

**CONSTITUTION AND BYLAWS OF
THE TEXAS COUNCIL FOR EXCEPTIONAL CHILDREN, (TCEC),
A UNIT OF THE COUNCIL FOR EXCEPTIONAL CHILDREN (CEC)**

**ARTICLE I
NAME**

The name of this organization shall be The Texas Council for Exceptional Children (TCEC).

**ARTICLE II
PURPOSE**

The primary purpose of The Texas Council for Exceptional Children shall be to advance the education of individuals with exceptionalities and to promote related educational, scientific, and charitable purposes. Specifically, this unit 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 Texas 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.

Section 3. Unified Membership

The Texas Council for Exceptional Children shall consist of all members of The Council for Exceptional Children affiliated with the state of Texas. This unit 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 Texas Council for Exceptional Children shall be affiliated with The Council for Exceptional Children. It shall be a unit of the members of The Council for Exceptional Children in the state of Texas. TCEC will abide by all official decisions of CEC.

Section 2. Relationship of Chapters to The Texas Council for Exceptional Children

Chapters are local units composed of TCEC members in a variety of settings such as school systems, metropolitan areas, public or private schools, colleges or universities, etc. Through the volunteer efforts of chapter officers, members, and others, specific programs are developed and implemented to further advance the education of children and youth with exceptionalities and to support the work of special education professionals.

A. Types of Chapters

There are two types of chapters: regular and student, depending on whether the majority of members are comprised of regular members or student members. Both types of chapters are entitled to equal benefits, privileges, and responsibilities within The Texas Council for Exceptional Children.

B. Requirements

A local chapter of The Texas Council for Exceptional Children must meet and maintain criteria established by the Executive Board of The Texas Council for Exceptional Children.

C. Rebates

Each local chapter will receive rebates from the Texas Council for Exceptional Children on a schedule and rate to be determined by the Executive Board of TCEC.

Section 3. Fiscal Year and Administrative Term

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

**ARTICLE V
ASSESSMENTS AND DUES**

Section 1. Special Assessments

Special assessments may be levied by a majority vote of those present at the meeting when this matter is considered, provided there is a quorum.

Section 2. Payment of Dues

Annual dues to The Council for Exceptional Children 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 Texas Council for Exceptional Children shall be duly elected by the membership and consist of a president, president elect, vice president, secretary, treasurer and immediate past president. The president and president elect shall serve as the two TCEC unit representatives to the CEC Representative Assembly. If either the president or president elect is unable to serve as a unit representative to the CEC Representative Assembly, the president of TCEC may appoint a designated representative to attend in place of the president or president elect.

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 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, and the vice president shall succeed the president elect.

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 acting 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 any office except president and president elect shall be filled by an appointment of the president, with the approval of the Executive Board for a member to 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 Texas Council for Exceptional Children with the powers and duties usually belonging to such a position;
2. To give leadership to general policymaking and carry out the directives of the membership;
3. To call and preside at meetings of the Executive Board, the annual business meeting, and meetings of the Delegate Assembly;

4. To recommend chairs of standing committees (with the exception of the Program and Nominations Committees), with the approval of the Executive Board;
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 Board the types of ad hoc committees and other appointive bodies needed;
7. To prepare and submit the annual set of assurances to The Council for Exceptional Children;
8. To assume the responsibilities of one of the TCEC unit's representatives to the CEC Representative Assembly; and
9. To inform CEC headquarters office of any amendments to the Constitution and By-laws.

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 serve as chair of the Program Committee for the annual conference;
3. To plan other meetings according to the policies and directives of the Executive Board; and
4. To assume the responsibilities of one of the TCEC unit's representative to the CEC Representative Assembly.

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 inability to serve by the president and president elect; and
2. To plan and coordinate the Texas Social at the annual conference of The Council for Exceptional Children.

