

Changes to the ACET Constitution

Members of the ACET leadership and committees have spent the past four years working to update the ACET Constituion, By-Laws, and Policies and Procedures Manual. The proposed changes will ensure these documents are aligned and will improve the effectiveness of ACET.

Changes to the Constitution and By-Laws must be approved by the general membership, while changes to the Policies and Procedures Manual are approved by the Executive Council.

The changes detailed here to the Constitution and By-Laws reflect changes in terminology and practice. Any place that contained an actual procedure to follow was moved to the Policies and Procedures Manual.

Change #1

NEW VERSION

Article III, Section 1 **Members**

Members shall be professional and non-professional employees of public or non-public schools, agencies, or institutions who function as administrators, teachers, supervisors, or coordinators of compensatory education programs; or others who support compensatory education programs through training or other means.

OLD VERSION

Article III, Section 1 **Voting Active Members**

Voting active members shall be professional and non-professional employees of public or non-public schools, agencies, or institutions who function as administrators, teachers, supervisors, or coordinators of compensatory education programs; or others who support compensatory education programs through training or other means.

Changes: “Voting Active Members” is being changed to “Members.” At one time, there were different levels of membership in ACET. Now, all members are active and can vote.

Change #2

NEW VERSION

Article V, Section 1

The elected officers & representatives of the Association shall be chosen from the membership and shall include the following:

- a. President-Elect
- b. Vice-President for Membership
- c. Secretary
- d. Treasurer
- e. Twenty (20) Regional Directors
- f. **Two (2) National Association of Federal Education Program Administrators (NAFEPA) representatives**

Article V, Section 2

The Parliamentarian will be appointed by the President, and will be a non-voting position. The NAFEPA Representatives are non-voting positions on the Executive Council.

OLD VERSION

Article V, Section 1

The elected officers & representatives of the Association shall be chosen from the voting membership and shall include the following:

- President**
President-Elect
- Vice-President for Membership
- Secretary
- Treasurer
- Twenty (20) Regional Directors
- Two (2) National Association of Federal Education Education Program Administrators (NAFEPA) representatives**

The positions of Parliamentarian will be appointed by the President.

The Parliamentarian and the NAFEPA representative positions will be non-voting positions on the Executive Council.

Article V, Section 2

Changes: President was removed from the list, since members do not elect a President; they elect a President-Elect, who then becomes the President the next year. The information regarding Parliamentarian and the NAFEPA representatives was moved to Section 2, which was empty.

Change #3

NEW VERSION

Article V, Section 3

The President-Elect shall be elected for a one-year term, shall serve as President the next year, **and then serve as the Immediate Past President the following year.** The Vice-President for Membership, Secretary and Treasurer shall be elected for two-year terms. The Vice-President for Membership and Secretary shall be elected in even-numbered years. The Treasurer shall be elected in odd-numbered years. Regional Directors of even-numbered regions shall be elected in even-numbered years. Regional Directors of odd-numbered regions shall be elected in odd-numbered years. Each NAFEPA Representative shall serve a three-year term.

OLD VERSION

Article V, Section 3

The President-Elect shall be elected for a one-year term and serve as President the following year. The Vice-President for Membership, Secretary and Treasurer shall be elected for two-year terms. The Vice-President for Membership and Secretary shall be elected in even-numbered years. The Treasurer shall be elected in odd-numbered years. Regional Directors of even-numbered regions shall be elected in even-numbered years. Regional Directors of odd-numbered regions shall be elected in odd-numbered years. **The NAFEPA representatives shall serve three year terms with the first representative being elected on a biennial rotating basis of second representative. The first NAFEPA representative will be elected in 2013, and the second representative will be elected in 2015.**

Changes: In the new version, the bolded line was added to reflect actual practice. In the old version, the words that are bolded were moved to Article IV, Section b.

Change #4

NEW VERSION

Article V, Section 4

The Executive Council shall consist of the Officers, the Immediate Past President, Regional Directors, the NAFEPA Representatives, **and the Parliamentarian.**

Article V, Section 5

The Executive Council shall have the power to fill the office of President-Elect, Vice-President for Membership, Secretary, Treasurer and NAFEPA Representatives should a vacancy occur during the term. Should the President not be able to fulfill his/her duties, the President-Elect will also assume the duties of President.

