CONSTITUTION AND BYLAWS
OF THE
DIVISION FOR PHYSICAL, HEALTH AND MULTIPLE DISABILITIES
OF THE
COUNCIL FOR EXCEPTIONAL CHILDREN

ARTICLE I
NAME
The name of this organization shall be the Division for Physical, Health and Multiple Disabilities of the Council for Exceptional Children (herein DPHMD).

ARTICLE II
PURPOSE
Section 1. Purpose
The primary purpose of DPHMD shall be to advance the education of individuals with exceptionalities and to promote related educational, scientific, and charitable purposes. Specifically, DPHMD 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 purposes of DPHMD shall be:
A. To advance quality education for all individuals with physical, health and multiple disabilities;
B. To foster close professional relationships among personnel involved in educational programs for individuals with physical, health and multiple disabilities;
C. To provide avenues of communication through publications and other materials; and
D. To promote professional standards for educators and service providers of individuals with physical, health and multiple disabilities.

ARTICLE III
MEMBERSHIP
Section 1. Qualifications
Membership shall consist of professional personnel and other persons interested in the education of individuals with exceptionalities. Membership eligibility includes but is not limited to:
A. Teachers of individuals with physical, health and multiple disabilities,
B. Related service personnel serving individuals with physical, health and multiple disabilities,
C. Supervisors or administrators involved in programs for individuals with physical, health and multiple disabilities, and
D. Parents and family members of individuals with physical, health and multiple disabilities.
E. Persons interested in the education and welfare of individuals with physical, health and multiple disabilities in homes, schools, or hospitals.

Section 2. Minimum Membership Requirements
DPHMD shall maintain a membership of at least 1.5% of the total CEC membership to continue charter status unless exempted by the Board of Directors of CEC.

Section 3. Unified membership
All members of DPHMD shall hold concurrent membership in CEC. DPHMD will not accept enrollments for division membership only.

Section 4. Membership Term
The policy pertaining to membership term shall be consistent with the policy of CEC.

ARTICLE IV
ORGANIZATION

Section 1. Relationship to CEC
DPHMD shall be affiliated with CEC.

Section 2. Fiscal Year and Administrative Term
The fiscal year and administrative term shall be January 1 through December 31.

ARTICLE V
DUES

Section 1. Dues
Dues may be proposed by the Executive Board and shall be consistent with the dues policies of CEC. Approval shall require a simple majority vote at the annual business meeting.

Section 2. Payment of Dues
Annual dues 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 considered delinquent, and they shall be dropped from membership of the organization.
ARTICLE VI
OFFICERS

Section 1. Elected Officers
The vice president shall be nominated by the Nominations and Elections Committee and then elected by the membership from those members in good standing. This person shall then advance to the positions of president-elect, president, and immediate past president.

Section 2. Appointed Officers.
The appointed officers of DPHMD shall be the secretary and treasurer.

Section 3. Representatives to the CEC Representative Assembly
The two representatives from DPHMD to the CEC Representative Assembly will be the President and President-Elect, unless substitutions for the year are submitted to the Board for approval.

Section 4. Prerequisites to Nomination, Election, and Appointment
All officers must be members in good standing of CEC and DPHMD at the time of their nomination, election, or appointment and remain so throughout their term of office.

Section 5. Succession
When elected to the position of vice president, the individual serving in this position will succeed the president-elect, president, and past president, thus completing a four-year cycle. An officer in the position of vice president, president-elect, president, or past president may not succeed himself or herself unless an unexpected vacancy requires fulfillment for any portion of an expired term. Upon completion of this four-year cycle, one administrative year must pass before running for the position of vice president. The positions of secretary and treasurer will be appointed by the president upon recommendation of the Executive board. The secretary and treasurer will serve two-year terms. An officer in the position of secretary or treasurer may succeed himself or herself if appointed by the president with the approval of the Executive Board.

