

**CONSTITUTION AND BYLAWS
OF THE COUNCIL FOR EDUCATIONAL DIAGNOSTIC SERVICES
OF THE COUNCIL FOR EXCEPTIONAL CHILDREN**

**ARTICLE I
NAME**

The name of this organization shall be The Council for Educational Diagnostic Services, a division of the Council for Exceptional Children.

**ARTICLE II
PURPOSE**

Section 1. Purpose

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

The secondary purposes of this division shall be:

- A. To promote the most appropriate education of children and youth through appraisal, diagnosis, educational intervention, implementation, monitoring and evaluation of prescribed educational programs.
- B. To facilitate the integration of services offered by educational diagnosticians, physicians, psychologists, social workers, teachers, and /or other professionals.
- C. To promote research that encourages the development of effective diagnostic instruments, practices, and techniques which will lead to a better understanding of the relationship between educational needs and educational practices.
- D. To improve the performance of the membership in fulfilling their professional roles.
- E. To strengthen the Council for Educational Diagnostic Services (CEDS) as a professional organization.
- F. To work for high quality programs of recruitment, education, and certification of personnel involved in diagnostic and prescriptive programs for individuals with exceptionalities.
- G. To serve the membership of CEDS.

**ARTICLE III
MEMBERSHIP**

Section 1. Qualifications

Membership shall consist of:

- A. Individuals interested in diagnostic and/or prescriptive procedures involved in the education of individuals with exceptionalities.
- B. Students preparing for professional employment such as described in (A).

Section 2. Minimum Membership Requirements

The division shall maintain a minimum membership of seven hundred and fifty (750) paid members who shall meet the membership qualifications established by CEC.

Section 3. Unified Membership

All members of this division must hold concurrent membership in the Council for Exceptional Children. The division may not accept enrollments for division membership only.

Section 4. Membership Term

The policy pertaining to the membership year shall be consistent with the policy of the Council for Exceptional Children.

**ARTICLE IV
ORGANIZATION**

Section 1. Relationship to the Council for Exceptional Children

This division shall be affiliated with the Council for Exceptional Children.

Section 2. Fiscal and Administrative Term

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

**ARTICLE V
DUES**

Section 1. Dues

Dues for regular and student members shall be proposed by the Executive Board. Approval shall require a simple majority vote of those present 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 the membership of the organization.

**ARTICLE VI
OFFICERS**

Section 1. Elected Officers

- A. The elected officers of this division shall be president; an immediate past president; a vice president, who shall succeed the president; a secretary; and a treasurer.
- B. The terms for office are as follows: immediate past president, president vice-president, secretary, and treasurer -- two consecutive years. The vice-president shall be elected in even years; the secretary and treasurer shall be elected in odd years.

Section 2. Appointed Representative to the CEC Representative Assembly

One representative from the division to the Representative Assembly shall be appointed in an odd numbered year by the division's president to be approved by a simple majority vote of the Executive Board. The representative serves a two-year term.

Section 3. Designated Representative to the CEC Representative Assembly

The immediate past president shall serve as the second representative to the Representative Assembly, the terms to coincide with that of the past presidency.

Section 4. Prerequisite to Nomination, Election, and Appointment

- A. All officers must be members in good standing of the Council for Exceptional Children and this division at the time of their nomination and election and remain so throughout their term of office. Any eligible member may be elected to office.
- B. Representatives to the CEC Representative Assembly, whether designated or appointed, must have served or be currently serving on the CEDS Executive Board as an officer or committee chair.

Section 5. Succession

An elected officer, with the exception of vice-president, may succeed him/herself once in the same office if re-elected. The appointed representative to the CEC Representative Assembly may serve a second consecutive two-year term. The designated representative (immediate past president) may serve a second term in the event that his/her successor cannot serve in this capacity.

Section 6. Vacancies

A vacancy in the office of the president shall be filled by automatic succession of the vice president to the office. A vacancy in the office of immediate past president shall be filled by the individual who held the office in the immediately preceding term. A vacancy in any of the offices, except president and immediate past president, 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 term or until replaced by a duly elected/ selected successor.

