

Division on Autism and Developmental Disabilities of the Council for Exceptional Children

Constitution and Bylaws

UPDATED

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Division on Autism and Developmental Disabilities of the Council for Exceptional Children

Constitution and Bylaws

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**Division on
Autism and Developmental Disabilities
of the
Council for Exceptional Children**

Constitution and Bylaws

Article I

NAME

Section 1: The name of this organization shall be *The Division on Autism and Developmental Disabilities of the Council for Exceptional Children*.

Article II

MISSION

Section 1: The Division on Autism and Developmental Disabilities is an organization composed of persons committed to enhancing the quality of life of individuals, especially children and youth, with autism and developmental disabilities, including those with intellectual disability, autism, and related disabilities. The Division seeks to further the knowledge base of the field, thus ensuring the continued advancement of positive educational and life outcomes for those with autism, intellectual disability, and other developmental disabilities.

Organizational Goals

1. To enhance the competence of persons who work with individuals with autism, intellectual disability, and other developmental disabilities.
2. To respond to and address emergent and critical issues in the field.
3. To advocate on behalf of individuals with autism, intellectual disability, and other developmental disabilities.
4. Expand and maintain a viable membership.

Section 2: The Division shall encourage and promote professional growth, research, and dissemination of research findings.

Article III

PROVISIONS OF CONSTITUTION AND BYLAWS

Section 1: The provisions of this Constitution and Bylaws shall be consistent with the provisions of the Constitution and Bylaws of the Council for Exceptional Children.

Section 2: After dissolution of the corporation, the Board of Directors shall, after paying or making provisions for the payment of all of the liabilities of the corporation, dispose of all the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization(s) organized and operated exclusively for charitable, religious, or scientific purposes as shall at the time qualify as an exempt organization (s) under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any such assets not so disposed shall be disposed of by the Circuit Court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization(s), as said court shall determine, which are organized and operated exclusively for such purposes.

Section 3: No part of the net earnings of the corporation shall inure to the benefit of, or be distributed to, its members, directors, officers, or other private persons except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered. No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation and the corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office. Notwithstanding the provisions of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal Income Tax under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future U.S. Internal Revenue Law) or (b) a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law).

Section 4: The Corporation is organized exclusively for charitable, educational, religious, or scientific purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code of the United States of America.

Article IV

MEMBERSHIP

Section 1: All members of the Division shall be members of the Council for Exceptional Children, and a membership of not fewer than 700 will be maintained.

Section 2: Any member of the Council whose interests relate to the field of autism, intellectual disability, and other developmental disabilities may become a member of this Division upon payment of dues.

Section 3: Bonafide, full-time students in this field are eligible for student membership according to the parameters defined by the Council.

Section 4: Members of this Division shall be entitled to all the rights and privileges of this organization.

Section 5: A quorum for the membership meeting shall consist of twenty-five (25) members.

Section 6: The Board of Directors shall determine any question of eligibility for membership in accordance with the provisions of Article IV.

Section 7: The dues shall be proposed by the Board of Directors and determined by a simple majority of members at the annual division meeting.

Section 8: Fiscal year for the division shall be January 1 - December 31.

Article V

OFFICERS

Section 1: The officers shall be the president, president-elect, vice-president, immediate past president, secretary, treasurer, and the executive director in a non-voting capacity. The first four named shall serve one-year terms of office with a total of four years in the presidential cycle. The secretary shall serve a three-year term of office. The treasurer shall be appointed by the president and serve a four-year term of office. The Executive Director shall be appointed by the president and serve a five year term. These seven elected and appointed officers, shall constitute the Executive Committee and shall be empowered to act for the Division when time is a critical factor and when a meeting of the Board of Directors is not feasible. They shall be limited by Division policies and Division budget and shall report all actions to the Board at its next meeting along with such recommendations as it may desire to make, and the secretary shall send a report of all decisions of the Executive Committee to all members of the Board within thirty days of their occurrence.

Section 2: The order of succession in the presidential cycle should include one term in each position in the order: vice president, president-elect, president, immediate past president. The presidential cycle officer holder shall automatically succeed to the next office at the expiration of their previous term with the exception of immediate past president.

Section 3:

A. A nominating/elections committee, chaired by the immediate past president, shall recommend two or more current members as candidates for the position of vice-president and each of the other non-appointed board positions with impending vacancies prior to the election each year. In the event of a vacancy in the office of immediate past president, the president shall appoint a board member to serve as nominations chair.

B. The nominations/elections committee's report shall be submitted to the president and all other members of the Board of Directors by September 1 of each year.

