

**CONSTITUTION AND BY-LAWS
OF THE
MONTANA ASSOCIATION FOR CAREER AND TECHNICAL EDUCATION**

CONSTITUTION

ARTICLE I

NAME AND OBJECTIVES

The name of this organization shall be the Montana ACTE (Association for Career and Technical Education), Inc., an affiliate of the Association for Career and Technical Education. The objectives shall be set forth in Article III of the Articles of Incorporation.

ARTICLE II

OFFICES

The principal office of the Corporation in the State of Montana shall be located in the home city of the treasurer or in the event that there is an executive director in the home city of the executive director. The address must be reported on the annual corporation report. The Corporation may have such other offices, either within or outside the State of Montana, as the Board of Directors may determine or as the affairs of the Corporation require from time to time.

The Corporation shall have and continuously maintain in the State of Montana a registered office, and a registered agent whose office is identical with such registered office as required by the Montana Non-Profit Corporation Act. The registered office may be, but need not be identical with the principal office in the State of Montana, and the address of the registered and/or principal office may be changed from time to time by the Board of Directors.

ARTICLE III

MEMBERSHIP

Section I: Eligibility -- Any individual interested in the purposes of the Montana ACTE shall be eligible for membership.

Section II: Classification of Members -- Membership shall be available in the following classifications.

- A. Affiliated Memberships -- Affiliated memberships are for individuals employed in career and technical education.
- B. Student Memberships -- Student memberships are for any student preparing to teach career and technical education or for any student enrolled full-time in a recognized post-secondary career and technical education program who exhibits an interest in furthering the purposes of the Montana ACTE.

Summer school students who teach full-time or part-time are not eligible for student membership, but are eligible for affiliate membership.

Students graduating and/or planning to teach the following year, and who pay their dues prior to July 1st of the current year, are not subject to increased dues until July 1st of the following year.

- C. Loyalty Memberships – Loyalty memberships are for individuals who have retired from career and technical education.
- D. Associate Lay Memberships – Associate lay memberships are for individuals and/or groups not employed in career and technical education, but who may wish to promote its activities and purposes.
- E. Honorary Memberships – Honorary memberships are awarded to school board members, educators, association members, and others who have rendered outstanding service to career and technical education.

Names of persons to be considered for this award must be submitted by September to the Executive Board of Directors along with their qualifications for receiving this award.

- F. Industrial/Business Memberships – Industrial/Business memberships are available to businesses, conference exhibitors, career and technical education suppliers, trade associations, or any other group with an interest in career and technical education.

Section 3: Dues – Dues for Affiliated Memberships, Student Memberships, Loyalty Memberships, associate Lay Memberships, and Industrial/Business Memberships shall be reviewed annually by the Montana ACTE Executive Board of Directors. If a change is indicated, it is to be voted upon by the membership during the business meeting at the annual Montana ACTE Conference.

There are no dues for Honorary Memberships.

Dues for the Montana ACTE shall be based upon the annual budget prepared by the Montana ACTE Executive Board of Directors and include an amount necessary for affiliation with the Association for Career and Technical Education.

Section 4: Privileges, Voting, and Holding Office – Individuals in the membership classifications receive all privileges of the Montana ACTE as indicated below.

- A. Affiliated Memberships – Affiliated members shall be able to vote, hold office, and receive all privileges of the Montana ACTE.
- B. Student Memberships – Student members shall receive all privileges of the Montana ACTE.
- C. Loyalty Memberships – Loyalty members shall receive all privileges of the Montana ACTE.
- D. Associate Lay Members – Associate lay members shall receive all privileges of the Montana ACTE.
- E. Honorary Memberships – Honorary members shall receive all privileges of the Montana ACTE.
- F. Industrial/Business Memberships – Industrial/Business members shall serve in an advisory capacity.

Section 5: Application for Memberships – Dues and application forms for membership shall be remitted to the Association for Career and Technical Education. If the division secretary/treasurer collects dues and completed applications, these should be forwarded in a timely manner to the Association for Career and Technical education. The ACTE will

return state and division dues to the Montana ACTE Treasurer who will remit division dues to division treasurers.

Section 6: Membership Year – Membership shall be on an annual, cyclical basis.

Section 7: Membership Drive – An annual membership drive shall commence September 1.

ARTICLE IV

DIVISIONS

Section 1: The divisions making up the Association may be those fields of service designated in the Association for Career and Technical Education and other related fields of service with ten (10) or more paid members who have applied to the Executive Board of Directors for approval as an affiliated division of the Association.

Section 2: All Affiliated divisions of the Association shall encourage sectional programs and activities for the varied interests within their respective divisions.

