

Montana Association for Supervision and Curriculum Development (MTASCD)

Proposed Revised Constitution and By-Laws - July ____, 2016

Comment [1]: Reference throughout)

Comment [2]: Voting would need to take place at that Monday during a MTASCD Annual Membership Meeting.

CONSTITUTION

Preamble

We believe society's need for broad, informed civic participation demands a high-quality, self-renewing system of education for all. In order to sustain a productive and diverse state-wide community of educators to meet that need, the Montana Association for Supervision and Curriculum Development (MTASCD) has organized and adopted this Constitution.

Mission and Vision

1. To assist all state educational agencies with curriculum and supervision development.
2. To stimulate the participation of professional educators in curriculum work.
3. To encourage local, regional and state research in curriculum and problems.
4. To disseminate curricular materials, and to acquaint professional educational workers with these materials, membership and program of the Association for Supervision and Curriculum Development.
5. To influence legislation that impacts curricular areas.

Policies

Nondiscrimination Policy

The Association fully supports a policy of equal opportunity and will not discriminate in membership eligibility on the basis of race, color, religion, national origin, or gender. The Association will neither accept invitations from nor participate in any activity or organization that does not support an equal opportunity or nondiscrimination policy.

Comment [3]: Add transgender or LGBT?

Comment [4]: State list - race, color, national origin, sex, age, pregnancy, parental/marital status, disability (physical or mental), religion/creed/culture, political belief, genetic material, veteran status, or social origin/ancestry

Diverse Membership Policy

In order to support our belief that diversity strengthens society, the Association shall actively seek members who represent diversity in gender, age, job role, ethnicity, geographic location, and viewpoint.

Article I--Name and Affiliation

Section 1. The name of this organization shall be Montana Association for Supervision and Curriculum Development (MTASCD), hereafter referred to as the Association.

Section 2. The Association shall be affiliated with the Association for Supervision and Curriculum Development (ASCD).

Article II--Purpose

Section 1. The purpose of the Association shall be for the improvement of curriculum and supervision and the support of varied programs designed to promote educational change and the professional growth of its members and others concerned with education Montana.

Section 2. All activities shall be conducted in a manner consistent with the requirements of the Internal Revenue Code and regulations relating to organizations described in Section 501(c) (3) of the Code, as now or hereafter amended.

Article III--Membership

Section 1. There shall be two categories of membership: active and institutional.

Section 2. Any person who wishes to support the purpose of the Association and to share in its work shall be eligible for membership and may become an active member by meeting the qualifications and paying the annual dues as provided in the By-Laws. An active member is entitled to vote, to hold offices for which eligible, and to participate in affairs of the Association.

Section 3. Any organization that wishes to support the purpose of the Association and to share in its work shall be eligible for membership and may become an institutional member by meeting the qualifications and paying the annual dues as provided in the By-Laws. An institutional member is not entitled to vote or to hold offices.

Article IV--Officers

Section 1. The officers of the Association shall be an Immediate Past President (who shall be the retiring President), a President (who shall be the retiring President-Elect), and President-Elect, ~~(who shall be the retiring Vice President), and a Vice President.~~ ~~(Amended 2011-2012- Vice President position eliminated)~~

Section 2. The President, Immediate Past President, and President-Elect shall serve for a single term of two years in each position. The two-year terms of the officers shall begin July 1 and end June 30.

Section 3. The President shall Chair the Board of Directors and the Executive Committee of the Board of Directors. The President-Elect shall act in the absence of the President.

Section 4. The Executive Director shall be appointed by the Board of Directors upon nomination of a candidate by the Executive Committee of the Board of Directors, and shall hold office at the pleasure of

the Board of Directors. ~~The Executive Director shall be the executive officer and shall act as Treasurer of the Association. As administrative officer, the Executive Director shall (1) prepare the annual financial report and the annual budget under the supervision of the Executive Committee of the Board of Directors; (2) make contracts. The Executive Director shall serve without voting power as the Secretary of the Board of Directors and of the Executive Committee of the Board of Directors, and shall perform such other duties as may be designated by the Board of Directors and the Executive Committee of the Board of Directors.~~

Comment [5]: Add a reference to the job description in the addendum

Section 5. The President and the President-Elect may not hold the respective office for two successive terms except in the case of the presidency being vacated. In the case of the presidency being vacated, the President-Elect shall assume office for the remainder of the term of office and shall continue as President in the following year.

Section 6. A vacancy in any office because of death, resignation, disqualification, or otherwise, may be filled through succession for the unexpired portion of the term, except for the ~~President-Elect~~~~Vice-President~~, who shall be elected. ~~(Vice President position eliminated 2011-2012.)~~

Section 7. Committees shall be appointed by the President with the advice and consent of the Executive Committee of the Board of Directors. Their charge shall be consistent with the purpose of the Association.

