

KANSAS ASSOCIATION FOR CAREER AND TECHNICAL EDUCATION

CONSTITUTION AND BYLAWS

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THE KANSAS ASSOCIATION FOR CAREER AND TECHNICAL EDUCATION, INC.

CONSTITUTION

Vision

K-ACTE will serve the needs of career and technical education for the development and expansion of a competitive workforce.

Mission

Through involvement of a diverse membership, K-ACTE will:

- Be a resource to career and technical educators;
- Facilitate the achievement of the goals and objectives of the K-ACTE members; and
- Act as the voice for career and technical education in Kansas.

Goals

- Impact current legislation and policy
- Improve communication throughout K-ACTE
- Continue to re-evaluate the Association strategic plan
- Maintain and develop cooperation with outside agencies
- Increase membership
- Maintain a stable financial base
- Define membership benefits to current potential members
- Provide professional development opportunities
- Recognize outstanding leaders and programs in Kansas technical education

Article I

Name and Affiliation

Section 1. The name of this organization shall be “*Kansas Association for Career and Technical Education, Inc.*,” hereinafter referred to as the *K-ACTE* and incorporated as a NONPROFIT CORPORATION in the State of Kansas.

Section 2. The *K-ACTE* is affiliated with the *Association for Career and Technical Education*, Inc.

Article II
Purpose

Section 1. The purpose of the *K-ACTE* shall be:

- A. To unite through affiliated professional organizations those persons interested in developing a competitive workforce.
- B. To serve as the coordination organization enhancing public understanding of the role of workforce development.
- C. To provide service, leadership and legislative action for the state planning and administration of workforce development.
- D. To encourage professionalism and provide opportunities for professional growth among educators engaged in workforce development.

Article III
Affiliated Divisions and Associations

Section 1. *K-ACTE* shall represent the following divisions:

- A. Agriculture Education
- B. Trade and Industrial
- C. Family and Consumer Sciences
- D. Business Occupations
- E. Administrators
- F. Kansas Health Science Education Association
- G. New and Related Services
 - 1. Health Occupations
 - 2. Special Needs
 - 3. Guidance
 - 4. Cooperative Work Experience
 - 5. Instructional Materials
 - 6. Personnel Development
 - 7. Public Information
 - 8. Makers of Policy

9. Adult Education
10. Sciences and Humanities
11. Support Staff
12. Customized Business and Training
13. Program Coordinators
14. Research
15. Other

Section 2. These divisions may be organized through common interests into affiliate associations of the *K-ACTE*. Affiliation with *K-ACTE* may be granted to the association in accordance with *K-ACTE* bylaws and policies.

Section 3. An affiliate association of *K-ACTE* shall establish its own constitution, bylaws, and rules of procedure, which shall be in compliance with *K-ACTE* Constitution and Bylaws. All affiliates shall file a current copy of their constitution and bylaws with the *K-ACTE* office.

Section 4. An association affiliate may set and collect dues for its own affiliate; in addition, each affiliate shall be authorized to collect dues for *K-ACTE/ACTE* and submit them to the *K-ACTE* office with an up-to-date membership roster of names, addresses, and phone numbers within 30 days of collection. Those in the new and related services area and non-affiliated persons should pay their dues directly to the *K-ACTE*.

Section 5. An affiliate association must have been affiliated with K-*ACTE* for at least one full year before the affiliate is eligible to submit candidates for Second President-elect. All candidates must be members in good standing for at least three years prior to nomination for Second President-elect .

Article IV

Membership and Dues

Section 1. All persons interested in workforce development shall be eligible for membership and shall be classified as either: Honorary, Affiliated, Student, Associate, or Loyalty.

Section 2. AFFILIATED MEMBERSHIP - Members of affiliated associations who have paid their *ACTE / K-ACTE* and association dues (where applicable) shall be affiliated members.