Section 3: An affiliated field of service whose memberships drops below ten (10) paid-up members during any calendar year shall be automatically dropped as an affiliated division of the Association for the following year or until they again achieve a paid-up membership to ten (10) or more members and apply to the Executive Board of Directors for approval to be reinstated as an affiliated division of the Association.

ARTICLE V

EXECUTIVE BOARD OF DIRECTORS

Section 1: Management of the Association shall be vested in the Executive Board of Directors, to consist of the following affiliated members.

- A. President, President-Elect, Vice-President, Secretary, Treasurer, and the immediate Past-President.
- B. The President, immediate Past-President, and the next highest ranking elected officer of each affiliated division of the Association.
- C. Representatives at large to be appointed by the President with approval of the Executive Board of Directors. One of these representatives will be selected from those fields of service having less than ten (10) paid members.
- D. Two (2) ex-officio representatives will be selected from the Division of Career and Technical Education, Office of the Superintendent of Public Instruction. The other ex-officio representatives (1 each) will be selected from the Office of the Commissioner of Higher Education. (Ex-officio members can make motions but cannot vote.)
- E. In the event that an Executive Secretary, Executive Director or Newsletter Editor is employed by the Association, he/she shall be a non-voting member of the Executive Board of Directors.

Section 2: All members of the Executive Board of Directors must be affiliated members of the Association.

Section 3: The President of the Association shall be the Chair of the Executive Board of Directors.

Section 4: At all Board meetings a simple majority of the Board shall constitute a quorum.

- Section 5: If a member of the Executive Board of Directors is unable to attend a meeting of the Board, it shall be the duty of that member to select an alternate prior to the meeting and notify the Chair or Secretary. The alternate will have voting privileges.
- Section 6: The Chair may invite individuals to attend the Executive Board of Directors meeting in an advisory capacity.

ARTICLE VI

OFFICERS

- Section 1: The officers of the Association shall consist of the President, Past-President, President-Elect, Vice-President, Secretary and a Treasurer who shall be elected in the event that an Executive Secretary is not employed.
- Section 2: The tenure of each office shall be one (1) year for each officer. If a Treasurer is elected, the term shall be two years.
- Section 3: The officers shall assume the duties of their office on January 1st following the election at the annual conference of the Association.
- Section 4: To be eligible to hold an office in the Association a nominee must have held an office within a division of the Association.
- Section 5: The nominating committee will submit a slate of officers; President-Elect, Vice-President, Secretary, and Treasurer if an Executive Secretary is not employed, to the Executive Board of Directors prior to the Pre Conference Board Meeting.
- A. Nominations may be made from the floor. Nominees must present a consent-to-serve form and a biography to the membership prior to the election.
 - B. A simple majority of votes cast is needed to win.
 - C. Voting will be by secret ballot.
- Section 6: All officers of the State Association and officers of the affiliated divisions of the Association shall be regular paid-up members of the Montana ACTE.
- Section 7: In the event the President is absent from any meeting the President-Elect, succeeded by the Vice-President, will act as President.
- Section 8: In the event the President-Elect is unable to assume the office of the President, the presidency will pass to the Vice President.
- Section 9: No Montana ACTE officer may serve in the same office more than five (5) consecutive terms.

ARTICLE VII

MEETINGS

- Section 1: There shall be at least one (1) annual meeting of the Montana ACTE.

- Section 2: The annual meeting of the Association shall be for conducting the election of officers, submitting yearly reports and conducting other business of the Association. The time, length, and place for this meeting shall be determined by the Executive Board of Directors.
- Section 3: Special meetings of the Association or Executive Board of Directors may be called by the President or other officer at the request of at least six (6) members of the Executive Board of Directors.
- Section 4: A quorum shall consist of one-fifth (1/5) of the total number of affiliated members of the Association.
- Section 5: For special meetings, a written notice and agenda must be sent out at least thirty (30) days prior to the meeting to members at their last known address.

ARTICLE VIII

COMMITTEES

- Section 1: The Executive Board of Directors shall determine all committees deemed proper and necessary to fulfill the objective and purpose of the Association. The President shall appoint any additional committees which may be deemed necessary.
- Section 2: All standing and permanent committee chairs, vice-chairs, and members shall be appointed by the President subject to the approval of the Executive Board of Directors.
- Section 3: The President, President-Elect, and Vice-President shall be ex-officio members of all committees.
- Section 4: Committees and/or delegates shall exercise only those powers specifically vested in them.
- Section 5: The President, with the approval of the Executive Board of Directors, shall appoint annually three (3) members to serve as the Audit Committee. This committee will review the records and submit a report to the Executive Board of Directors and the general membership at the Business Meeting at the Montana ACTE Annual Conference.
- Section 6: The President, with the approval of the Executive Board of Directors, shall appoint annually a Legislative Committee, Budget Committee, Membership Committee, Publicity and Public Relations Committee, Program of Work Committee, and Convention Committee.