Section 8. The President and the President-Elect of the Association shall serve as guaranteed representatives to the ASCD Leadership Council. At any time additional members of the ASCD Leadership Council are authorized, the Executive Committee of the Board of Directors shall appoint the additional member(s). All members of the Association on the ASCD Leadership Council must be active members of ASCD for the year preceding their selection. Terms of office for Leadership Council representatives shall begin on February 1 and end on January 31. ~~*Check with ASCD regarding terms of LC.~~

Comment [6]: Jerry to contact Walter with clarification and if not needed remove the paragraph.

Section 9. The President-Elect shall work closely with the President in providing for an effective Association. In the event that the President is unable to convene meetings, the President-Elect will assume that responsibility. The President-Elect shall take part in activities of the committees to assist them in planning and designing aspects of their operations. The person in the President-Elect position may also attend the annual ~~ASCD Leadership Conference~~ for affiliates.

Comment [7]: Jerry to check on

~~*Section 10.* The President Elect shall be responsible for membership maintenance.~~

~~*Section 11.* The Vice President shall be Program Chair for the Annual Conference. The Vice President may appoint a Co-Chair for the Annual Conference.~~

Article VI--Executive Committee of the Board of Directors

Section 1. The Executive Committee of the Board of Directors shall consist of the officers of the Association (President, President-Elect, Vice President, and Past President) (2011-2012: Vice President position eliminated).

Section 2. The Executive Director shall serve as a non-voting member of the Executive Committee of the Board of Directors. (FYI - Approved two or three years ago that he would be a voting member)

Section 3. The Executive Committee of the Board of Directors may establish ex-officio Board positions.

Article V--Board of Directors

Section 1. The Board of Directors shall be the governing body of the Association.

Section 2. The Board of Directors shall be comprised of the Executive Committee of the Board of Directors, and of active members of the Association. Active members of the Association shall be elected at large to the Board of Directors. Members of the Board of Directors must be members in good standing of the Association.

Section 3. If any member of the Board of Directors shall be absent from three meetings of the Board in a 12-month period, the President, at his/her discretion, may declare that said membership on the Board be forfeited.

Section 4. The Board of Directors may, by a vote of two-thirds of the Board present, initiate the removal of any officer at a regular meeting of the Board, except that removal of the President shall be accomplished by a vote of two-thirds of the Board present at a regular meeting of the Board, and further said removal will require 30 days notice to the President before the regular meeting of the Board at which the vote will take place.

Section 5. The Board of Directors shall (1) adopt the annual budget, (2) have the power to fill vacancies until the next election; (3) appoint an Executive Director upon nomination by the Executive Committee of the Board of Directors; (4) establish working groups to ensure fulfillment of the purpose of the Association; (5) elect those members of the Executive Committee of the Board of Directors who are to be drawn from the Board of Directors' own membership; (6) be custodian of property of the Association; (7) have the sole authority to determine what is sent to Association members for consideration of Constitutional changes; and (8) solicit information from various membership groups and then establish positions on critical issues.

Article VII--Amendments of the Constitution

The Constitution and By-Laws (main governing document) may be amended (1) at the annual business meeting by a favorable vote of a two-thirds majority of the members present and voting, provided copies of proposed amendments have been the hands of members one month prior to the meeting; or (2) at any time through a mail ballot by a favorable vote of a two-thirds majority of the members

Comment [8]: Election Process to be specified in Addendum and perhaps tie representation or diversification of Board membership.

Comment [9]: General consensus is to not tie numbers to the Constitution itself.

Comment [10]: Board membership should be defined as should numbers of Board members.

replying, provided copies of the proposed amendments have been in the hands of members one month prior to the date that ballots are mailed to members.

Nothing in the proposed amendment shall conflict with the Constitution or By-Laws of the National Association for Supervision and Curriculum Development.

Article VII--Assets on Liquidation

No part of the net income, revenue, and grants of the Association shall inure to the benefit of any member, officer, or any private individual (except that reasonable compensation may be paid for services rendered in connection with one or more of its purpose), and no member or any private individual shall be entitled to share in the distribution of any part of the assets of the Association on its liquidation. The assets of the Association, after payment of debts and obligations, shall be transferred to an organization with federal tax exemption for charitable uses of this Association, which exempt organization shall be designated by the final Executive Council of the Association.

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Montana Association for Supervision and Curriculum Development

(MTASCD)

Proposed Revised Constitution and By-Laws - July __, 2016

Comment [11]: Reference throughout

Comment [12]: Voting would need to take place at that Monday during a MTASCD Annual Membership Meeting.

