



**CONSTITUTION AND BYLAWS  
OF THE NEW YORK DIVISION ON CAREER DEVELOPMENT AND  
TRANSITION (NYS DCDT) A SUBDIVISION OF THE NATIONAL  
DCDT OF THE COUNCIL FOR EXCEPTIONAL CHILDREN**

**ARTICLE I. NAME**

Section 1. The name of this non-profit organization shall be the NYS Subdivision of the Division on Career Development and Transition, hereinafter referred to as NYS DCDT of The Council for Exceptional Children.

Section 2. DCDT shall be affiliated as a division of the International/National/State Council for Exceptional Children.

Section 3. Affiliation with other groups may be established in accordance with the International/National/State Council for Exceptional Children policy.

**ARTICLE II. PURPOSE.**

Section 1. Purpose

The primary purpose of NYS DCDT shall be to advance the education of individuals with exceptionalities and to promote related educational, scientific, and charitable purposes. Specifically, NYS DCDT 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.

Section 2. Secondary Purpose

The secondary purpose(s) shall be to encourage and promote professional growth, research, legislation, information dissemination, technical assistance and interactions among CEC divisions and other organizations concerned with and involved in the career development and transition of exceptional individuals.

**ARTICLE III. MEMBERSHIP**

Section 1. Unified Membership

The subdivision membership shall consist of members of The Council for Exceptional Children and the Division on Career Development and Transition of NYS DCDT. The subdivision may not accept enrollments for subdivision membership only.

Section 2. Minimum Membership Requirements

NYS DCDT shall maintain a minimum of **15 paid members** who shall meet the membership qualifications established by the CEC.

### Section 3. Types of Membership

- A. Professional membership is open to any person concerned with the education of exceptional individuals who is a member in good standing of the International/National/State CEC. Individuals may become active members of this division after approval of application and payment of dues.
- B. Associate membership is open to parents/family members, and paraprofessionals/transition-related personnel.
- C. Student membership is open to any member of the CEC who is not professionally employed full-time and who is in attendance during the academic year as a student at any accredited college or university.
- D. Retired membership is open to a person who has retired officially, i.e., retired by his employing agency and has not accepted another full-time position.
- E. Each of the above members is considered to be an active member and shall be entitled to all the rights and privileges of this organization.

### 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

NYS DCDT shall be recognized as an official subdivision of the Division on Career Development and Transition and shall be affiliated with The Council For Exceptional Children.

### Section 2. Fiscal and Administrative Term

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

## ARTICLE V. OFFICERS

### Section 1. Elected Positions

The officers of this organization shall be a President, President-Elect, Vice President, Secretary, Treasurer, and the Immediate Past President.

### Section 2. The Executive Board

The Executive Board shall serve as the policy-making body and shall be responsible for carrying out the affairs of the division except those actions, which rest on the membership as stated in the Constitution and By-Laws of the NYS DCDT.

### Section 3. Members in good standing

All officers must be members in good standing of The Council for Exceptional Children, the Division on Career Development and Transition and thus NYS DCDT at the time of their nomination and election and remain so throughout their term of office.

### Section 4. Succession

All elected officers shall serve 2 year terms. An elected officer may serve up to two consecutive terms (for a total of 4 years) and cannot succeed himself in the same office until after the expiration of one full administrative year, provided that this shall not apply in the case of an officer selected to fill any portion of an unexpired term.

### Section 5. Vacancies

A vacancy in the office president shall be filled by automatic succession of the president-elect to the office. A vacancy in the office of president elect shall be filled by automatic succession of the vice-president to the office. A vacancy in any of the offices, except president and president-elect, shall be declared and filled by action of the Executive Committee 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.

### Section 6. Duties of Officers

#### A. The powers and duties of the president shall be:

1. To serve as the chief executive officer of the subdivision 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 the annual business meeting and all meetings of the Executive Committee;
4. To recommend chairs of standing committees with the exception of the nominations and elections committee;
5. To be an exp-official non-voting member of all committees with the exception of the nominations and elections committee;
6. To recommend to the Executive Committee the types of ad hoc committees and other appointive bodies needed;
7. To represent the subdivision in coordinating efforts with other units of CEC and other organizations;
8. To prepare the annual report ad required by CEC and the division. The Delegate Assembly requires that each subdivision file an annual report. Subdivisions who are units of CEC are required to file this report with CEC Headquarters as well;

9. To accede to the office of Immediate Past 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 the president's absence or inability to serve;
2. To develop the program and plan other meetings according to the policies and directives of the Executive Committee;
3. To accede to the office of President.