Regional Director vacancies shall be filled by the Alternate, who was elected at the same time as the Regional Director. Should that person not be available to serve, **the President shall appoint a member from that region to serve as the interim Regional Director until the next election.**

OLD VERSION

Article V, Section 4

The Executive Council shall consist of the officers, the Immediate Past President, and Regional Directors & elected NAFEPA representatives.

Article V, Section 5

The Executive Council shall have the power to fill the office of President-Elect, Vice-president for Membership, Secretary, Treasurer and NAFEPA representatives should a vacancy occur during the term. Should the President not be able to fulfill his/her duties, the President-Elect will also assume the duties of President.

Regional director vacancies shall be filled by the Alternate, who was elected at the same time as the Regional Director. Should that person not be available to serve, **the members from that district will be asked to meet and elect a new representative to the Executive Council in time to attend the next meeting.**

Changes: **Section 4:** the Parliamentarian was added. **Section 5:** changed to allow the President to appoint a new regional director until the next election occurs.

Change #5

NEW VERSION

Article V, Section 7

This constitution may be amended at any **conference** for the transaction of official business by vote of two-thirds of the **members** replying, provided in either case written notice has been given thirty (30) days prior to the time of voting. The Executive Council shall have the responsibility and authority to make any necessary adjustments in the Constitution and By-Laws for compliance with the chartering laws of the State of Texas and the regulations of the Internal Revenue Service.

OLD VERSION

Article V, Section 7

This constitution may be amended at any annual **meeting** for the transaction of official business by vote of two-thirds of the **voting active members** replying, provided in either case written notice has been given thirty (30) days prior to the time of voting. The Executive Council shall have the responsibility and authority to make any necessary adjustments in the Constitution and By-Laws for compliance with the chartering laws of the State of Texas and the regulations of the Internal Revenue Service.

Changes: Changed "meeting" to "conference" to distinguish between conferences for members, and meetings of the Executive Council. Changed "voting active members" to "members." We no longer refer to everyone as Voting Active Members, we now call them Members.

Change #6

NEW VERSION

Article IX, Section 1

b. Standing committees of the Association may include:

1. Historical Committee
2. Nomination/Elections Committee
3. Program Planning Committee
4. Awards Committee
5. Legislative Committee
6. Past Presidents' Advisory Committee
7. Scholarship Committee
8. Registration Committee

OLD VERSION

Article IX, Section 1

b. Standing committees of the Association shall be:

- 1. Constitution and By-Laws**
- 2. Publicity**
3. Nomination/Elections
4. Program Planning
5. Awards
6. Legislative
7. Past Presidents' Advisory Committee
8. Scholarship
9. Registration Committee

Changes: The Constitution and By-Laws Committee is being disbanded, since all of that work is now performed by the Past President's Committee. The Publicity Committee is being renamed as the Historical Committee.

Changes to the ACET By-Laws

Change #7

NEW VERSION

ARTICLE I MEMBERSHIP

Article I, Section 1

All qualified persons shall be eligible for a membership of **15 months** upon receipt of payment for a conference.

Article II CONFERENCES

The Association shall hold at least one fall and one spring conference each year. Elections may be held at the fall and/or spring conferences.

Article III EXECUTIVE COUNCIL MEETINGS

The Association shall hold at least one fall and one spring meeting of the Executive Council each year. Special meetings may be called by the President.

OLD VERSION

ARTICLE I MEMBERSHIP

Article I, Section 1 Dues

a. All qualified members shall be eligible for active membership upon receipt of payment of annual dues and meeting the requirements of the Constitution. Membership dues shall be part of the conference registration fee. Individuals desiring to become members after a conference may pay a membership fee of \$20.00.

Article II MEMBERSHIP YEAR

The payment of annual dues shall entitle each member to membership from September 1 to August 31. The fiscal year shall begin January 1 of any given year and continue through December 31.

Article III MEETINGS

The Association shall hold at least one regular fall and one regular spring meeting each year. The election of officers shall be held at the fall meeting. Special meetings may be called by the Executive Council. All meetings shall be work sessions continued with a business session to allow official regular action to be taken on matters of the Association.