BYLAWS

Article I--Membership

Section 1. The types of membership in the Association and the annual fees shall be determined by the Board of Directors upon recommendation of the Executive Committee of the Board of Directors. Publications will be distributed as determined by the Executive Committee of the Board of Directors.

Section 2. The period of membership of each person who joins the Association and pays the annual dues shall be twelve calendar months.

Section 3. Members of the Association and any persons who are members of ASCD wishing to join the Association may elect to pay dues:

a. Through ASCD's Joint Dues Solicitation Program; or

b. Directly to the Association.

Comment [13]: Formerly Article X of Bylaws

Article II--Fiscal Year

Section 1. The fiscal year of the corporation shall begin on July 1 and end on June 30. An audit of the books and records of the corporation shall be conducted annually.

Section 2. The audit report shall be presented to the Board of Directors.

Article III--Meetings

Section 1. The Association shall hold an annual business meeting.

Section 2. ~~Association m~~Regular and special~~Special m~~ meetings may be called by the Board of Directors.

Article IV--Elections

Section 1. All persons elected or appointed to the Board of Directors shall hold membership in the Association.

Section 2. The Association shall conduct elections using a ballot transmitted by mail or by such other means as may be authorized by the Board of Directors.

Article V--Quorum

Section 1. ~~Of Twenty Individual Members (or as low as one-tenth of the voting membership, whichever is less)~~ shall constitute a quorum for the ~~annual~~official business meeting.

Comment [14]: Is this number appropriate?

Section 2. A simple majority of the members of the Board of Directors shall constitute a quorum of that body.

Article VII--Working Groups

Section 1. The President shall provide guidance and assistance in the development of committee activities. Committees might generally include Membership, Publications, Program, Nominating, Past Presidents, Influence/Public Relations, Constitutional Revision, and other ad hoc committees as deemed necessary.

Article VIII--Nominating Committee

Section 1. The nominating committee shall elicit nominations from the active membership for ~~President-Elect~~Vice President ~~(Vice President position eliminated 2011-2012)~~. The Association recognizes the value of a balance among its majority membership groups. The nominating committee shall consider all groups and regions when submitting nominations.

Article X--Association Membership Year

Section 1. ~~Members of the Association and any persons who are members of ASCD wishing to join the Association may elect to pay dues:~~

- ~~a. Through ASCD's Joint Dues Solicitation Program; or~~
- ~~b. Directly to the Association.~~

Article VIII--Constitutional Revision

Section 1. The Executive Committee of the Board of Directors shall review the provisions of the Constitution every five years and report its finding to the Board of Directors. The reviews shall be conducted during the first and fifth year of each decade. ~~(Last review 2011-2012.)~~

Section 2. If the Constitution has need of major revision, the Board of Directors may authorize the Executive Board to establish a Constitutional Revision Committee.

Section 3. The Constitutional Revision Committee shall present proposed constitutional revisions to the Executive Committee of the Board of Directors.

Section 4. After review, the Executive Committee of the Board of Directors will submit the proposed constitutional revisions to the Board of Directors for acceptance.

Section 5. If accepted, the Revised Constitution must then be submitted to the membership for approval. The Revised Constitution must be approved by a majority of the members voting, either by mail ballot or at a general membership meeting. Active members of the Association shall have received a notice of such proposed action at least thirty (30) days prior to the date on which such a vote is taken.

Article ~~IX~~---Limitation on Liability

Section 1. To the maximum extent permitted by Montana Code, in any proceeding brought by or in the right of the Association or brought by or on behalf of the members of the Association, no damages shall be assessed against any officer or director arising out of the actions or inactions taken by such officer or director in the name of or on the behalf of the Association.

Article ~~XIII~~---Dissolution

Section 1. In the event of dissolution of the Association, the assets of the Association, after payment of debts and obligations, shall be transferred to an organization with federal tax exemptions for charitable and educational use. That organization shall have purposes similar to those of the Association. The selection of this organization shall be made by the final Executive Committee of the Board of Directors of the Association.

Article ~~XIV~~---Executive Director

Section 1. The Executive Director is responsible for the execution and administration of programs approved by the Board. He/she attends and may participate in discussion in all meetings of the Board of Directors and the Executive Committee, except when matters of his/her own appointment are under consideration. He/she may attend and participate in all meetings.

[Section 2. ASCD membership for the Executive Director shall be paid for by the organization.](#)

Article ~~XIV~~---By-Laws/Policies

Section 1. Details of the activities of the Association shall be regulated by the By-Laws (or policies-subsidary documents). These may be amended (1) at the Annual Meeting by a favorable vote of a majority of the members present and voting.

[Additional Thoughts:](#)

[Qualifications of membership and dues needs to be added to the Bylaws](#)

[Article on Definitions is needed...and their was discussion on what was in the "missing" articles that were in both the Constitution and Bylaws from 2002.](#)

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