C. The duties of the vice-president shall be:

1. To serve as president-elect in the event of event of resignation or absence or inability to serve of the president-elect;
2. To have such other responsibilities as designated by the President;
3. To accede to the office of president-elect.

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

1. To keep a careful record of the proceedings of the annual business meeting and the meetings of the Executive Board;
2. To carry on correspondence as necessary for the operation of the subdivision;
3. To assume custody of all records except those specifically assigned to others;
4. To keep accurate lists of Executive Committee and committee members;
5. 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 subdivision;
2. To authorize and pay all expenditures;
3. To make an annual report of the financial status of the subdivision to the Executive Committee and at the annual business meeting;
4. 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 serve as Chairperson of the Nominating and Recognition Committee;
2. To serve as a member of the Publicity and Communications Committee.

## Section 7. Election of Officers

The officers of the subdivision shall be elected by the membership from those members in good standing who are nominated by the nominating committee. Elections may take place in person or by mail ballot.

## Section 8. Term of Office

All elected officers shall serve 2 year terms. An elected officer may serve up to two consecutive terms (for a total of 4 years) and cannot succeed himself in the same office until after the expiration of one full administrative year, provided that this shall not apply in the case of an officer selected to fill any portion of an unexpired term. Unless stated otherwise terms of office shall coincide with the fiscal/administrative year, July 1 through June 30.

## Section 9. Removal from Office

A. A petition for removal of an officer shall be signed by at least five members of the subdivision and submitted in writing to the president. If the president is the subject of the petition, it shall be submitted 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 call 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 is necessary for 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 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 call, in writing, for the appointment and meeting of the Appeal Board. The Appeal Board shall be made up of 5 non-board members selected at random from the membership list, and shall meet within 30 days following the receipt of notice of appeal. The President (or President-Elect) shall serve as the non-voting 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 officer'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 VI. EXECUTIVE BOARD

### Section 1. Composition

The Executive Board shall consist of the president, president-elect, vice president, immediate past president, secretary, treasurer, and chairpersons of standing committees.

### Section 2. Duties of the Executive Board

The duties of the Executive Board shall be:

- A. To formulate and propose policies for the subdivision;
- B. To fill vacancies; and
- C. To make recommendations to the subdivision.

## ARTICLE VII. MEETINGS

### Section 1. Meetings

A minimum of one annual business meeting shall be held. Any executive board decisions will be presented at that time for approval from the active members present. Additional meetings of the Executive Board may also take place via phone and/or computer conference call, as scheduled by the President.

### Section 2. Special Meetings

Special meetings may be called by the president with the consent of the Executive Board. A minimum advance notice of 30 days for any special meeting shall be given to members. The notice shall state the general nature of the meeting and its time and place.

## ARTICLE VIII. COMMITTEES

### Section 1. Standing Committees

Standing committees shall include the nominating and elections, publicity and communications, membership, and program committees.

### Section 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.

### Section 3. Appointment of Committee Chairpersons

The president, with the approval of the Executive Board, shall appoint the chairpersons of the standing committees. The immediate past president shall serve as chairperson of the nominations and elections committee and the president-elect shall serve as board representative of the program committee.

Section 4. The standing committees and their respective duties are as follows:

A. Nominating and Elections Committee – the committee, chaired by the immediate Past President, which shall consist of five members shall be nominated and elected by a simple majority vote of membership attending the annual business meeting of the organization. This committee shall call for nominations from the membership, check nominees' eligibility and availability to hold office, conduct a mail ballot, and tabulate and announce the result. This committee will annually identify and prepare awards for individuals or groups of individuals who have made unique contributions in service to DCDT during the year.

B. Membership Committee – This committee shall organize and direct the recruitment of members for the division. The committee shall formulate a membership promotion plan for approval by the Board. A current list of membership shall be maintained and made available to the Board. The Vice-President shall serve as the board representative.

C. Publicity and Communications Committee – This committee shall maintain and update the NYS DCDT website. The committee may also develop and disseminate pamphlets, brochures or other materials deemed effective, all subject to approval by the Board.