Section 7. Resignation or Removal from Office

- A. An officer may resign at any time by giving written notice of such resignation to the president and secretary. Unless otherwise specified in such written notice, such resignation shall be effective upon receipt thereof.
- B. A petition for removal of a division officer shall be signed by at least twenty-five (25) members in good standing 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 vice-president.

The president or the vice president, shall, within seven (7) days, notify each Executive Board member in writing 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 thirty (30) days following receipt of the petition.

At the Executive Board meeting, which may be conducted via telephone conferencing or electronic media, an opportunity shall be made available to all interested parties to present any relevant evidence. A two-thirds majority vote by mail or electronic ballot of the members present, provided there is a quorum, is necessary for the removal of an officer. Removal from office is effective immediately.

The officer being considered for removal shall be provided with the results of the action of the Executive Board in writing within fourteen (14) calendar days.

Section 8. Duties of Officers

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

1. To serve as the chief executive officer of the division with the powers and duties usually belonging to such a position;
2. To provide 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 chairpersons of 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 addition or dissolution of ad hoc committees and other appointive bodies;
7. To represent the division in coordinating efforts with CEC, other units of CEC, and other organizations and agencies;
8. To make an annual report to the Council for Exceptional Children and the Division;
9. To appoint, with Executive Board approval, one of the representatives to the CEC Representative Assembly;
10. To serve as co-signer with the treasurer for all checks issued by the organization.

B. 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 absence or inability to serve;
2. To serve on the Program Advisory Committees for the CEC Annual Conventions held during the term of office;
3. To develop the program for the annual convention and plan other meetings according to the policies and directives of the Executive Board.
4. To prepare a draft of the convention program for the information of the Executive Board and the membership;
5. To serve on the Annual Conference Committee;
6. To serve as co-signer on checks issued by the organization in situations where one of the primary designees is unavailable for signature for a period of thirty (30) days or more;
7. To otherwise have such powers and perform such duties as may be assigned by the president or the Executive Board.

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

1. To keep a record of all proceedings of the annual business meeting, the meetings of the Executive Board, and such correspondence as necessary for the operation of the organization;
2. To record all votes of the Executive Board and the Executive Committee;
3. To assume custody of all records except those specifically assigned to others;
4. To keep accurate lists of Executive Board and committee members;
5. To transfer all records to the new secretary at the time of installation.

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

1. To make an annual report of the financial status of the division to the Executive Board and *subsequently to the* general membership at the annual business meeting;
2. To prepare and submit an annual budget for approval by the Executive Board and the general membership at the annual business meeting;
3. To transfer his/her authority to the president in the event that he/she is unable to perform his/her duties;
4. To be responsible for the division banking and all phases of bookkeeping, with the authority to issue checks up to the limit specified in the approved budget;
5. To submit to the president and the Executive Board an accounting of the Annual Conference Expenditures and revenues within six (6) weeks following the conclusion of the conference or within two (2) weeks of the receipt of any outstanding items after the initial six-week time frame;
6. To assist the Finance Committee in securing an independent accountant to review the books annually and file the appropriate income tax forms for the division;
7. To assume other such duties related to Annual Conference as directed by the president;
8. To assist the new treasurer in the transfer of CEDS funds within thirty (30) days of installation;
9. To transfer all financial records to the new treasurer at the time of the installation.

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

1. To chair the Nominations and Elections Committee;
2. To conduct the election of officers;
3. To notify the candidates in a timely manner as to the results of the elections;
4. To report the results of the elections to the president and the Executive Board following notification of the candidates;
5. To report the election results at the annual business meeting;
6. To serve as representative to the CEC Representative Assembly;
7. To assume other duties as designated by the president.

F. The powers and duties of the division's representatives to the CEC Representative Assembly shall be:

1. To represent the division 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 the division about the disposition of Representative Assembly issues and advice forwarded to the CEC Board of Directors.

**ARTICLE VII
EXECUTIVE BOARD AND EXECUTIVE COMMITTEE**

- A. The president, vice-president, immediate past president, secretary, treasurer, the division's representative to the CEC Representative Assembly, the chairpersons of the standing committees, the editors of the journal and the newsletter, and the webmaster shall constitute the Executive Board. No single member or committee is allowed more than one vote (with the exception of the Communications Committee which includes four votes: Chair, journal editor, newsletter editor and webmaster).
- B. A simple majority of the Executive Board, three (3) of whom must be officers, shall constitute a quorum.
- C. The Executive Board shall meet at least once per year, the meeting to be called by the president.
- D. The Executive Committee shall consist of the elected officers, the immediate past president, and the representatives to the CEC Representative Assembly.

