeed to the past president at the expiration of the president's term of office

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. A vacancy occurring in any office except president shall be filled by an appointment of the president with the approval of the FCEC Board. The member appointed will 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 officer of the state unit 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 meetings of the FCEC Board, the annual meeting, meetings of the state Representative Assembly, and all other unit sponsored meetings;
4. To recommend chairs of standing committees and other non-elected board positions;
5. To serve as an ex-officio nonvoting member of all committees with the exception of the Nominations Committee;
6. To recommend to the Executive Committee the types of ad hoc committees and other appointive bodies needed;
7. To prepare and submit an annual set of assurances to the Council for Exceptional Children by the designated deadline; and
8. To assume the responsibilities of one of the Unit 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 oversee the Membership committee

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

1. To keep a careful record of the proceedings of each meeting of the FCEC Board, the state Representative Assembly, and other meetings conducted by the unit.
2. To carry on correspondence as necessary for the operation of the unit.
3. To assume custody of all records except those specifically assigned to others;
4. To keep accurate lists of FCEC Board, Unit Representative Assembly and unit board and committee members;
5. To have available copies of the Constitution and Bylaws and minutes of all meetings of the FCEC Board, and other official meetings conducted by the unit; and
6. To transfer all records to the new secretary at the time of installation;

D. The powers and duties of the representatives to the CEC Representative Assembly, who are the president and immediate past president of the Florida Council for Exceptional Children, shall be:

1. To represent the Florida Council for Exceptional Children at meetings of the Representative Assembly and to participate in balloting and other activities necessary to the functioning of the Representative Assembly;
2. To report regularly to the Florida Council for Exceptional Children's Board, Florida Council for Exceptional Children's Representative Assembly, and general membership on activities of the Representative Assembly and CEC;
3. To communicate issues and concerns from the Florida Council for Exceptional Children to the CEC Representative Assembly;
4. To inform the Florida Council for Exceptional Children about the disposition of Representative Assembly issues and advice forwarded to the CEC Board of Directors; and

5. To take other specific direction from the Florida Council for Exceptional Children concerning the activities of the CEC Representative Assembly.

E. The Powers and duties of the Past President shall be:

1. To serve as chair of the Nominations Committee
2. To serve as one of the unit representatives to the Council for Exceptional Children Representative Assembly.
3. To coordinate the annual Leadership Institute
4. To serve as chair of the Constitution and Bylaws Committee
5. To maintain the FEC Policy and Procedures Manual

F. The Powers of duties of the Advisor

1. To be available to the FCEC Board for guidance and advice from a historical perspective
2. To Serve on the finance committee
3. To respond to requests for information from committee chairs and members

G. The Powers and duties of the Historian

1. To keep accurate records of the Florida Council for Exceptional Children business
2. Maintain the FCEC Timeline that is available to members.

H. The Powers and duties of the Student Adviser

1. To work in conjunction with the student representative, and the FCEC board to engage with post-secondary student chapters and faculty across the state

I. The Powers and duties of the Student Representative

1. The work in conjunction with the Student Adviser, and the FCEC board to engage with the post-secondary student Chapters and Faculty across the state.

Section 6 Election of Officers

The officers of the Florida Council for Exceptional Children shall be elected by the membership from those members in good standing who are nominated by the Nominations Committee.

Section 7 Term of Office

The president, president elect, and immediate past president shall serve one-year terms. The Secretary shall serve a three year term. Which shall coincide with the fiscal year, July 1 to June 30.

Section 8 Removal from Office

- A. A petition for removal of an officer shall be signed by at least twenty-five members of the state unit and submitted in writing to the president. If the president is the subject of the petition, it shall be presented to the president elect.
- B. The president (or president elect) shall within seven days notify the full FCEC board members in writing of the receipt of such a petition, solicit relevant evidence from all parties concerned and call a special meeting of the FCEC Board to consider the matter within 30 days following receipt of the petition.
- C. At this special board 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 the 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 FCEC Board action in writing within seven days.
- E. Upon receipt of written notification of removal the officer concerned shall have fifteen days to submit to the president (or president elect) written notice of appeal.
- F. Within seven days following receipt of a valid written notice of appeal, the president (or president elect) shall in writing call for the appointment and meeting of an Appeal board. The Appeal Board shall consist of five members in good standing of the state unit appointed by the FCEC Board and five members in good standing of the state unit selected by the appealing officer. No member of the Appeal Board, with the exception of the Chair, will be a current officer, Board

member, or committee chair of the state unit. The president (or president elect) shall serve as the nonvoting Chair of the Appeal Board. If the appealing officer is unable to select the members willing to serve, the decision of the FCEC Board will stand.