D. Program Planning Committee – This committee shall promote networking among members and sponsors at both the annual CEC convention and other meetings, subject to Board approval. The committee shall formulate and plan programs according to policies and directives made by the Board. The President-Elect shall serve as the Board representative.

#### ARTICLE IX. PROVISION FOR BY-LAWS

Section 1.

To supplement this Constitution the membership shall adopt By-Laws, which are not inconsistent with this document and those of CEC.

Section 2.

By-Laws may be adopted by the majority vote of the membership, present and voting, or mail ballot as provided in this document.

#### ARTICLE X. AMENDMENTS

This Constitution and Bylaws may be amended at any regular meeting by a two-thirds vote of the membership present. Such amendment or Board amendments shall have been submitted in writing to the Executive Board at least 90 days prior to the annual meeting. The membership shall have received the proposed amendment or amendments at least 30 days prior to the annual meeting.



## ARTICLE XI. PARLIAMENTARY PROCEDURE

The rules contained in "Robert's Parliamentary Law" and the latest edition of "Robert's Rules of Order, Revised" shall govern the DCDT in all cases to which they are not inconsistent with the articles of the Constitution.

## ARTICLE XII. DURATION AND DISSOLUTION

The duration of the subdivision shall be perpetual unless the officers of the subdivision unanimously determine that it should be dissolved. Upon the dissolution and final liquidation of the subdivision, the officers shall, after paying or making provision for the payment of all debts and liabilities of the subdivision, follow specific procedures for handling of the remaining monies as determined by the division, or, if no such procedures are mandated:

1. Forward them to the Headquarters of CEC (a nonprofit organization) with a request that they be retained in a non-interest bearing account and made available to the subdivision should it ever be reorganized; or
2. Contribute them to the CEC International Center for Scholarship in Education, a nonprofit, tax-exempt public foundation which operates to advance the education of exceptional children and youth; or
3. Contribute them to another unit of CEC that is active or conducts programs and activities consistent with those as described in Article II of this Constitution and Bylaws.

## **BYLAWS**

### ARTICLE I. MEMBERSHIP

#### Section 1.

Active membership is open to any member of CEC. Active membership entitles the members to attend all meetings of the division, to vote on all questions presented to the membership and to hold office.

#### Section 2.

Affiliate organizations shall be other than those of CEC and DCDT which are involved in the promotion and delivery of career development and transition services to exceptional individuals. The affiliate organization must create a liaison committee with equal membership from each affiliate. The appointed representatives from DCDT must be a member of the Council and NYS DCDT.

#### Section 3.

The membership year of an individual member shall coincide with the payments of CEC and DCDT dues.

#### Section 4.

Membership records will be maintained by the CEC Division Secretary based on CEC and DCDT dues.

### ARTICLE II. OFFICERS

#### Section 1.

The terms of office shall be as follows: The President, President-Elect, Vice-President, and immediate Past President shall each serve two years according to this Constitution, Article V, Section 4. The Secretary shall be elected in odd-numbered years and the Treasurer in even-numbered years, and each shall serve for two years.

#### Section 2.

In case of a vacancy occurring in the office of President, the President-Elect shall assume the office. In case of a vacancy occurring in the office of President-Elect, the Vice-President shall assume office. In the case of a vacancy occurring in the office of the President, or in the event that he/she succeeds the President-Elect, for any reason, the office Vice-President shall remain vacant until the next annual business meeting of DCDT. During the interim, however, the President, with the approval of the Board, shall appoint an acting Vice-President until such replacement can be duly elected. In the case a vacancy occurring in the office of Secretary or Treasurer, the President, with the approval of the Board, shall appoint a temporary replacement to serve until the next administrative year.

#### Section 3.

The nominating committee will solicit nominees from the entire membership through the appropriate media with announcements in the fall of each year. Nominations may be made by any group of five (5) active members signing a nomination petition. The Committee will review the status of the nominee in relation to being a member in good standing.

#### Section 4.

The Nominating Committee shall construct a mail ballot and mail it to all active members. The committee will receive and tabulate the results. The candidate receiving the largest number of votes cast for each office is selected. In the event that two candidates receive the same number of votes, there is not a candidate who receives a larger number; a special ballot will be resubmitted to the

membership. The ballot shall contain the name of the two candidates and the election will be decided by simple majority.