**ARTICLE VIII
MEETINGS**

Section 1. Meetings

- A. A minimum of one open annual business meeting shall be held.
- B. Only members of the division in good standing are permitted to vote.
- C. The annual business meeting shall consist of:
 - 1. Report of the division activities and other matters of concern by the president;
 - 2. Minutes of the previous meeting;
 - 3. Report by the treasurer;
 - 4. Approval of budget and program for the coming year;
 - 5. Reports by all officers and committees;
 - 6. Report of CEC activities that concern the division;
 - 7. Such other matters as are of interest and concern to the division.

Section 2. Conferences

The Executive Board shall have the power to conduct conferences in addition to the annual business meeting.

Section 3. Quorum

A simple majority of the Executive Board shall constitute a quorum at a regular or specially called meeting. At least three (3) of those present must be officers.

**ARTICLE IX
COMMITTEES**

Section 1. Standing Committees

Standing committees shall be Membership, Communications, Nominations and Elections, Governmental Relations, Constitution and Bylaws, Finance, Professional Standards, Research, Annual Conference, Professional Liaison, and Archives. Standing committee chairs and committee members must be members in good standing of CEC and of this division. Should the need arise for a non-CEC/CEDS individual to participate in a committee's activities, said individual is considered non-voting.

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, not to exceed three years in duration.

Section 3. Appointment of Committee Chairs

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

Section 4. Appointment of Committee Members

Committee members shall be appointed by the chair, subject to approval by the president.

Section 5. Committee Composition

Each standing committee shall consist of a chair and at least two other members, representing a diverse selection, with the following exceptions:

The Nominations and Elections Committee shall have a minimum of three members, two of whom must be current board members.

The Finance Committee shall consist of the treasurer, president, vice president, Communications chair, Annual Conference chair, and other members as appointed by the president.

The Communications Committee shall consist of the chair, the editor(s) of the journal and newsletter, and the webmaster. Other members may be appointed by the chair or the president.

The Archives Committee may be considered a standing committee of one; the chair and /or the president may appoint other members at their discretion.

Section 6. Length of Term

Standing committee chairs and members serve three-year terms, with the following exceptions:

1. Nominations and Elections, who will serve two-year terms;
2. Selected subcommittees of the Annual Conference Committee, such as Local Arrangements, who may serve one-year terms;
3. Editors, who are appointed for three-year terms, subject to review by the Executive Board by the end of the second year;
4. Chairs may be appointed for consecutive terms;
5. Individuals appointed to fill a vacancy prior to the end of the designated term shall serve only until the end of the predecessor's term so as not to disrupt the cycle of appointments, but may be re-appointed for a regular three-year term.

Section 7. Duties of Standing Committees

All Standing Committee chairs shall:

Serve as voting members of the Executive Board;

1. Prepare and submit an annual budget to the president and the Executive Board;
2. Submit an annual report of the activities of the committee and other reports as requested by the president;
3. Appoint at least two additional members to the committee, and submit the list of members to the president for approval, preferably within the first three (3) months of the appointment;

4. Assume other duties as designated by the president and/or the Executive Board;
5. Provide a smooth and informed transition to his/her successor;
6. Prepare articles for submission to the newsletter editor related to the committee charge;

A. The Membership Committee shall:

1. Maintain a current record of members and provide all officers and committee chairs with membership information as requested;
2. Formulate plans to be approved by the Executive Board for membership recruitment, retention, and growth of the division;
3. Conduct activities related to said plans with the direction and approval of the president and the Executive Board, including activities at CEC's annual convention;
4. Submit a written report of the activities conducted to maintain and increase membership prior to the annual business meeting and as requested by the president and/or the Executive Board;
5. Identify potential subdivision sites;
6. Send the procedures approved for the organization of the subdivision to the state/provincial contact;
7. Send examples of necessary documents (letter of intent, constitution, memorandum of understanding, data sheet) to the state/provincial contact;
8. Maintain contact with the established subdivisions;
9. Present finalized applications to the Executive Board for approval;
10. Present CEDS approved applications to CEC for subdivision recognition.

