

Kansas Subdivision for Early Childhood Constitution

ARTICLE I -- NAME AND AFFILIATION

Section 1.1 Name.

The organization shall be known as the Kansas Subdivision for Early Childhood of the Division for Early Childhood of the International Council for Exceptional Children (hereinafter referred to as KDEC).

Section 1.2 Affiliation.

The Kansas Subdivision for Early Childhood shall be recognized as an affiliate of the Kansas Federation of the International Council for Exceptional Children.

ARTICLE II -- AUTHORITY, PURPOSES, AND ACTIVITIES OF THE ORGANIZATION

Section 2.1 Authority

KDEC is incorporated under the laws of the State of Kansas pursuant to Articles of Incorporation filed in 1992. KDEC shall be governed by the Constitution and Bylaws as amended from time to time in accordance with the provisions hereof. The Constitution and Bylaws shall not conflict with the Articles of Incorporation.

Section 2.2 Purposes.

KDEC is a non-profit membership organization designed for individuals who work with or on behalf of infants and young children with special needs and their families. Founded in 1982, KDEC is dedicated to promoting policies and evidenced-based practices that support and encourage professional growth and research as a means of better understanding the unique needs related to infants and young children with special needs.

Section 2.3 Activities.

KDEC may sponsor or engage in activities that further the purposes stated above, including but not limited to:

- a. The making of distributions to organizations that qualify as exempt organizations under Section 501(c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).
- b. Maintaining and using a file of publications.
- c. Holding statewide or local meetings and/or conferences to encourage the exchange of ideas and knowledge.
- d. Receiving and administering general and specific grants for nonprofit educational purposes
- e. Acting as a clearing house for information.
- f. Engaging in appropriate research.
- g. Any other activities that would serve the purposes of KDEC as set forth in the Articles of Incorporation and the Constitution and Bylaws, provided such activities are appropriate for a tax-exempt organization described in Internal Revenue Code 501(c)(3).

ARTICLE III -- NET EARNINGS OF THE ORGANIZATION

Section 3.1 Net Earnings.

No part of the net earnings of the association shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in article II, Section 2 hereof. No substantial part of the activities of the association shall be the carrying on of propaganda, or otherwise attempting to influence legislation and the association shall not participate in, or intervene in (including the publishing and distribution of statements) any political campaign on behalf of any candidate for public office.

ARTICLE IV -- MEMBERSHIP

Section 4.1

Unified Membership. All members of the KDEC shall be members of the Council for Exceptional Children (CEC) and the International Division for Early Childhood (DEC).

Section 4.2 Minimum Membership Requirements.

KDEC shall maintain a minimum of fifteen (15) paid members in good standing who shall compose the membership meeting qualifications established by the CEC Delegate Assembly and as may have been supplemented by the International Division for Early Childhood.

Section 4.3 Rights and Privileges of Membership.

Policies pertaining to rights and privileges of various categories of membership shall be consistent with the policies of the CEC.

Section 4.4 Membership Year.

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 in CEC.

Section 4.5 Members.

Membership shall consist of members as identified by the CEC membership options.

Section 4.6 Subdivision Fees.

The KDEC may collect fees for specific activities or services at differential rates for members versus non-members. The privileges of membership cannot be withheld from members due to non-payment of these fees.

ARTICLE V -- OFFICERS

Section 5.1 Elected Positions.

The officers of the KDEC shall be a president, an immediate past-president, a president-elect, a vice-president, a secretary, and a treasurer.

Section 5.2 Prerequisite to Nomination and Election.

Individuals nominated and subsequently elected for office must currently be members of the Council for Exceptional Children (CEC), the International Division for Early Childhood (DEC), and the Kansas Subdivision for Early Childhood (KDEC) throughout their term of office. Failure to maintain such membership shall result in removal from office.

Section 5.3 Election of Officers.

The officers of KDEC shall be elected by the statewide membership from those members in good standing who are nominated by the Nominations and Elections Committee. Nominations may also be made by KDEC members. The nominee for each position receiving the highest number of votes from KDEC members shall be elected.

Section 5.4 Term of Office.

The terms of officers shall be as follows: president, immediate past-president, president-elect, and vice president – one year, secretary and treasurer – two consecutive years. The terms of office shall coincide with KDEC's administrative year.

Section 5.5 Fiscal and Administrative Year and Term of Office.

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

Section 5.6 Succession.

- a. The vice-president shall automatically succeed to the president-elect position at the expiration of the president-elect's term of office.
- b. The president-elect shall automatically succeed to the presidency at the expiration of the president's term of office.
- c. The president shall automatically succeed to the position of immediate past president when the president's term of office ends.
- d. An elected officer cannot succeed him/herself in the same office. However, the officer may be reelected to the same office after the expiration of one year.
- e. An officer selected to fill any portion of an unexpired term may be elected to the same office immediately following the appointed term.

Section 5.7 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 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 president, and such person(s) shall serve only until the end of the current administrative year or until replaced by a duly elected successor.
- d. The person so appointed, having served the remaining term, may choose to run for election for one additional term.

Section 5.8 Removal from Office.