Section 3. HONORARY MEMBERSHIP - Persons reaching retirement from full-time activities who are members in good standing of *K-ACTE* / *ACTE* shall be awarded honorary membership. Others may be awarded honorary membership at the discretion of the Board of Directors.

Section 4. LOYALTY MEMBERSHIP - For individuals who have retired from Career and Technical Education and whose dues are submitted to *ACTE*.

Section 5. STUDENT MEMBERSHIP - Shall be open to all students regularly enrolled in a full-time program designed to prepare teachers for fields described in Article III, Section 1.

Section 6. ASSOCIATE MEMBERSHIP - Any person interested in promoting Career and Technical education in the State of Kansas may become an associate member of *K-ACTE* by paying dues as determined in the bylaws. Associate memberships have no voting privileges and are not available to persons eligible for active membership in a *K-ACTE* affiliate.

Section 7. The membership year of *K-ACTE* shall be for one year commencing with the member's anniversary date and terminating on the succeeding year's anniversary date.

Section 8. The House of Delegates shall set dues for all *K-ACTE* memberships.

Article V Officers and Board of Directors

Section 1. The officers of *K-ACTE* shall be the President, First President-elect, the Second President-elect and the Treasurer.

- A. Upon completion of the Presidency, the President shall serve as Past President. After serving a term as Second President-elect and a term as First President-elect, the First President-elect shall become President. The Second President-elect shall automatically become First President-elect upon completion of a term as Second President-elect and a new Second President-elect shall be elected. The Treasurer will serve a term of two years and shall be elected at large at the House of Delegates meeting first following the establishment of the position.

Section 2. The voting members of the Board of Directors shall be the *K-ACTE* officers, the Presidents of the Affiliates or their designated representatives, the Affiliate Vice-Presidents or President-elect, the *K-ACTE* Past President, a representative of the Department of Technical Education, and a representative of the Kansas Board of Regents.

- A. Each affiliate shall maintain a list of 50 current members. If the number of current members falls below 50, the affiliate may have only one voting member who shall be the president or a designated representative. Any affiliate not having 25 members shall not be eligible to participate in the rotation.
- B. If the number of members in an affiliate drops below 25, the affiliate shall have two years to increase the current membership list to at least 25 members. If the affiliate does not comply, the affiliate will be assigned to the division of *K-ACTE* called "Kansas New and Related Services."

Section 3. The *K-ACTE* Executive Director should serve as liaison.

Section 4. The Board of Directors shall execute the policies set forth by the House of Delegates and transact all business of the *K-ACTE* as set forth in the Constitution and Bylaws of *K-ACTE*.

Article VI House of Delegates

Section 1. The policies of *K-ACTE* shall be set by the House of Delegates unless otherwise provided by the Constitution and Bylaws.

Section 2. The House of Delegates shall be composed of representatives of all affiliate associations as follows:

- A. The Executive Committee, excluding the Executive Director, and the Past President, are members of the House of Delegates.

- B. One delegate for each ten affiliated association members or major fraction thereof of current members on June 30. Affiliate presidents count as one of these delegates.
- C. All delegates must be members in good standing of the affiliate.

Section 3. Delegates must register with the Executive Director and be presented voting credentials prior to opening the House of Delegates.

Section 4. Delegates shall be seated by affiliate organization and separated from the membership at large.

Article VII Meetings

Section 1. The Board of Directors shall establish at least one meeting of the association per year.

Section 2. The Board of Directors shall meet at the call of the President or upon the written request of five Board members or fifty active members or as needed to conduct *K-ACTE* business.

Section 3. The House of Delegates shall meet during the annual meeting of the association and/or as called by the Board of Directors.

Section 4. Meetings shall be conducted in accordance with Roberts Rules of Order.

Article VIII Indemnification

Section 1. Indemnification. The Association shall, to the extent legally permissible, indemnify each person who may serve or who has served at any time as an officer, director, or employee of the corporation against all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which he or she may become involved by reason of his or her service in such capacity; provided that no indemnification shall be provided for any such person with respect to any matter as to which he or she shall have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interests of the corporation; and further provided that any compromise or settlement payment shall be approved by a majority vote of a quorum of directors who are not at that time parties to the proceeding.