B. The Communications Committee shall:

1. Continuously review the publications structure of the division, including the website, and recommend policies and procedures related to its growth and development;
2. Assess the needs of membership for consideration in determining the scope of the publications program;
3. Recommend to the Executive Board publications to be issued;
4. Specifically, the duties of the editor of the journal are involved mainly with the publication of four issues of CEDS' professional journal, and the publication of monographs or special issues of the division journal as approved by the Executive Board. With the approval of the Communications chair and the Executive Board, the journal editor shall:
 - a. Secure the most economic and efficient business to publish issues of the CEDS professional journals, monographs, and other CEDS informational materials;
 - b. Select one or more professionals to serve as assistant (editors) in reviewing manuscripts to be submitted for blind review;
 - c. Select Department Editors as appropriate;
 - d. Select a cadre of Associate Editors representing colleges and universities possessing quality programs of diagnostic and prescriptive training;
 - e. Submit an annual budget to the Communications chair which addresses best estimates of the costs of reviewing submitted papers, stipends for one (or the number approved) assistant, costs of publication and distribution to membership, communications, and postage;
 - f. Periodically publish information for those wishing to submit papers for publication consideration, which includes general information (populations of interest, domains of interest, and diagnostic/assessment methods), types of manuscripts (research, reviews, position papers,

assessment in the classroom, and innovations in assessment), the review process, manuscript preparation and submission, and charges to authors;

- g. Serve as a voting member of the Executive Board;
 - h. Must notify the Communications chair and the president at the end of the second year of the current term as to his/her intentions regarding serving an additional three-year term;
5. Specifically, the duties of the editor of the division newsletter are mainly to prepare four annual issues of CEDS' newsletter for distribution to the membership. The newsletter editor shall:
- a. Establish timelines for the submission of news items from officers and chairs to meet publication deadlines;
 - b. Specify the format by which items from officers and chairs shall submit news items;
 - c. Accept submitted news items from the general membership as appropriate;
 - d. Submit a general schedule for the mailing of the newsletter to the Communications chair for Executive Board approval;
 - e. Specify a list of articles that will appear in one or more of the four issues annually: new tests, subdivision highlights, call for nominations, conventions, convention activities, representative assembly report, reports of officers and committee chairs, and others (specify issue).
6. Specifically, the webmaster shall:
- a. Maintain a website for the division;
 - b. Post material on the website at the direction of the president;
 - c. Advise the Executive Board, the president, and the Communication's chair in the development of the website;
 - d. Serve as a voting member of the Executive Board.

C. The Nominations and Elections Committee shall:

- 1. Solicit recommendations for nominations from the entire membership in a timely manner;
- 2. Nominate at least two candidates for each office;

In the event that two viable candidates cannot be found for the ballot, the Nominations and Elections Committee will present the name of the one candidate to the Executive Board for approval to run one candidate, unopposed. It is expected that every effort will be made by the Nominations and Elections Committee to secure two candidates for each office;

Other nominations may be made by any group of ten (10) active members who sign a nominations petition;

- 3. Nominations sent to all active members at least six (6) weeks prior to the annual business meeting shall be voted upon by mail and returned to the designated CEC contact no later than two (2) weeks prior to the annual business meeting.

D. The Governmental Relations Committee shall:

- 1. Serve as Children's Action Network (CAN) representative for the division;
- 2. Develop a governmental program under the direction of the Executive Board;
- 3. Disseminate information related to national, state, and provincial legislative, regulatory, and judicial actions;
- 4. Participate in the CAN activities sponsored by CEC.

E. The Constitution and Bylaws Committee shall:

1. Revise or update portions of the constitution and bylaws as needed;
2. Develop, revise or update policies and procedures to accompany the constitution and bylaws;
3. Submit reports to the Executive Board giving reasons for proposed changes;
4. Make the report of the suggested changes approved by the Executive Board available to the membership, using the newsletter and the website as the vehicles for informing the membership, and giving the membership notice as to when action will be taken on the suggested revisions.
5. Submit the revised Constitution and Bylaws to CEC.