- G. At the meeting of the Appeal Board, an opportunity shall be made available to all interested parties to present any relevant evidence. A two-thirds majority vote of the members present is necessary to overturn the FCEC Board decision and reinstate the removed officer. Reinstatement is effective immediately.
- H. The officer whose appeal has been considered shall be provided with the results of the Appeal Board action in writing within seven days. This action is final.

Article VII – FCEC Board

Section 1. Composition

The FCEC Board shall consist of the officers of the FCEC Board, the chairs of the standing committees, Student Advisor, Student Representative, Historian, Treasurer, Conference Program Coordinator, Conference Coordinator, Advisor, and any other positions appointed by the President. One half, plus one, of the membership of the FCEC Board shall constitute a quorum.

Section 2 Duties of the FCEC Board

- A. To serve as the state unit's administrative policy making body.
- B. To act upon such official recommendations and petitions as may be received.
- C. To approve a draft of an annual budget for adoption by the Florida Representative Assembly and approve any necessary needed adjustment during the year.
- D. To recommend policies and programs to the Florida Representative Assembly at its annual meeting.
- E. To determine the communication that should be issued.
- F. To select the site of the annual meeting sponsored by the Florida Council for Exceptional Children, and approve recommendations made by the local arrangements committee of the host chapter when applicable;
- G. To assume such other responsibilities as are or as shall be assigned through the Constitution and Bylaws or legislated by the Florida Representative Assembly.

- H. To receive and review all proposed amendments to the Constitution and bylaws.
- I. To approve awards and recognitions presented by the Florida Council for Exceptional Children.
- J. To approve any presidentially recommended appointments for the FCEC board.
- K. To approve any special project requests, solicitation of funds or endorsements, activities, or expenditures that will be taken on on behalf of FCEC

Article VIII - Florida Representative Assembly

Section 1 Chapter Representation

Each officially recognized chapter in good standing of the Florida Council for Exceptional Children is entitled to one vote.

Section 2 Subdivision Representation

Each subdivision officially recognized by the Florida Council for Exceptional Children is entitled to one vote.

Section 3 Quorum

Fifty percent (50 %) of the meeting shall constitute a quorum at a regular or called meeting of the enrolled delegates attending the Florida Representative Assembly.

Section 4 Duties of the Florida Representative Assembly

- A. To serve as the unit's general legislative body;
- B. To adopt a Constitution and Bylaws and make amendments thereto;
- C. To adopt official unit platforms, statements of policy, and resolutions;
- D. To approve the annual budget; and
- E. To act on such other official recommendations and petitions as may be received.

Article IX - Committees

Section 1 Standing Committees

Standing Committees shall be Membership, Communications, Public Policy, Conference Planning committee, Conference Program committee, Nominations, Awards and Recognitions, Constitution and ByLaws Committee, and Finance Committee

Section 2 Appointment of Committee Chairs

The president with the approval of the FCEC Board shall appoint the chairs of the Communications, Public Policy, and Awards and Recognition committees. The Nominations Committee will be chaired by the immediate Past President. The Treasurer shall serve as the chair of the Finance Committee and serve a three year term. The President Elect shall serve as chair of the Membership Committee. The Conference Coordinator shall serve as chair of the Conference Planning Committee, and the Program Coordinator will serve as the chair of the Conference Program Committee.

Section 3 Appointment of Committee Members

Committee members shall be appointed by the chairs subject to approval by the president. The Membership, Nominations, and Finance Committees shall have no less than two members in addition to the chair.

Section 4 Committee Composition

- A- The Membership Committee shall be composed of the chair and the designated Regional Representatives. Regional representatives shall serve one year terms and are to be appointed by the Membership Committee Chair.
- B- The Communications Committee shall include those providing services in the area of communications including the newsletter editor and webmaster.
- C- The Public Policy Committee shall include the CAN Coordinator and others interested in public policy and advocacy.
- D- The Conference Planning Committee shall include those appointed to facilitate planning for the FCEC Conferences and may include members of a local host chapter.
- E- The Program Committee shall include those appointed to facilitate programming for FCEC Conferences.