ARTICLE IX

FINANCE

- Section 1: No elected officer in this Association shall be entitled to receive a salary for his/her services as an officer.
- Section 2: Any officer, or member designated by the President to represent the Association, may be reimbursed for expenses incurred in the fulfillment of the duties of his/her office as an officer, or designated member representing the Association, upon receipt of a statement of such expenses approved by a simple majority vote of the Executive Board of Directors.
- Section 3: An Executive Secretary may be employed by the Association.

Section 4: A Newsletter Editor may be employed by the Association.

Section 5: An Executive Director may be employed by the Association.

ARTICLE X

MONTANA ASSOCIATION FOR CAREER AND TECHNICAL EDUCATION NEWSLETTER

Section 1: The official publication of the Association shall be the Montana ACTE NEWSLETTER.

ARTICLE XI

PARLIAMENTARY PROCEDURE

Section 1: Robert's Rules of Order shall prevail, except where otherwise provided for in the By-Laws of this Association.

ARTICLE XII

AMENDMENTS

Section 1: This constitution may be amended by a two-thirds (2/3) vote of the members present at the annual or special meeting of the Association provided written notice of the prepared action has been printed and distributed to the members prior to balloting on the same.

BY-LAWS

BY-LAW I

Section 1: By-Laws of this Association may be amended by the Board of Directors. A simple majority vote of the Board's membership at a regular or special Board meeting shall be required. By-Laws established by the Board may be changed by a two-thirds (2/3) vote of the general membership present at a regular or special general membership meeting.

BY-LAW II

Section 1: At meetings of the Board of Directors when a member moves that the Board recommend acceptance of a motion to the membership:

- A. Unanimous approval of the members present shall be necessary for recommending the motion.
- B. Majority approval shall be necessary for placing the motion before the membership, but without approval or disapproval of the Board.

BY-LAW III

COMMITTEES

Section 1:

- A. Audit Committee
- B. Budget Committee
- C. Constitution Committee
- D. Convention Committee
- E. Legislative Committee
- F. Membership Committee
- G. Nominating Committee
- H. Program of Work Committee
- I. Publicity and Public Relations Committee
- J. Resolutions Committee

BY-LAW IV

NEWSLETTER

Section 1: The Board of Directors shall be responsible for the Newsletter. Division Presidents or their designated representatives shall be responsible for collecting and editing materials from the affiliated divisions.

Section 2: News for the Newsletter should be in by the fifth (5) of each month the Newsletter is to be published.

Section 3: Issues will be published in the Winter, Spring, Summer and Fall of each year. Special issues may be published.

BY-LAW V

FINANCES

Section 1: The Board of Directors shall be responsible for the sound fiscal management of the Association and may authorize necessary expenditures as indicated by the membership or by the Board.

Section 2: Expenditures unforeseen and additional to those budgeted must also be approved by the Board or, in an emergency, by the President or President-Elect, in advance, subject to approval of the Board at the next Executive Board meeting.

Section 3: Travel pay for Executive Board meetings will be determined by the Board, not to exceed state rates.

BY-LAW VI

RECORDS

Section 1: Committee reports are to be made and turned in to the Executive Board within sixty (60) days after completion.

BY-LAW VII

DUTIES OF OFFICERS

Section 1: The President, as Chief Executive officer of the Association, shall supervise the association affairs and activities and shall make an annual report thereon to the members. He/she shall also act as Chair of the Executive Board of Directors. The President or in the event of an Executive Director, the Executive Director is responsible for the annual updating, publishing, and distributing of the "Montana Association for Career and Technical Education Officers Handbook" which outlines the duties of each office.

Section 2: The President-Elect and the Vice-President shall work with the President on such matters as membership, finances, public relations, convention planning, and various Committees.

Section 3: The Secretary shall give notice of all regular and special meetings of the Association and shall keep a permanent record of the minutes of said meetings.

Section 4: The Treasurer shall keep appropriate records of the financial condition of the Association and shall make a detailed report at each regular meeting of said financial conditions. He/she shall also be responsible for the collection of annual dues and disbursement of funds at the direction of the Executive Board of Directors or as directed by a simple majority vote of the members present at any regular or special meeting.

BY-LAW VIII

AMENDMENTS TO BY-LAWS

These By-Laws may be altered, amended, or repealed and new By-Laws may be adopted by a majority of the Directors present at any regular meeting or at any special meeting, if at least two (2) days written notice is given of the intention to alter, amend, or repeal or to adopt new By-Laws at such meeting; however, any alteration, amendment, or repeal of an existing By-Law or the adoption of new By-Laws which will cause the Corporation to lose its tax-exempt status under the Internal Revenue Code of the United States if null and void.

Dated this ____ day of ____, 2005.

ATTEST:

Secretary

President