F. The Finance Committee shall:

1. Consider all matters relating to the finances of the division;
2. Recommend to the Executive Board measures to insure the continued financial stability of the division;
3. Examine and audit the books and records of the division annually;
4. Secure annually, with Executive Committee approval, an accountant independent of CEDS who shall review the books and submit the necessary tax forms;
5. Assist the treasurer in preparing the annual budget;
6. Assist the Annual Conference Committee chair with the preparation of the budget for said event.

G. The Professional Standards Committee shall:

1. Represent CEDS on CEC standing and ad hoc committees related to professional standards and issues specifically related to CEC policies and position statements in the area of diagnosis and assessment;
2. Keep the president and the Executive Board apprised of the activity of said groups.

H. The Research Committee shall:

1. Advise the Executive Board regarding appropriate actions to foster and stimulate effective research related to diagnosis and assessment of exceptional populations;
2. Advise the Executive Board and general membership about areas or topics in need of current research activities, and projects and cooperative activities in research with other organizations;
3. Evaluate annual conferences and other activities as designated by the president.

I. The Annual Conference Committee shall:

1. Consist of a chair and the following subcommittees:
 - a. Site Selection & Contract
 - b. Publicity
 - c. Program
 - d. Local Arrangements
 - e. Finance (treasurer)
 - f. Evaluation (Research Committee chair or designee)

- g. Other subcommittees /members as designated by the president;
- 2. The chair shall coordinate the activities of all subcommittees;
- 3. The chair shall report to the president and the Annual Conference Committee as designated by the president;
- 4. The chair shall submit a budget to the president and the treasurer as least six (6) weeks prior to the annual CEC convention;
- 5. The chair shall submit an accounting of conference expenses to the treasurer within four (4) weeks of the conclusion of the conference; In the event of outstanding items, the chair may request an extension.

J. The Professional Liaison Committee shall:

- 1. Initiate and maintain contact with relevant professional organizations at the direction of the president;
- 2. Maintain an awareness of the actions of other professional organizations regarding diagnosis and assessment and inform the president and the Executive Board;
- 3. Recommend to the president and the Executive Board actions to be taken by CEDS in cooperation with/against the actions of other professional groups;
- 4. Represent CEDS' position through correspondence or as an invited respondent in meetings with other professional organizations at the request of the president and the Executive Board.

K. The Archives Committee shall:

- 1. Procure and catalog documents, papers, convention programs, publications and other materials which provide information about the history of the division.
- 2. Update and preserve existing documents.

Section 8. Duties of Ad Hoc Committees

Ad Hoc Committees shall:

- A. Carry out the charge assigned;
- B. Submit annual, final, and other reports as requested by the president or the Executive Board;
- C. Attend (the chair) the meetings of the Executive Board or other bodies at the discretion of the president and/or the Executive Board as non-voting members.

**ARTICLE X
DURATION AND DISSOLUTION**

The duration of the division shall be perpetual unless the officers of the division unanimously determine that it should 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 its assets to either:

- A. The headquarters of The Council of Exceptional Children (a non-profit organization) with a request that they be retained in an account and made available to the division should it ever be re-organized; or
- B. Assist the Annual Conference Committee chair with the preparation of the budget for said event.
- C. The Foundation for Exceptional Children, a nonprofit, tax-exempt public foundation which operates to advance the education of exceptional children and youth; or

- D. Another unit of CEC that is active or conducts programs and activities consistent with those as described in Article II of the Constitution and Bylaws.

**ARTICLE XI
PARLIAMENTARY PROCEDURE**

The rules of parliamentary practice comprised in Roberts Rules of Order (10th edition) shall govern the proceedings of this division subject to the special rules which have been, or may be, accepted.

**ARTICLE XII
AMENDMENTS**

Section 1. Submission of Proposed Amendments

Proposed amendments to the constitution must be petitioned by ten (10) active members and circulated to the active membership within eight (8) months thereafter, subject to a vote as designated on the ballot. All amendments must be submitted to the president.

Section 2. Voting

This constitution and bylaws may be amended by either an electronic, mail, or voice vote and must pass by a two- thirds majority of the members voting.