- F- The Nominations Committee will work with the Regional Representatives to find nominees from a broad geographical region.
- G- The Awards and Recognition Committee is comprised of a team appointed by the chair to evaluate and select nominees and recommended award recipients.
- H- The Constitution and Bylaws Committee shall include at least five (5) members of the FCEC Board, and the past president shall serve as chair.
- I- The Finance Committee shall consist of the Treasurer, Immediate Past President, President, President Elect, Advisor, Conference Coordinator, and Secretary.

Section 5. Duties of Committees

A. The powers and duties of the Membership Committee shall be:

1. To maintain an active 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
3. To support CEC Headquarters in its follow-up of membership renewals and member recruitment activities.
4. To encourage member engagement and retention
5. To encourage and support local chapters and subdivision in their development
6. To recruit Regional Representatives for each region that can assist with the duties of the membership committee at the local level

B. The powers and duties of the Communications Committee shall be

1. To assess the composition of the membership for consideration in determining the scope of the communications program
2. To continuously review the communications structure of the state unit and recommend policies and procedures related to its growth and development.
3. To recommend to the FCEC Board communications to be issued
4. To plan and develop publicity that will give recognition to state unit activities and members

C. The powers and duties of the Public Policy Committee shall be:

1. To develop an advocacy program under the direction of the FCEC Board
2. To disseminate information pertinent to public policy; and
3. To support CEC Headquarters in its public policy efforts and campaigns.
4. To coordinate training in advocacy for the organization

D. The powers and duties of the Conference Planning Committee shall be:

1. To recommend possible sites for the annual conference
2. To present negotiated potential contracts to FCEC board for feedback
3. To present final contract to president for signature
4. And other duties as listed in the conference manual

E. The powers duties of the Conference Program Committee shall be:

1. To develop the program for the annual meeting
2. Coordinate with the Conference Planning Committee and local arrangements if applicable.

F. The powers and duties of the Nominations Committee shall be

1. To prepare annually a slate of candidates for the positions of president elect and secretary to present to the FCEC Board
2. Present the slate to the membership. Only those persons who are members in good standing of the Council may be nominated.

G. The powers and duties of the Awards and Recognitions Committee shall be:

- 1- To recommend the awards and other recognition to be presented by the Florida Council for Exceptional Children.
- 2- To recommend to the FCEC Board the criteria and selection process for awards presented by the Florida Council for Exceptional Children.

F. The powers and 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 FCEC Board
2. To call to the attention of the FCEC Board other changes which may be needed in the Constitution and Bylaws.

H. The powers and duties of the Finance Committee shall be:

1. To prepare and submit an annual budget for adoption by the Florida RA;
2. To develop plans for raising funds
3. To audit the treasurer's report
4. To monitor expenditures and recommend any needed adjustments to the approved budget for FCEC Board action.

Section 6. Ad Hoc Committees and work groups

Ad hoc committees and or work groups may be established and their functions assigned at the discretion of the president and with the approval of the FCEC Board. Such establishment must clearly indicate the purpose and length of service of the committee.

Article X Meetings

Section 1. Annual Meeting

There shall be an annual meeting of the Florida Council for Exceptional Children.

Section 2. Florida Representative Assembly

There shall be at least one regular meeting of the Florida Representative Assembly to be held at the time of the annual meeting.

Section 3 Special Meetings

Special meetings may be called by the president with the consent of the FCEC Board. Such meetings may be in person or electronic. Official business can be conducted using either option.

Article XI - Duration and Dissolution

The duration of the state unit shall be perpetual unless the officers of the state unit unanimously determine that it should be dissolved. The officers shall inform the membership that the unit is to be dissolved. Upon the dissolution and final liquidation of the state unit the officers shall after paying or making provision for the payment of all the debts and liabilities of the state unit distribute all of its assets to

The Headquarters of the Council for Exceptional Children (a non-profit organization) applied to the appropriate programming as we state at the time of dissolution.

Article XII - Parliamentary Procedure

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

Article XIII - 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 the FCEC Board

The Constitution and Bylaws Committee shall refer all proposed amendments with recommendations to the FCEC Board

Section 3 Referral to Florida Representative Assembly

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

Section 4 Final Action

Any proposed amendment shall become a part of this Constitution and Bylaws by a two-thirds majority of the votes cast at any legally constituted meeting of the Florida Representative Assembly. Any proposed amendment shall become a part of the Constitution and Bylaws by a simple majority vote at any legally constituted meeting of the Delegate Assembly.