Section 4: Nominations are sought by the committee through a call for nominations sent to each member of the Division. The list of candidates and election instructions will be sent to members at least 20 days prior to the vote date. Following expiration of the vote due date, the committee will calculate and submit the results to the President of the Division. Those candidates receiving the largest number of votes for each office shall be elected. The President shall notify each candidate, members of the Board of Directors, and the membership of the election outcome. Each person elected shall hold assume the office beginning January 1st of the year following the election. If provisions of Sections 3 and 4 are not met, then resolution of matters thus unresolved shall rest with the membership in the regular annual business meeting.

Section 5: A vacancy in the office of the president shall be filled by automatic succession of the president-elect to such office. A vacancy in the office of president-elect shall be filled by automatic succession of the vice-president to such office. A vacancy in the office of the vice president shall be filled by appointment by the Board of Directors. The appointed vice president shall proceed through the offices of the President-Elect, President, and Past President as part of the normal sequence. In the event of vacancy in all three offices, the presidency shall be filled by appointment by the Board of Directors.

A. Any appointee filling the vacancy in the office of president shall serve until the end of the administration year in which the appointment was made or until replaced by a duly elected successor. Upon being replaced, he/she shall succeed to the office of immediate past president in the usual manner. Any president-elect automatically succeeding to the presidency to fill an un-expired term shall be entitled to remain as president for the ensuing regular term. In this case, the immediate past president would serve two full terms in that office and the president who failed to complete their term would not become immediate past president.

B. A vacancy in the office of secretary or treasurer or elected member of the Board shall be filled by action of the Board of Directors; and such person shall serve until the end of the current administration year or until replaced by a duly elected successor or in the case of the treasurer, until filled by action of the Board of Directors.

C. A vacancy in the office of past president shall remain unfilled until the next administration year.

D. A vacancy in an at-large or Canadian representative position will be appointed by the president, with board approval, and remain in that position until the position comes up for election in the normal cycle.

Section 6: The duties of officers shall be such as are implied by their respective titles and such as are specified in these constitutions and bylaws.

Section 7: The President shall:

- A. Be the chief executive officer of the Division.
- B. Preside over annual Division meetings.
- C. Call and preside at meetings of the Executive Committee and Board of Directors.
- D. Serve on or appoint a representative member for all committees except nominating and elections.
- E. Represent the Division in coordinating efforts with those of other agencies.
- F. Give leadership in general policy-making and carry out decisions.
- G. Make an annual report to the Council and to the Division.

Section 8: The President-Elect shall:

- A. Act in the place of the president with their authority in case of absence or incapacity of the president.
- B. Serve as chair of the conference committee for the annual convention, regional and special meetings; serve as co-chair for future special conferences sponsored by the division.
- D. Serve as a representative of the Division to the IDC, or appoint a designee with approval of the president.
- E. Serve as a representative of the Division to the Representative Assembly, or appoint a designee with approval of the president.

Section 9: The Vice President shall:

- A. Act in the place of the president-elect with their authority in case of absence or disability of the president-elect and shall act in the place of the president with their authority in case of absence or disability of both the president and the president-elect.
- B. Serve as the Division's representative for advance program planning for the annual convention which will take place during their term as president-elect.

C. Serve as a representative of the Division to the IDC, or appoint a designee with approval of the president.

D. Serve as a representative of the Division to the Representative Assembly, or appoint a designee with approval of the president.

Section 10: The Secretary shall keep a record of all proceedings of the annual business meetings of division, the meetings of the Executive Committee, the Board of Directors, and such correspondence as is necessary for the promotion of this organization.

Section 11: The Treasurer shall be responsible for accounting for all funds in a manner prescribed by the Board of Directors, and shall prepare an annual budget and make an annual report to the Board of Directors and to the annual business meeting.

Section 12: The Executive Director shall serve as a non-voting administrative/facilitative consultant to the Executive Committee and to the Board of Directors of DADD.

Section 13: The immediate past president shall serve as chair of the nominations committee and monitor the division's strategic plan.

Section 14: Removal of Officers

A. Officers who permit their membership to lapse shall thereby vacate their offices.

B. Officers who fail to perform their duties under the constitution and bylaws and other official rules, regulations and policies of the Division may be removed from office by the remainder of the Executive Committee with the right to appeal such removal to the Board of Directors. All proceedings related to such procedures shall be governed by due process including the right to confrontation by accusers and hostile witnesses, the presence of favorable witness and an attorney for the defendant if provided by said defendant, a transcript of the hearing and findings provided to the defendant speedily, and an appeal hearing at the next meeting of the Board of Directors if formally requested.