The indemnification provided hereunder shall inure to the benefit of the heirs, executors and administrators of persons entitled to indemnification hereunder. The right of indemnification under this Article shall be in addition to and not exclusive of all other rights to which any person may be entitled.

No amendment or repeal of the provisions of this Article which adversely affects the right of an indemnified person under this Article shall apply to such person with respect to those acts or omissions which occurred at any time prior to such amendment or repeal, unless such amendment or repeal was voted by or was made with the written consent of such indemnified person.

This Article constitutes a contract between the corporation and the indemnified officers, directors, and employees. No amendment or repeal of the provisions of this Article which adversely affects the right of an indemnified officer, director, or employee under this Article shall apply to such officer, director, or employee with respect to those acts or omissions which occurred at any time prior to such amendment or repeal.

ARTICLE IX CONFLICT OF INTEREST

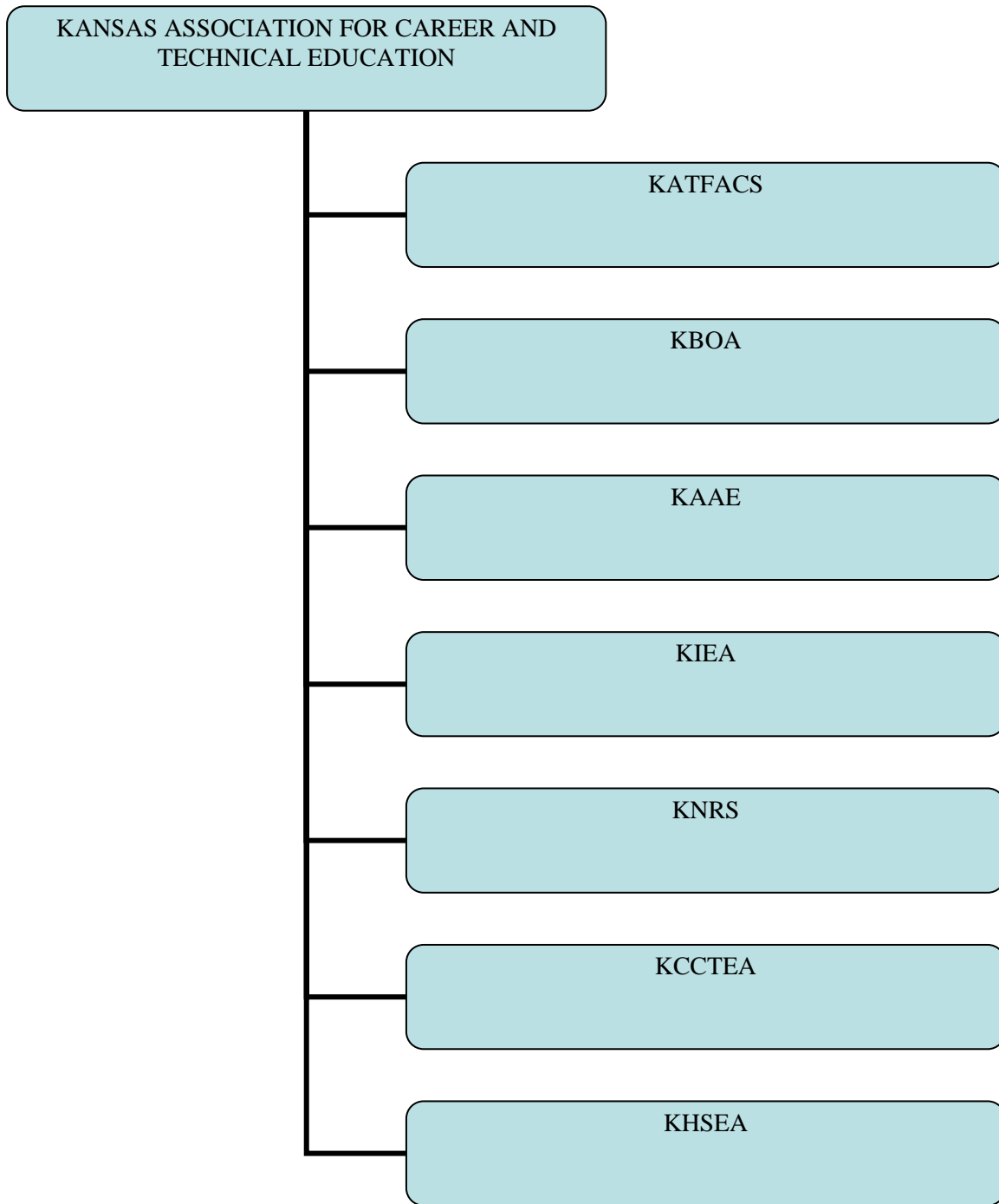
Section 1. Conflict of Interest. Whenever a director or officer has a financial or personal interest in any matter coming before the board of directors, the affected person shall a) fully disclose the nature of the interest and b) withdraw from discussion, lobbying, and voting on the matter. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested directors determine that it is in the best interest of the Association to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