Procedures for removal from office:

1. A petition for removal of a KDEC officer shall be signed by at least five members of the KDEC and submitted in writing to the president of the Executive Board. If the president is the subject of the petition, it shall be submitted to the president-elect.
2. The president (or president-elect) shall, within seven days, notify each Executive Board member in writing of the receipt of such a petition, solicit relevant evidence from all parties concerned, and convene a special meeting of the Executive Board to consider the matter within thirty days following receipt of the petition.
3. At the Executive Board meeting, an opportunity shall be made available to all interested parties to present any relevant evidence.
4. The Executive Board 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 retention/removal of the officer.
5. A ballot must be returned to the president (president-elect) within thirty (30) days. A two-thirds majority vote of KDEC voting members is necessary for the removal of the officer.
6. Removal from office is effective immediately. The officer being considered for removal shall be provided with the results of the Executive Board action in writing within seven days.

Section 5.9 Appointments.

The historian, partner liaison, Children's Action Network representative, family concerns representative, historian, student representative, and membership chair shall be appointed by the president with the approval of the Executive Board.

ARTICLE VI -- EXECUTIVE BOARD

Section 6.1 Composition.

The president, president-elect, vice-president, immediate past president, secretary, treasurer, historian, partner liaison, student representative, membership chair, Children's Action Network representative, family concerns representative, and ex-officio members shall constitute the Executive Board.

Section 6.2 Duties of the Executive Board.

The Executive Board will formulate and propose policies for KDEC, fill vacancies, and make recommendations to the KDEC members.

Section 6.3 Executive Board Meetings.

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

Section 6.4 Special Meetings.

Special meetings may be called by the president with the consent of the Executive Board.

Section 6.5 Membership Meetings.

A minimum of one annual membership meeting shall be held.

Section 6.6 Quorum.

Five Board members attending any legally called Executive Board meeting shall constitute a quorum.

Section 6.7 Membership.

All members of the Executive Board shall be members of the Council for Exceptional Children (CEC), International Division for Early Childhood (DEC) and the Kansas Subdivision for Early Childhood (KDEC).

ARTICLE VII -- COMMITTEES

Section 7.1 Standing Committees.

Standing committees shall include:

- a. Membership,
- b. Publications
- c. Nominations and Elections
- d. Children Action Network
- e. Finance and Operations
- f. Awards
- g. Partner Liaison

Section 7.2 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 the Executive Board.

ARTICLE VIII – KDEC RECORDS

Section 8.1 KDEC Minutes and Accounting.

KDEC shall keep a permanent record of the minutes of all meetings of its Members and Executive Board, a record of all actions taken by the Members or Executive Board without a meeting, and a record of all actions taken by a committee of the Executive Board acting in place of the Board and on behalf of KDEC. KDEC shall maintain appropriate accounting records.

Section 8.2 KDEC Membership List.

KDEC shall maintain a record of the Members' names and contact information. The records shall be maintained in a written or electronic form and be accessible within a reasonable time.

Section 8.3 Other KDEC Records.

KDEC shall keep a copy of the following records at a location from which the records may be recovered within five (5) business days:

- a. Articles of Restated Articles of Incorporation and all amendments to them currently in effect;
- b. Constitution or Restated Constitution and all amendments to them currently in effect;
- c. Bylaws or Restated Bylaws and all amendments to them currently in effect;
- d. Resolutions adopted by the Executive Board;
- e. Minutes of all membership meetings, and records of all actions taken by Members without a meeting;
- f. Financial records;
- g. A list of the names and business addresses of its current Executive Board members and Officers; and
- h. The most recent annual report delivered to the Secretary of State.
- i. At the end of each fiscal year, archive previous year's records.

ARTICLE IX -- DURATION AND DISSOLUTION

Section 9.1

Duration of KDEC shall be perpetual unless the officers of KDEC unanimously determine that it should be dissolved. Upon the dissolution and final liquidation of KDEC, the Executive Board shall, after paying or making provision for the payment of all of the liabilities of the association, dispose of all of the assets of the association exclusively for the purpose of the association in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Executive Board shall determine. Any such assets not so disposed of shall be disposed by the Court of Common Pleas of the county in which the principal office of the association is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE X -- PARLIAMENTARY PROCEDURES

Section 10.1

Roberts Rules of Order, Newly Revised, latest edition, shall be used as a guide by KDEC in carrying out parliamentary procedure.

ARTICLE XI -- AMENDMENTS

Section 11.1

Constitutional amendments may be made in the following manner:

- a. This constitution may be amended by mail, and/or electronic KDEC membership vote.
- b. The amendment(s) must pass by a two-thirds majority of the members voting.
- c. Proposed amendments to the constitution must be petitioned by ten (10) active members and circulated by mail to the active membership within eight (8) months thereafter, subject to a vote at or before the annual business meeting. All amendments must be submitted to the president.

Adopted March 6, 1982, Manhattan, KS.

Revised September 25, 1992

Further Revised February 28, 2003

Further Revised March 4, 2015 (Revisions Adopted, KDEC Membership Meeting at Annual Conference, 3/5/15)

Changes made:

Article II

Authorities, Purposes and Activities Section

1. **renamed section**
2. **added further activities**

Article III

Net Earnings

1. **new section**

Article IV

Membership

1. **changed minimum number of paid members for membership meeting qualifications**
2. **clarified subdivision fees**

Article V

Officers

1. **added election of officers**
2. **Article VI Executive Board 1. added duties 2. added special meetings 3. added quorum number for board meetings 4. added partner liaison**

Article VII

Committees

1. added partner liaison
2. deleted original article VII – meetings

Article VIII

KDEC Records

1. new article

Article X

Parliamentary Procedures

1. new article

Article XI

Amendments

1. added electronic vote