Article VI

BOARD OF DIRECTORS

Section 1: The president, president-elect, vice-president, immediate past president, secretary, treasurer, student representative, Chair of the Publications Committee, Chair of the Communications Committee, Conference Coordinator, Canadian representative, and two at-large representatives shall constitute the Board of Directors. Each elected member of the board may be re-elected for one additional consecutive term. The chairs of the Publications and Communications Committees, and the Conference Coordinator are appointed by the President with Board approval for a three-year term. The Treasurer is appointed by the President with

Board approval for a four-year term. The Chair of the Communications and Publications Committees, the Conference Coordinator, and the Treasurer may be re-appointed for additional terms.

Section 2: Two at-large members and the Canadian representative will serve on the board as membership representatives. At-large members may live in any region of the United States and will represent all regions. The Canadian representative may live in any Canadian province and will serve as the DADD representative for that country. Except for the student representative, the elected at-large members and the Canadian representative of the Board of Directors shall serve three-year terms of office. The student representative shall have a term of office of one or two years, contingent upon their being a full-time student during that year of office. Students who graduate during their term, shall remain in the role until the end of the year.

Section 3: Seven members of the Board shall constitute a quorum.

Section 4: The Board of Directors shall meet at least twice each year with at least 90 days between meetings. Meetings may occur in person or via distance-enabled platforms. The president shall act as the liaison with the Council on all matters on which such liaison is required or desirable. Where matters of policy arise, the president shall reflect the desires of the Board of Directors.

Section 5: The Board of Directors shall:

- A. Conduct all appropriate business of the Division.
- B. Formulate and recommend Division policies and programs to the annual convention.
- C. Provide and approve the annual Division budget.
- D. Provide an annual audit of Division funds.
- E. Formulate administrative policies.
- F. Interpret Division position on legislation and work with the legislative committee of the Council on such matters.

Article VII

AFFILIATE MEMBERS

Section 1: Division Members may be appointed to fulfill a specific duty of the board, while not a member of the board of directors. These members, referred to as affiliate members, may include ad-hoc committee chairs, publication editors, or other board assigned position holders.

Section 2: Selection process, duties, and terms of office shall be determined by the board of directors. Affiliate members shall attend at least one meeting of the board of directors per year in a non-voting capacity and provide a report of their work.

Article VII

COMMITTEES

Section 1: Standing Committees

A. The Division shall have such committees as necessary to carry out the functions of the organization.

B. Standing committees shall include:

1. Nominations/Elections
2. Membership/Unit Development
3. Publications
4. Communications
5. Conference
6. Awards
7. Critical Issues
8. Finance
9. Diversity

The president can appoint ad-hoc committees as the need exists.

C. Committee members shall be appointed by the respective committee chairpersons subject to the approval of the Board of Directors except as otherwise provided in the Constitution and Bylaws.

D. With the exception of publications, conference, and communications chairs, appointed by the president; finance, chaired ex-officio by the treasurer; and nominations, chaired by the immediate past president; committee chairs are selected by the president for a one year term and may be either Members of the Board or Affiliate Members.

Section 2: Nominations/Elections Committee

A. The nominations/elections committee shall be constituted as prescribed in Article V, Section 3A and in the event of a vacancy in the position of immediate past president, Section 5, of the Constitution and Bylaws.

B. The nominations/ elections committee shall conduct the elections and report results as indicated in Section 4 of Article V of the Constitution.

Section 3: Membership/Unit Development Committee

A. The membership/unit development committee shall include: the chair, appointed by the president, and no less than three members appointed by the chair, including the division president or their designee, to serve a one year term, available for reappointment.

B. The membership/unit development committee shall:

1. Develop and implement measures to increase the number of members.
2. Formulate practices and policies related to subdivisions of the Division.
3. Serve as liaison between the Board and subdivisions.
4. Provide support for the development of new subdivisions.
5. Submit a written report annually to the board of directors

Section 4: Publications Committee

A. The publications committee shall include: the chair appointed by the president according to Article VI, Section 1, and three additional members appointed by the chair, including the division president or their designee, to serve a one year term, available for reappointment.

B. The publications committee shall

1. Oversee all print, electronic, and video publications of a scholarly nature, including the division journal, ETADD, and books, monographs, and other media
2. Recommend to the Board of Directors policy issues related to publications
3. Submit a written report annually to the board of directors

Section 5: Communications Committee

A. The communications committee shall include: the chair appointed by the president according to Article VI, Section 1, and three additional members appointed by the chair, including the division president or their designee, to serve a one year term, available for reappointment.