Section 6. Vacancies
A vacancy in the office of president shall be filled by automatic succession of the president-elect to the office of president. A vacancy in the office of president-elect shall be filled by automatic succession of the vice-president to the office of president-elect. In the event that succession is not possible, the vacancy will be filled by action of the president with recommendation of the Executive Board, and such person(s) shall serve only until the end of the current administrative year or until replaced by a duly elected or appointed successor. A vacancy in any office other than president or president-elect shall be declared and filled by action of the Executive Board.
upon recommendation by the president, and such person(s) shall serve only until the end of the current administrative year or until replaced by a duly elected or appointed 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 DPHMD 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 Board;
   4. To recommend chairs of standing committees with the exception of the Nominations and Elections committee;
   5. To be an ex-officio member of all committees with the exception of the Nominations and Elections committee;
   6. To recommend to the Executive Board the types of ad hoc committees and other appointive bodies needed;
   7. To represent the division in coordinating efforts with other divisions, other units of CEC, and other organizations;
   8. To complete the Annual Assurance Form and submit to CEC;
   9. To assume the responsibilities of one of the division's representatives to the CEC Representative Assembly.

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 assume the responsibilities of one of the division's representatives to the CEC Representative Assembly;
   3. To attend the annual CEC Leadership Institute and Program Advisory Committee meetings held at CEC Headquarters each summer.
   4. To serve as DPHMD’s Program Advisory Chair and coordinate review and selection of presentation proposals and finalize placement of DPHMD-sponsored presentations into the convention program.
   5. To ensure that all convention presenters are provided with the DPHMD template of information to include in their presentation/handout in a timely manner.

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 the president's and president-elect's absence or inability to serve;
2. To assume designated responsibilities which will provide training for advancement to the office of president-elect and president.
3. To serve as a program reviewer for the annual convention in preparation for duties as president-elect.
4. To be a member of the Membership Committee, working with the chair to encourage membership in DPHMD.
5. To organize volunteers for promoting membership recruitment efforts at the annual convention (e.g., coordinating volunteers to serve at the DPHMD booth if available, coordinating volunteers to attend DPHMD-sponsored sessions to promote DPHMD membership).

D. The powers and duties of the secretary shall be:
1. To record detailed minutes of the proceedings of the annual Executive Board meeting and the annual business meeting conducted during the annual convention and provide the meeting minutes to all Executive Board members within two weeks of the conclusion of the convention;
2. To record detailed minutes of the proceedings of all Executive Board phone or e-conference meetings throughout the year and provide the meeting minutes to all Executive Board members within 7 days of the meeting date.
3. To arrange for someone to take minutes at all meetings if the secretary is unable to attend.
4. To carryon correspondence as necessary for the operation of the division;
5. To assume custody of all records except those specifically assigned to others;
6. To keep accurate lists of Executive Board and committee members, updating the contact information list each January and disseminating to all Executive Board members by January 31 each year;
7. To transfer all records to the new secretary within 15 days of installation.

E. The powers and duties of the treasurer shall be:
1. To keep accurate records of all incoming funds and expenditures including management of funds held by CEC as well as funds located in the DPHMD checking account;
2. To maintain all tax documents and ensure that DPHMD is compliant with tax requirements consistent with non-profit status.
3. To pay expenses from the DPHMD checking account or from funds held by CEC as approved by the Executive Board and on authorization of the president;
4. To make an annual report of the financial status of the division to the Executive Board and at the annual business meeting;
5. To prepare and submit an annual budget for approval by the Executive Board by November 30 each year and to present this budget at the annual business meeting during the next annual convention;
6. To transfer all records to the new treasurer within 15 days after installation.

F. The powers and duties of the DPHMD representatives to the CEC Representative Assembly shall be:
1. To represent DPHMD at meetings of the CEC Representative Assembly and to participate in balloting, and other activities necessary to the functioning of the CEC Representative Assembly;
2. To report regularly to the division’s Executive Board and general membership on activities of the Representative Assembly and CEC;
3. To communicate issues and concerns from the division to the CEC Representative Assembly;
4. To inform DPHMD about the disposition of Representative Assembly issues and advice forwarded to the CEC Board of Directors.

G. The powers and duties of the immediate past-president shall be:
1. To represent the division as requested by the president;
2. To chair the Nominations and Elections Committee and provide a slate of nominees to the Board by September 1st of each year for an election to be held the first weeks in October.

Section 7. Election of Officers and Terms of Office
The officers serving in the positions of president, president-elect, vice president, and past president of the division shall be members in good standing. The vice president shall be nominated by the Nominations and Elections Committee and then elected by the membership from those members in good standing. This person shall then advance to the positions of president-elect, president, and past president. All terms will coincide with the calendar year, January 1 through December 31.