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

1. To keep a careful record of the proceedings of each meeting of the Executive Board and the Delegate Assembly;
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 the Executive Board, the Delegate Assembly, and committee members;

5. To have available copies of the Constitution and Bylaws, and minutes of all meetings of committees, assemblies, and conventions; and

6. To transfer all records to the new secretary at the time of installation.

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

1. To serve as custodian of the funds of The Texas Council for Exceptional Children;

2. To pay out money for expenses approved by the Executive Board and on authorization of the president;

3. To make an annual report of the financial status of the Texas Council for Exceptional Children to the Executive Board and at the annual business meeting;

4. To prepare and submit an annual budget for approval by the Executive Board;

5. To submit record of all monies collected and expended to the accounting firm/bookkeeper for auditing;
and

6. To transfer all monies and records to the new treasurer within 15 days after installation.

F. The powers and duties of the immediate past president shall be:

1. To assist the President and perform such other duties as may be assigned to the office;

and

2. To serve as chair of the Nominations Committee.

G. The powers and duties of the Representatives to the CEC Representative Assembly shall be:

1. To represent the Texas 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 TCEC Executive Board and general membership on activities of the Representative Assembly and CEC;

3. To communicate issues and concerns from TCEC to the CEC Representative Assembly;

4. To inform TCEC about the disposition of Representative Assembly issues and advice forwarded to the CEC Board of Directors; and

5. To take other specific direction from TCEC concerning the activities of the CEC Representative Assembly.

Section 6. Election of Officers

The officers of The Texas Council for Exceptional Children shall be elected by the membership from those members in good standing. The Nominations Committee nominates the slate of officers. A notice will be sent to the membership in the organization's newsletter that members in good standing may submit nominations to the Nominations Committee. Voting may be through the mail or by electronic means. Elections will be determined by a majority vote.

Section 7. Term of Office

The president, president elect, vice president, and secretary shall serve one-year terms, which shall coincide with the fiscal year, July 1 through June 30. The treasurer shall serve a two-year term. The president and president elect shall serve as representatives to the CEC Representative Assembly during the term of their office.

Section 8. Removal from Office

A. A petition for removal of an officer shall be signed by at least five members of The Texas Council for Exceptional Children 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 each Executive Board member in writing of the receipt of such a petition, solicit relevant Evidence from all parties concerned, and calls a special meeting of the Executive Board to consider the matter within 30 days following receipt of the petition.

C. At the Executive 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 Executive Board action within 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 one representative from each active chapter within The Texas Council for Exceptional Children, selected by the respective chapter's membership, and shall meet within 30 days following receipt of the notice of appeal. The president (or President elect) shall serve as the nonvoting chairperson of the Appeal Board.

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 Executive Board's 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.

ARTICLE VII EXECUTIVE COMMITTEE

Section 1. Composition

The Executive Board shall consist of the officers of The Texas Council for Exceptional Children and the chairs of the standing committees. One-half of the membership of the Executive Board shall constitute a quorum.

Section 2. Duties of the Executive Board

The Duties of the Executive Board shall be:

- A. To serve as the administrative policy-making body of The Texas Council for Exceptional Children;
- B. To act upon such official recommendations and petitions as may be received;
- C. To adopt an annual budget;
- D. To recommend policies and programs to the membership;
- E. To determine the publications that should be issued;
- F. To establish the registration fee for the annual conference;

G. To select the site of the conventions sponsored by the Texas Council for Exceptional Children and approve recommendations made by the local arrangements committee of the host chapter;

H. To assume such other responsibilities as are, or as shall be, assigned through the Constitution and Bylaws or requested by the majority of the membership; and

I. To conduct a broad active program consistent with the Council's core purpose and values and strategic direction.

ARTICLE VIII ANNUAL BUSINESS MEETING

Section 1. Date of Annual Business Meeting

The president at the annual conference will convene the annual business meeting.

Section 2. Voting

Any member in good standing with The Texas Council for Exceptional Children is entitled to vote at the annual business meeting. Items requiring action will be determined by a majority vote of those in attendance at the annual business meeting.

ARTICLE IX COMMITTEES

Section 1. Standing Committees

Standing committees shall be Membership/Member Services, Publications, Governmental Relations, Program, Nominations, Constitution and Bylaws, and Standards.

Section 2. Appointment of Committee Chairs

The president, with the approval of the Executive Board, shall appoint the chairs of all standing committees with the exception of the Program and Nominations Committees. The president elect shall serve as chair of the Program Committee. The immediate past president shall serve as chair of the Nominations Committee.