B. The communications committee shall:

1. Oversee all communication between the division and the public, including the web site and division newsletter.
2. Recommend to the Board of Directors policy issues related to communication vehicles used by the division.
3. Submit a written report annually to the board of directors

Section 6: Conference Committee

A. The conference committee shall include: two co-chairs being—the conference coordinator, appointed by the president according to Article VI, Section 1, and the president-elect. Committee members will include the vice president, the president or their designee, and one additional member appointed by the co-chairs to serve a one year term, available for reappointment.

B. A separate chair and committee may be appointed by the president for a specific conference.

C. The conference committee shall:

1. Make recommendations to the board related to the division's annual conference, including the site and theme of the conference.
2. Oversee all aspects of the division's annual conference including preparation, on site logistics, and post conference follow-up
3. Submit a written report annually to the board of directors

Section 7: Awards Committee

A. The awards committee shall include: the chair, appointed by the president, and no less than three members appointed by the chair, including the president or their designee, to serve a one year term, available for reappointment.

B. The awards committee shall:

1. Maintain and conduct a process for solicitation and review of Division-authorized awards.
2. Select from among the qualified nominees those to receive the awards unless otherwise required by the awards criteria.
3. Present awards to winners.
4. Submit a written report annually to the board of directors

Section 8: Critical Issues Committee

A. The critical issues committee shall include: the chair, appointed by the president, and no less than three members appointed by the chair, including the division president or their designate, to serve a one year term, available for reappointment.

B. The critical issues committee shall:

1. Define and study significant issues as well as legislation, rules and regulations, as approved by the Board, provided all issues are germane to the purposes of the Division.
2. Submit a position paper-recommendation on such issues and/or recommend efforts of support or opposition regarding relevant legislation to the Board for approval.

3. Prepare/obtain an in-depth article on the approved position recommendation for Board review. Such an article then may be published in the Division journal and/or posted on the division website.
4. Submit a written report annually to the board of directors

Section 9. Finance Committee

A. The Finance Committee shall include:

1. The president, president-elect, vice-president, past president, Executive Director, and treasurer, with the treasurer acting as chair.
2. The immediate past treasurer, with approval of the Board of Directors, and if willing to serve.

B. The Finance Committee shall, on behalf of the Board:

1. Guide and monitor the development and maintenance of procedures that ensure the financial integrity of the Division;
2. Oversee all aspects of the management of Division finances, and/or its fiscal policies;
3. Provide direct support/guidance for the treasurer in the resolution of issues relative to the management of Division finances;
4. Meet no less than one time per year for the purpose of conducting a review of DADD's financial position and its fiscal policies and procedures.
5. Submit a written report annually to the board of directors

Section 10: Diversity Committee

A. The diversity committee shall consist of: the chair, appointed by the president, and no less than three members appointed by the chair, including the division president or their designate, to serve a one year term, available for reappointment.

The Diversity Committee shall:

1. Make recommendations to the Board of Directors on issues dealing with diversity.
2. Serve as the division's liaison with CEC diversity efforts.
3. Submit a written report annually to the board of directors

Section 11: Ad hoc committees may be established and their composition and functions assigned at the discretion of the president. Ad hoc committees shall submit a written report annually to the board of directors

Article VIII

MEETINGS

Section 1: The Board of Directors shall have the authority to conduct meetings, conventions, or conferences in addition to the CEC annual convention .

Article IX

AMENDMENTS

Section 1: This Constitution and Bylaws may be amended either via mail ballot, electronic ballot, or at any regular business meeting of the Division with the support of two-thirds of the members.

Section 2: Any proposed change in the DADD Constitution or By-Laws which is approved by the DADD Board of Directors, must be provided to the DADD membership in writing, in advance of the vote to accept or reject the proposed amendment. Such publications can take the form of a notice in the *DADD Express* newsletter or through a direct mailing to membership.

Section 3: Any proposed change in the DADD Constitution or By-Laws which is approved by the Board of Directors, may be posted on the DADD Division Web site to supplement, not replace, written notice to the members. A disclaimer, indicating that the change is yet to be discussed and voted on, must be clearly included.

Section 4: Once changes are made to the DADD Constitution or By-Laws, they will be posted on the DADD web site.

Article X

PARLIAMENTARY PROCEDURE

Section 1: The rules of the parliamentary practice in Robert's Rules of Order, newly Revised, latest edition, shall govern the proceedings of this Division, subject to the special rules which have been or may be adopted.