Changes: **Article I:** changed to reflect change that will occur with new website and member portal. ACET no longer has a membership fee. Membership is automatic once a conference is paid. **Articles II and III:** changed to show differences between conferences and Executive Council meetings.

Change #8

NEW VERSION

Article IV, Section 1

The Nomination/Elections Committee shall prepare a list of candidates for each position of President-Elect, Vice-President for Membership, Secretary, Treasurer and NAFEPA Representatives. **The President-Elect shall be elected for a one-year term, shall serve as President the next year, and then serve as the Immediate Past President the following year.** The permission of each candidate must be secured prior to his/her name being nominated. **To run for Vice-President, Secretary, or Treasurer, a person must have been a member of the Association for at least two years.**

In order to run for the position of President-Elect, the member must have served for at least two years in one or more of the following positions: **Regional Director, Vice President for Membership, Secretary, Treasurer, as a committee Chairperson, or have served on the Program Planning Committee. In order to serve as a NAFEPA Representative, the person must have served as President.**

Regional Directors shall be elected by the respective regional members. If during the election process there is a tie vote, the regional members will take another vote via secret ballot. If that vote results in a tie, **then the candidates tied for the position** will draw for the position. The person who is not selected as the representative will become the alternate regional director.

OLD VERSION

Article IV, Section 1

The Nomination/Elections Committee shall prepare a list of candidates for each position of President-Elect, Vice-President for Membership, Secretary, Treasurer and NAFEPA Representatives. **The President-Elect shall automatically become President upon completion of the year served as President-Elect. The permission of each candidate must be secured prior to his/her name being nominated.**

In order to run for the position of President-Elect or Treasurer, the person must have served for a least two full years in one or more of the following positions: a Regional Director, served as Secretary or Vice President of Membership, served as the Chairperson of one of the standing committees or served on the Program Planning Committee. In order to serve as a NAFEPA Representative, the person must have served as a Past President, or have worked on the legislative committee for three years.

Regional Directors shall be elected by the respective regional members. If during the election process there is a tie vote, the regional members will take another vote via secret ballot. If that vote results in a tie, then the two people will draw for the position. The person who is not selected as the representative will become the alternate regional director.

Officer designees and Regional Directors shall have been voting members of the Association for a period of not less than two membership years.

Changes: **Paragraph 1:** Added explanation of the progression from President-Elect, to President, to Immediate Past President. **Paragraph 2:** changed the wording from “two full years” to “two years;” added Treasurer to the positions that can be held prior to becoming President-Elect; for NAFEPA representative, changed to “must have served as President” and removed other options. **Paragraph 3:** Cleaned up the wording from “two people” to “candidates.” **Paragraph 4:** Removed the two year requirement which is already mentioned in the second paragraph. There is no such two-year requirement to run for Regional Director.

Change #9

NEW VERSION

Article IV, Section 3

Candidates receiving the greatest number of votes shall be declared elected. If the vote results in a tie, then the candidates tied for the position will draw for the position. In the event only one candidate is placed in nomination for an office, that candidate may be elected by voice vote of the assembly (VIVA VOCE).

Article IV, Section 4

The newly elected officers shall assume their duties immediately after the **conference** at which they are elected.

Article IV, Section 5

In the event that the President-Elect, Vice-President for Membership, Secretary, Treasurer, or NAFEPA Representatives cannot complete his/her term, the Executive Council shall appoint a **qualified member** to serve the remainder of the term, if it is beyond one month of when that office would be elected.

In the event that a Regional Director cannot attend an Executive Council meeting, the alternate will attend the meeting, with voting rights, to represent the voice of the region. Regional Director vacancies shall be filled by the Alternate, who was elected at the same time as the Regional Director. Should that person not be available to serve, the President shall appoint a member from that region to serve as the interim Regional Director until the next election.

OLD VERSION

Article IV, Section 3

Candidates receiving a majority of the votes shall be declared elected. In the event that no candidate receives a majority of the votes on the first ballot, additional ballots will be cast until a candidate receives a majority of votes. In such subsequent ballots, the slate of candidates will consist of those candidates, ranked by percentage of votes cast, who collectively received a simple majority of the votes cast. In the event only one candidate is placed in nomination for an office, that candidate may be elected by voice vote of the assembly (VIVA VOCE).