Section 3. Appointment of Committee Members

The chairs, subject to approval by the president, shall appoint committee members. The Membership/Member Services Committee and the Nominations Committee shall have no less than two members in addition to the chair.

Section 4. Membership Committee Composition

The Membership/Member Services Committee shall have no less than two members in addition to the chair. The chair and members shall serve three-year

terms. One-third, or the nearest fraction thereof, of this committee shall be appointed each year.

Section 5. Publications Committee

The Publications Committee shall include the editor of The Bulletin.

Section 6. Governmental Relations Committee Composition

The Governmental Relations Committee shall include the CAN coordinator.

Section 7. Program Committee Composition

The president elect shall serve as chair of the Program Committee.

Section 8. Nominations Committee Composition.

The immediate past president shall serve as chair of the Nominations Committee. The Nominations Committee shall have four members in addition to the chair. Each region (North, South, East, and West) of the state should be represented by the four members of this committee. The chair and members shall serve one-year terms.

Section 9. Duties of Committees

A. The powers and duties of the Membership/Member Service 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 including those from diverse ethnic and multicultural groups;
3. To support CEC Headquarters in its follow-up of membership renewals; and
4. To announce in the newsletter, solicit applications, and make TCEC awards at the annual conference.

B. The powers and duties of the Publications Committee shall be:

1. To assess the composition of the membership for consideration in determining the scope of the publications program;
2. To continuously review the publications structure of The Texas Council for Exceptional Children and recommend policies and procedures related to its growth and development;
3. To recommend to the Executive Board publications to be issued;
4. To publish a minimum of two newsletters each year; and

5. To plan and develop publicity that will give recognition to unit activities and members.

C. The duties of the Governmental Relations Committee shall be:

1. To develop a political action program under the direction of the Executive Board;
2. To disseminate information pertinent to international and state public policy; and
3. To have the chair serve as the Children's Action Network (CAN) representative to CEC.

D. The duties of the Program Committee shall be:

1. To develop the program for the annual conference; and
2. To prepare a conference program report for approval of the Executive Board.

E. The duties of the Nominations Committee shall be:

1. To annually prepare a slate of candidates for the positions of vice president and secretary;
2. Every other year, the office of treasurer will be included on the slate of candidates;
3. To present the slate to the membership 30 days prior to the annual business meeting held during the annual conference; and
4. Only those persons who are members in good standing of The Texas Council for Exceptional Children may be nominated. The Nominations Committee should also assist with leadership development and mentoring when needed.

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

G. The duties of the Standards Committee shall be:

1. To conceive of and promote means of improving teacher preparation and state and local education programs; and
2. To develop, disseminate, and encourage the use of standards for ethical practices of educators of exceptional children and youth in Texas.

Section 10. 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
MEETINGS**

Section 1. Annual Conference

There shall be an annual conference of The Texas Council for Exceptional Children, consisting of a program and a business meeting.

Section 2. Meetings of the Executive Board

There shall be a minimum of three meetings of the Executive Board annually. One of the three meetings will be held at the time of the annual conference.

Section 3. Special Meetings.

The president with the consent of the Executive Board may call special meetings.

**ARTICLE XI
DURATION AND DISSOLUTION**

The duration of The Texas Council for Exceptional Children shall be perpetual unless the officers of the unit unanimously determine that it should be dissolved. Upon the dissolution and final liquidation of the organization, the officers shall, after paying or making provision for the payment of all the debts and liabilities of The Texas Council for Exceptional Children, distribute all of its assets to either:

1. 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 Texas Council for Exceptional Children should it ever be reorganized; or
2. Contribute them to the Foundation for Exceptional Children, a non-profit, tax-exempt public foundation that operates to advance the education of children and youth with exceptionalities.

**ARTICLE XII
PARLIAMENTARY PROCEDURE**

The rules of parliamentary practice in Robert's Rules of Order, Newly Revised, latest edition, shall govern the proceedings of the Texas Council for Exceptional Children 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 Executive Board

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

Section 3. Referral to the Membership

All proposed amendments shall be submitted to the membership not less than 30 days prior to voting on the amendment. A majority of the votes cast will determine whether an amendment passes or fails. Voting may be conducted through the mail, or by electronic means.

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.

Adopted 9-1-2006