A. The president, president-elect, vice-president, and immediate past-president shall each serve one-year terms.

B. The secretary and treasurer shall each serve one two-year term. The appointment of secretary shall be completed during even-numbered years. The appointment of treasurer shall be completed during odd-numbered years.

Section 8. Removal from Office
A. A petition for removal of a DPHMD officer shall be signed by at least five members of the division 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, provided there is a quorum, 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. This action is final.
ARTICLE VII
EXECUTIVE BOARD

Section 1. Composition
The Executive Board shall consist of the president, president-elect, vice-president, immediate past-president, secretary, treasurer, division publications representatives, and chairpersons of standing committees. A student who is a member of DPHMD shall be invited by the board to serve as a liaison member from the CEC Student membership to the DPHMD Executive Board.

Section 2. Duties
The duties of the Executive Board shall be:
A. To serve as DPHMD’s administrative policy-making body;
B. To act upon such official recommendations and petitions as may be received;
C. To adopt an annual budget;
D. To decide upon publications that should be issued;
E. To select the site of meetings sponsored by the division;
F. To assume such responsibilities as are or as shall be assigned through the constitution and bylaws.

ARTICLE VIII
MEETINGS

Section 1. Meetings
A minimum of one annual business meeting shall be held each year.

Section 2. Special Meetings
The Executive Board shall have the authority to conduct regional meetings, conventions, conferences, or to convene telephonically or by any other electronic medium (including but not limited to exercise of votes by electronic mail or other online format) in addition to the annual meeting.

Section 3. Executive Board Meetings Quorum
A quorum shall consist of at least 5 members of the Executive Board and must include the president and at least two other officers. In instances where voting is conducted electronically a quorum shall be constituted as the exercise of vote by no less than two thirds of the Executive Board members.

Section 4. Annual Business Meetings Quorum
1.5% of the current membership of DPHMD shall constitute a quorum at the annual business meeting.
ARTICLE IX
COMMITTEES

Section 1. Standing Committees
Standing committees shall be Membership, Publications, Nominations and Elections, Constitution and Bylaws, Finance, Critical Issues and Leadership, Knowledge and Skills, Policy and Advocacy, Severe and Multiple Disabilities, Home/Hospital Placements, and Convention Committee.

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 Chairs
The president, with the approval of the Executive Board, shall appoint the chairs of the standing committees. The immediate past president shall serve as chair of the Nominations and Elections Committee.

Section 4. Appointment of Committee Members
Committee members shall be appointed by committee chairs, subject to the approval by the president.

Section 5. Membership Committee Composition
The Membership Committee shall have no less than two members in addition to the chair. The chair and members shall serve three-year terms.

Section 6. Publications Committee Composition
The Publications Committee shall, at a minimum, include the newsletter and journal editors. The journal editor shall assume the responsibilities of Chair.

Section 7. Nominations and Elections Committee Composition
The Nominations and Elections Committee shall have four members in addition to the chair (the immediate past-president), representing a broad geographical selection. The chair and members shall serve one-year terms.

Section 8. Duties of Committees
A. The duties of the Membership Committee shall be:
   1. To maintain a current record of members and to provide all officers and committee chairs with such a list;
2. To maintain an active program for the recruitment and retention of members to include:
   a. Sending correspondence to welcome new members,
   b. Sending correspondence to lapsed members to encourage them to rejoin,
   c. Maintaining ongoing contact with members to encourage retention of membership;
3. To develop and implement membership strategies;
4. To support Council headquarters in its follow-up of membership renewals;
5. To keep a written record of the activities conducted to maintain and increase membership.

B. The duties of the Publications Committee shall be:
   1. To continuously review the publications structure of the division and recommend policies and procedures related to its growth and development;
   2. To assess the composition of the membership for consideration in determining the scope of the publications program;
   3. To recommend to the Executive Board publications to be issued;
   4. To publish a minimum number of publications as submitted in the Division Assurances to CEC.

C. The duties of the Nominations and Elections Committee shall be:
   1. To solicit recommendations for nominations from the entire membership;
   2. To make an attempt to nominate at least two candidates for vice-president and for other officer positions to be filled;
   3. To send ballots to the membership by October 1; Ballots will be sent electronically via email or other electronic means which are consistent with CEC policies;
   4. To determine winners by the preferential voting procedure described in Robert’s Rules of Order, Newly Revised, latest edition;
   5. To announce the results by November 15.