Article IV, Section 4

The newly elected officers shall assume their duties immediately after the **fall meeting** at which they are elected.

Article IV, Section 5

In the event that the President-Elect, Vice-president for Membership, the Secretary, Treasurer, or NAFEPA representatives cannot complete his/her term, the Executive Council shall appoint a **qualified voting active member** to serve the remainder of the term, if it is beyond one month of when that office would be elected.

In the event that a Regional Director cannot complete his/her two-year term of office, the alternate, selected at the same time as the Regional Director, will serve as the Regional Director until the next election is held. If there is no alternate or the alternate is not able to serve, the President shall request a meeting of the membership in that region to select an alternate that will serve on the Executive Council. In the event that a Regional Director cannot attend an Executive Council meeting, the alternate will attend the meeting, with voting rights, to represent the voice of the region.

Changes: **Section 3:** simplified the procedures to break a tie during the voting process. **Section 4:** changed “fall meeting” to “conference.” **Section 5, paragraph 1:** changed “qualified voting active member” to “member.” **Section 5, paragraph 2:** simplified the rules to allow the President to select a replacement for a Regional Director until a new one can be voted in.

Change #10

NEW VERSION

Article IV, Section 6 NAFEPA Representatives

The focus of these positions will be to provide continuity with the NAFEPA Board and to help build capacity for our organization on the NAFEPA Board. The positions will fill the positions that ACET has on the NAFEPA Board. The representatives selected should be members whom have a broad base in all aspects of serving students in at-risk situations and whom would best represent ACET's entire membership. The NAFEPA representatives shall serve staggered three-year terms.

Article IV, Section 7 Executive Council

The Executive Council shall approve or amend the budget of the Association, **approve** the dates and places of all conferences and workshops, authorize the appointment of special committees as necessary, and in general attend to the business of the Association.

Article IV, Section 8 Executive Director

The Executive Director shall be responsible for fiscal operations; conference and workshop planning including registration, facilities, exhibitors, and printing; **communications; web-site maintenance;** and other duties as designated by the President and the Executive Council.

OLD VERSION

Article IV, Section 6 Executive Council

The Executive Council shall approve or amend the budget of the Association, **determine** the dates and places of all conferences and workshops, authorize the appointment of special committees as necessary, and in general attend to the business of the Association.

Article IV, Section 7 Executive Director

The Executive Director shall be responsible for fiscal operations; conference and workshop planning including registration, facilities, exhibitors, and printing; **ACET mailings; legislative information;** and other duties as designated by the President and the Executive Council.

Changes: Section 6 (New Version): Added information on the NAFEPA representatives to this section. Section 7 (old Section 6): changed function of the Executive Council to approve dates (since dates are determined by the Executive Director). Section 8 (old Section 7): changed some of the duties of the Executive Director to reflect current practice.

Change #11

NEW VERSION

Article IV, Section 9 Dereliction of Duties

Officers (President, President-Elect, Vice-President, Secretary, Treasurer, NAFEPA Representatives, and Parliamentarian) **and Regional Directors who fail to fulfill their duties** may be considered to be derelict in his/her duties and may be removed from office.

Dereliction of duties may include any one of the following:

1. Failure to attend meetings.
2. Failure to file required reports within two weeks of a meeting.
3. Failure to reply to directions from the President and/or President-Elect within one week of receiving a request.
4. Failure to provide Financial Reports or any other report requested by the President and/or President-Elect.

The replacement for the removed officer will be named by the Executive Council, unless it occurs within one month of the next election for that position. The general membership shall be notified a replacement has been named to fulfill the term of that office.

OLD VERSION

Article IV, Section 8 Dereliction of Duties

Officers elected by the total membership (President, President-Elect, Vice-President, Secretary and Treasurer) who fail to fulfill the duties of the office may be considered to be derelict in his/her duties and may be removed from office **as stated in Article V: Duties of Officers.**

Dereliction of duties may include any one of the following:

1. Failure to attend meetings (any officer
2. Failure to file reports (within two weeks
3. Failure to reply to directions from the President and/or President-Elect within one week of receiving a request. Failure to reply
4. Failure to provide Financial Reports or any other report requested by the President and/or President-Elect will be cause

The replacement for the removed officer will be named by the Executive Committee....