Article X Bylaws

Section 1. Bylaws consistent with this Constitution shall be adopted by the House of Delegates.

- A. The following are recognized as affiliate associations of *K-ACTE*. The listing below indicates the sequence for selection of the Second President-elect of the Kansas Association for Career and Technical Education:
1. Kansas Association of Teachers of Family and Consumer Sciences
 2. Kansas Business Occupations Association
 3. Kansas Association of Agricultural Educators
 4. Kansas Industrial Education Association
 5. Kansas Council of Career and Technical Education Administrators
 6. Kansas Health Science Education Association
 7. Kansas New and Related Services
- B. Organizations desiring to affiliate with *K-ACTE* shall be added to the list upon completion of Constitution requirements (Article III) and Bylaw requirements in the order submitted.
- C. Any group desiring to become an affiliate shall present to the House of Delegates a list of 25 members, a slate of officers, and a petition for membership.
- D. Requests for affiliation shall be recognized for groups represented by sections outlined in the Constitution, Article III, Section 1.

E. Organizational structure of *K-ACTE* and its affiliates:



Section 2. Duties of Officers

- A. The *K-ACTE* officers shall attend all functions and activities of *K-ACTE*.
- B. The officers of *K-ACTE* shall attend the *ACTE* Convention as delegates and participate in state association officers' activities.
- C. The officers shall appoint all standing committees within 30 days after the annual Convention.
- D. The President shall preside at all meetings of *K-ACTE* Board of Directors, and House of Delegates. The President may request the First and/or Second President-elect to preside at non-business functions. The President shall appoint special committees as needed. The President shall serve as chairperson of *K-ACTE* Leadership Development.
- E. The First President-elect shall serve as President in his/her absence. The First President-elect shall serve as chairperson of the *K-ACTE* Convention Program Committee.
- F. The Second President-elect shall serve as chairperson of the Membership Committee.
- G. The Treasurer shall oversee the *K-ACTE* funds and financial records; the collection of members' dues and/or assignments; the establishment of proper accounting procedures for the handling of the funds; the performance of any audits or reconciliations by a certified public accountant; and, further, shall report on the financial condition of the K-*ACTE* at all meetings of the Board of Directors and at other times as called upon by the President.