D. 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 recommendations to the Executive Board;
   2. To solicit input from the Executive Board regarding changes which may be needed in the Constitution and Bylaws;
   3. To coordinate with officers to hold a vote of the Executive Board for approval of recommended changes to the Constitution and Bylaws. If approved by the Executive Board, the committee shall coordinate with officers to hold a vote of the DPHMD membership body for approval of changes.
E. The duties of the Finance Committee shall be:
   1. To develop and implement strategies for raising funds;
   2. To oversee the treasurer’s activities and provide input into fiduciary activities of the division;
   3. To review the budget and treasurer’s report for accuracies and to ensure that financial activities are consistent with Council policies.

F. The duties of the Knowledge and Skills Committee shall be:
   1. To represent the Division and individuals with physical, health and multiple disabilities at Knowledge and Skills meetings;
   2. To ensure the needs of individuals with physical, health, and multiple disabilities are being met by trained teachers through meeting professional standards;
   3. To revise professional standards for teachers of individuals with physical, health and multiple disabilities when changes in the field warrant such a change;
   4. To collaborate with other divisions to address cross-categorical needs of individuals with disabilities.

G. The duties of the Policy and Advocacy Committee shall be:
   1. To develop a political action program under the direction of the Executive Committee;
   2. To disseminate information pertinent to national and state/provincial public policy; and
   3. To support CEC Headquarters in its policy and advocacy efforts and campaigns.

H. The duties of the Severe and Multiple Disabilities Committee shall be:
   1. To disseminate information related to needs of individuals with severe and multiple disabilities;
   2. To insure that some of the DPHMD-sponsored convention presentations are meaningful to persons who interact with individuals with severe and multiple disabilities.

I. The duties of the Home and Hospital Placements Committee shall be:
   1. To set up and maintain a network of personnel who work with students in home and hospital settings;
   2. To recommend ways and means in which the division can assist personnel who work with students in home and hospital settings.

J. The duties of the Critical Issues and Leadership Committee shall be:
   1. To identify critical issues that pertain to individuals with physical, health and multiple disabilities;
2. To recommend ways and means in which the division can address these critical issues;
3. To provide an avenue for communicating about critical issues among professionals who work with individuals with physical, health and multiple disabilities.

K. The duties of the Convention Committee shall be:
   1. To maintain communications with CEC staff regarding all aspects related to the annual convention;
   2. To coordinate with CEC staff to arrange all DPHMD meeting times and to coordinate with other entities (e.g., hotel staff, catering staff) regarding all meeting-related needs for the Division at the annual convention;
   3. To maintain, revise, and arrange shipping of the DPHMD display board and brochures to and from the annual convention.

ARTICLE X
DURATION AND DISSOLUTION

The duration of DPHMD shall be perpetual unless the officers of the division unanimously determine that it should be dissolved. The officers shall inform the membership that the division is to be dissolved. Upon the dissolution and final liquidation of the division, the officers shall, after paying or making provision for the payment of all debts and liabilities of the division, distribute all of its assets to the Council for Exceptional Children, a nonprofit, tax-exempt 501(c)(3) organization, to apply to one or more of its programs including:

A. the Yes I Can! Awards Program for its use in recognizing the achievements of students who have excelled despite their disability;
B. the “Kaye M. Fearn CEC Ethnic Diversity Scholarship” which annually provides a cash scholarship to a CEC student member from an ethnic background who is pursuing a degree in special education;
C. the “In Remembrance Of…” Fund in honor of an individual to support the activities and programs of The Council; and/or
D. the “General Council Fund” supporting the activities and programs of The Council.

ARTICLE XI
AMENDMENTS

Section 1. Submission of Proposed Amendments
Proposed amendments to the Constitution and Bylaws should be addressed to the chair of the Constitution and Bylaws Committee or the president. Upon receiving suggestions for amendments, the chair or president must present the proposed amendments to the Executive
Board within one month. After a period of discussion and feedback lasting no longer than one month, the president will submit proposed amendments to the Executive Board for a vote. Upon approval by the Executive Board, amendments must be submitted for a vote of the membership body within one month.

Section 2. Voting
This Constitution and Bylaws may be amended by mail, voice, or electronic vote and must pass by a two-thirds majority of the members voting.