Changes: The old version contained conditions for dereliction of duty, and also the procedures that must be followed. The procedures were moved to the Policies and Procedures section. The new version now only lists the condition that define dereliction of duty. Regional Directors were also added to the list of positions that could be removed from office.

Change #12

NEW VERSION

Article VI, Section 1 Duties of Regional Directors

The twenty Regional Directors will serve as part of the Executive Council and shall make every effort to be at each meeting of the council and shall plan to be present for the majority of the meeting. If they cannot be present, they shall make arrangements for an alternate to attend the meeting.

The duties of the Regional Directors may include, but are not limited to:

(items 1-5)

6. Conduct regional meetings at the ACET Conference.

OLD VERSION

Article VI, Section 1 Duties of Regional Directors

The twenty Regional Directors will serve as part of the Executive Council and shall make every effort to be at each meeting of the council and shall plan to be present for the majority of the meeting. If they cannot be present, they shall make arrangements for an alternate to attend the meeting.

The duties of the Regional Directors may include, but are not limited to:

(items 1-5)

Changes: Added line item 6 to the list.

Change #13

NEW VERSION

Article VII, Section 1 Covered Expenditures

The Officers, Regional Directors, Committee Chairpersons, and Committee Members will be reimbursed for limited expenses that are not covered by their districts/employers. The items and amount of reimbursement will be as follows:

1. All expenses for special meetings utilizing the fee structure found in the following Section 2 of this article, and which are not covered by their districts or employers.
2. All expenses involved in providing information to regional members and potential members **as specified in the ACET Procedures Manual.**
3. All expenses involved in hosting regional meetings which are not covered by the district and or employer **as specified in the ACET Procedures Manual.**

OLD VERSION

Article VII, Section 1 Covered Expenditures

The Officers, Regional Directors, Committee Chairpersons, and Committee Members will be reimbursed for limited expenses that are not covered by their districts/employers. The items and amount of reimbursement will be as follows:

1. All expenses for special meetings utilizing the fee structure found in Section 2 of this section and which are not covered by their districts or employers
2. All expenses involved in providing information to regional members and potential members **(not to exceed \$100 in a one year period without prior permission from the President)**
3. All expenses involved in hosting regional meetings which are not covered by the district and or employer **(not to exceed \$50 in a one year period without prior permission from the President)**

Changes: Specific procedures were moved to the Policies and Procedures Manual

Change #14

NEW VERSION

Article VII, Section 2 Fee Reimbursement Structure

Officers, Regional Directors, Committee Chairpersons, NAFEPA Representatives, and Committee Members should first try to pay for their expenses utilizing any district/employer funds that they may have available. If no district/employer funds are available or are limited, the committee members will be reimbursed utilizing the fee structure **specified in the ACET Procedures Manual.**

OLD VERSION

Article VII, Section 2 Fee Reimbursement Structure

Officers, Regional Directors, Committee Chairpersons, NAFEPA Representatives, and Committee Members should first try to pay for their expenses utilizing any district/employer funds that they may have available. If no district/employer funds are available or are limited, the committee members will be reimbursed utilizing the fee structure **that follows:**

1. **No expenses will be paid for meetings connected with conference dates without prior approval by the President**
2. **Hotels for non-conference...**

Changes: Moved a list of 8 specific procedures from this section to the Policies and Procedures manual.

Change #15

NEW VERSION

OLD VERSION

Article VIII, Section 1

~~Beginning in the spring of 2013, the NAFEPA representative will be elected for a three year term. The second representative will be elected in the spring of 2015 for a three year term. To be eligible for this position, the individual will have served on the legislative committee for three years or have been a Past-President of ACET. The elected position will renew for election every third year.~~

~~(Moved to Officers)~~

The focus of these positions will be to provide continuity with the NAFEPA Board and to help build capacity for our organization on the NAFEPA Board. The positions will fill the positions that ACET has on the NAFEPA Board. The representatives selected should be members whom have a broad base in all aspects of serving students in at-risk situations and whom would best represent ACET's entire membership.

Changes: Article VIII, Section 1 was deleted; the information (bolded above) was moved to Article IV, Section 6.