Section 3. Board of Directors

- A. The voting members of the Board of Directors are expected to attend all functions and activities of the *K-ACTE*. In the event attendance is impossible, they shall notify the President of the name of their appointed representative.
- B. The Board of Directors shall provide guidance to the officers in the appointment of committees.
- C. Reimbursement of expenses for attending special called meetings of the Board, officers, or committees shall be set by the Board of Directors. These shall be for expenses incurred by the individuals carrying out *K-ACTE* functions that are over and above reimbursements paid by other institutions.
- D. Delegates to the *ACTE* House of Delegates shall be the *K-ACTE* President: First President Elect; Second President Elect; Treasurer; Presidents, or their

designated representatives, of affiliated divisions not represented by the *K-**ACTE*** officers. If additional delegates are needed, or if vacancies exist, additional delegates shall be selected from affiliated divisions in the following order:

1. Affiliated division of *K-**ACTE*** President
2. Affiliated division of *K-**ACTE*** 1st President-elect
3. Affiliated division of *K-**ACTE*** 2nd President-elect

Designated delegates to *ACTE* House of Delegates may be reimbursed by *K-**ACTE*** upon completion of duties at *ACTE* convention in an amount determined by the Board of Directors.

- E. The Board of Directors is responsible for assisting committee chairpersons clearly understand their duties. The Board may assign duties in addition to those set forth in the Bylaws. The Board of Directors may request committee reports at meetings.
- F. The Board shall prepare a contract describing responsibilities and fee for the contractual services of the Executive Director.
- G. The Executive Director shall carry out all duties described in the contract with the *K-**ACTE*** Board.
- H. The Executive Director shall be bonded or insured to cover loss as a result of employee dishonesty. This amount to be determined by the Board of Directors.
- I. The Board of Directors shall appoint the First President-elect as the convention committee chairperson. Coordinators for all convention activities shall be the executive officers members of the board and the Executive Director.
- J. The affiliate Presidents shall work closely with the *K-**ACTE*** staff to provide materials requested for Conventions.
- K. The Board of Directors shall provide for an orientation session that will serve to provide leadership development for the Board of Directors, *K-**ACTE*** committee chairperson, and members, and other designated *K-**ACTE*** members each year. (*K-**ACTE*** Leadership Conference) See Section 2. F. Bylaws.
- L. Vacancies on the Board of Directors shall be filled by the Board of Directors from the recommendations of affiliates. See Section 5 Bylaws for procedure of officer positions.

Section 4. Committees

- A. The following standing committees shall be appointed:
1. Membership
 2. Legislative
 3. Resolutions, Constitution and Bylaws
 4. Nominating and Awards
 5. Budget and Audit
 6. Convention Program
- B. Chairpersons of Committees will be appointed to provide representation of all affiliates with the exception of the Membership (see Section 2. E. Bylaws), Nominating and Awards (see Section 5. A. Bylaws) and Convention Program (see Section 3. I. Bylaws) committees.
- C. Committees shall report to the Board of Directors upon request.
- D. Chairpersons shall prepare a written report for the House of Delegates and present an oral report at the annual House of Delegates meeting.
- E. Chairpersons shall notify the President of all committee meetings and obtain approval for committee expenditures.
- F. Committees shall carry out responsibilities assigned by the Board in addition to the following:
1. Membership (Second President-elect, Chairpersons) - Shall actively seek all types of membership set forth in the Constitution, Article IV. Shall prepare and present certificates for Honorary Memberships.
 2. Legislative - Shall keep the membership informed of legislation matters at both the state and national levels, prepare procedures for legislative action involving **K-ACTE** and represent **K-ACTE** in legislative activities. The Committee shall also prepare activities that will contribute to the attainment of **K-ACTE** purposes and to strengthening of Career and Technical Education in Kansas including Career and Technical Education Month activities.
 3. Resolutions, Constitution, and Bylaws - Shall review current Constitution changes as outlined in the Constitution and Bylaws; shall prepare resolutions that carry out the purposes of **K-ACTE**. Resolutions shall be submitted to the committee 90 days prior to a House of Delegates Assembly. The committee shall distribute

- proposed resolutions to the total membership 30 days prior to a House of Delegates Assembly.
4. Budget and Audit - Shall prepare a budget proposal, present this proposal to the Board of Directors for input, and present the final proposal to the House of Delegates. The proposal shall be presented to the Board of Directors at least 30 days before commencing the current years House of Delegates. Shall audit the **K-ACTE** books within 90 days of the close of the fiscal year and report to the Board of Directors at the next regularly scheduled meeting.
 5. Convention Program - The Chairperson shall be the **First** President-elect and shall work with the affiliates, the Board of Directors, and the convention coordinators to plan the program for the Convention and any social activities held in conjunction with the **K-ACTE** Convention. The committee shall establish a schedule for completion of Convention tasks and a budget. These shall be presented to the Board of Directors in writing for approval.
 6. Nominating and Awards - The committee shall establish appropriate membership and other awards, as well as appropriate criteria, eligibility, application procedures and deadlines for such awards to be presented to the Board for approval. This committee will also complete nomination duties as described in Section 5 Bylaws.
 - I. Membership and other awards, as well as the criteria, eligibility, application procedures and deadlines for such awards shall be established to closely parallel those of the Association for Career and Technical Education.
 - II. Awards that may be given each year in addition to those established by the Association for Career and Technical Education are as follows:
 - a) Presidential Award - Award to be given to the outgoing president of the organization.
 - b) 100% Membership Award - Awards given to institutions or affiliate districts that have 100% membership in **ACTE**, **K-ACTE**, and the appropriate affiliate on the state level.

- G. In selecting committees, the officers shall make selections to provide for carry-over of committee members (at least two) in an effort to better coordinate activities from year to year.
- H. The committee Chairperson shall prepare a written report for each Board of Directors meeting.
- I. The *K-ACTE* Executive Director shall maintain an organized notebook of committee activities and written reports both of which shall be passed on to the next Chairperson.

Section 5. Nominations and Elections

- A. The Second President-elect shall be selected in regular sequence from each of the affiliate associations. (Article IX Section 1 Subsection A)
- B. A nominating committee shall be appointed. The Nominating and Awards Committee shall be composed of one member at large from each affiliate association.
- C. By June 30, the Executive Director of K-*ACTE* shall determine if the affiliate association in line for recommending candidates for the Second Vice-president to be elected at the following year's conference meets the requirements defined in this Constitution and Bylaws.
- D. The Nominating and Awards committee shall officially notify the president of the affiliate association next in rotation for submitting candidates for the office of Second President-elect at the annual meeting of K-*ACTE*. This notification shall contain the requirements to be met by each candidate recommended by the affiliate association.
- E. In the event the affiliate association has fewer than two candidates for Second President-elect, has fewer than 25 members or wishes to be passed over, its Board of Directors should so inform the *K-ACTE* Board of Directors in writing by the fall conference and the candidates for this office will be selected from the affiliate associations next in line.
- F. The Nominating and Awards committee shall request the affiliate association whose turn it is to supply the Second President-elect to submit the names of no fewer than two and no more than five qualified candidates for consideration. The affiliate in rotation after the winning candidate's affiliate will be asked to submit candidates the following year. The *K-ACTE* Nominating and Awards Committee can add names to this list if it so desires. The additions of these individuals must take place at least 60 days before the annual meeting of the House of Delegates at which time the Second President-elect is to be elected. The affiliate association shall select

their nominees and must contact the candidates and their agency, via letter, to ascertain interest and availability prior to placing his/her name in nomination.

- G. At a meeting of the *K-ACTE* Nominating and Awards Committee Chair shall present the final slate of nominees to the Committee who shall vote on the candidates presented. Before the final election is conducted, credentials will be reviewed by members of the Committee.
- H. The top two candidates shall be selected by a majority vote of those Nomination and Awards Committee members present. In the event of a tie, a second vote will be cast. In the event of a second tie, the nominees to be presented to the House of Delegates shall be determined by lot
- I. The Nominating and Awards Committee shall notify the nominees and the President as soon as the selection is made.
- J. The Nominating and Awards Committee shall make the names of the two nominees known to the membership at large, by letter, newsletter, or Convention notice 30 days prior to the election. This notification shall include qualifications of each candidate.
- K. If one of the nominees withdraws before the election, the committee must meet immediately to agree upon another nominee.
- L. The Nominating and Awards committee shall present the two nominees to the House of Delegates.
- M. The Second President-elect shall be elected by the House of Delegates at the annual business meeting by a majority vote of the delegates present.
- N. A letter of congratulations and appreciation should be sent to the newly elected Second President-elect and his/her immediate superior by the President of *K-ACTE*.
- O. If a duly elected President, First President-Elect, or Second President-Elect is unable to assume or fails to carry out the duties of his/her office, the Board of Directors shall appoint another member to the office who shall serve until the next regular election. The appointed person must be from the appropriate affiliate association. In making their appointment, the Board of Directors will refer to the priority order of the original slate of nominees and communication with the appropriate affiliate association.
- P. Elected officers and other members of the Board of Directors shall assume their duties to coincide with the *ACTE* fiscal year. Installation ceremonies shall coincide with the official annual meeting of *K-ACTE*.

Section 6. Association Funds and Dues

- A. The ***K-ACTE*** budget must be approved by the President and the House of Delegates before funds are expended.
- B. Dues for affiliated membership shall be approved annually by the House of Delegates.
- C. The following classes of membership are also recognized and the dues shall be set by the Board of Directors at any regularly scheduled meeting:
 - 1) Honorary
 - 2) Student
 - 3) Associate
 - 4) Loyalty
- D. A financial report shall be made at all Board of Directors, House of Delegates, and Association meetings.
- E. Funds shall be audited annually. (Section 4.E 4).
- F. Funds must be deposited in a bank or trust company approved by the Board of Directors; such deposit must be in the name of ***K-ACTE***. The signature card shall be signed by the Executive Director and the ***K-ACTE*** President.
- G. The Board of Directors may amend, reduce or delete budget items as funds are expended, but shall not approve expenditures over and above those approved by the House of Delegates.

Section 7. House of Delegates

- A. The House of Delegates shall meet at the annual meeting of ***K-ACTE***.
- B. The House of Delegates may convene to conduct business during other ***K-ACTE*** or *Career and Technical Education* functions provided notice is given to affiliates at least 60 days prior to the event by the Board of Directors.
- C. No voice votes to be taken. Votes will be by show of hands or credentials, by standing or by ballot.

Section 8. Executive Committee

There shall be an Executive Committee (representative of all affiliates) consisting of the elected officers of the association, the Executive Director, and all affiliate presidents. A two-thirds majority of the committee shall constitute a quorum for the transaction of business, and they shall keep a record of all proceedings and report them to the board at the next succeeding

meeting. The Executive Committee shall have full power and authority to act on behalf of the Board of Directors on all matters in the interval between official meetings of the Board of Directors, except that the Executive Committee shall have no power to recommend liquidation or dissolution of the association, to hire or fire and Executive Director, or approve financial audits of the association. Meetings may be called by the President or the Executive Director.

Section 9. Dissolution

If it is deemed advisable that the KACTE be dissolved, then the board of directors after the adoption of a resolution to that effect by a majority of the whole board at any meeting called for that purpose, shall give notice by mail to each member entitled to vote on a dissolution, of the adoption of the resolution and of a meeting of members, to take action upon the resolution. If the resolution is adopted by a majority of the members present at the meeting to dissolve the KACTE, then the Board of Directors shall pay or provide for the payment of all liabilities of the KACTE and shall dispose of all the assets of the corporation exclusively: (1) In accordance with the purposes of the corporation, in the manner determined by the board of directors or governing body, or (2) to organizations qualified for exemption under section 501(c)(3) of the internal revenue code of 1954, as amended (26 U.S.C. §501(c)(3)), and specified by the board of directors. (Adopted 8/04)

Section 10. Amendments to Bylaws

- A. These Bylaws may be amended by a two-thirds vote of the members of the House of Delegates who are present.
- B. Bylaws amendments proposed by the Constitution Committee shall be in writing and given to members of the House of Delegates at registration.