



## **ARIZONA CORRECTIONAL EDUCATORS, INCORPORATED**

### **CONSTITUTION**

#### **ARTICLE I**

##### ***NAME***

**Section 1** The name of this organization shall be the Arizona Correctional Educators, Inc (ACE).

**Section 2** The Arizona Correctional Educators, Inc., shall include only the State of Arizona.

**Section 3** “Correctional Education” is defined as education provided for youths or adults, males or females, who are adjudicated or otherwise subject to correctional or judicial supervision.

#### **ARTICLE II**

##### ***PURPOSE***

**Section 1** ACE shall provide active leadership:

- To promote the interests of correctional education within the state;
- To develop and promote professional and programmatic standards and encourage professional growth of correctional educators;
- To expand the organization through continuing recruitment efforts;
- To report to the membership the activities of conferences, workshops, and other professional development opportunities.

## **ARTICLE III**

### ***MEMBERSHIP***

- Section 1** Membership in ACE shall be open to anyone interested in correctional education. The Board of Directors shall have the power to define the qualifications for membership.
- Section 2** The annual membership fee shall be determined by the ACE Board of Directors.
- Section 3** No applicant shall be denied membership or the right to hold office because of race, creed, ethnic origin or sex.
- Section 4** The membership year shall commence either when conference registration with one-year membership is paid or each member upon the submission of annual dues. Dues shall be solicited annually one month prior to member anniversary date. Membership shall lapse automatically when dues are not paid by the anniversary date. Reinstatement shall be automatic upon receipt of members' dues.
- Section 5** "Voting membership" shall be defined as those persons whose dues are current.

## **ARTICLE IV**

### ***ADMINISTRATION***

- Section 1** The officers of ACE shall be President, President-Elect, Vice-President in charge of Membership, Vice-President in charge of Professional Development, Secretary, and Treasurer. With the exception of the President-Elect, all officers shall be elected to a term of two years by a simple majority of votes cast by the membership. All officers of ACE must be members in good standing and will be voting members.
- Section 2** The President-Elect shall be elected to a term of one year and will then assume the office of President for two years.
- Section 3** The President and the President-Elect must be members of ACE for two years prior to taking office.
- Section 4** A nominating committee appointed by the President shall request nominations for officers from the membership. Election will be conducted by electronic ballot. The results will be announced and officers will be installed at the next regular meeting of the voting membership.
- Section 5** The Past-President is a non-voting member of the Board of Directors, and holds the office for the two years after completing his/her term as President. In recognition of their service to ACE, all Past-Presidents that complete their term as

President-Elect, President and Past President shall be granted a lifetime membership in ACE

## **ARTICLE V**

### ***MEETINGS***

**Section 1** “*Robert’s Rules of Order*” shall guide the conduct of all meetings of ACE.

**Section 2** An annual meeting of ACE shall be held:

- To accomplish the purposes of the organization as set forth in ARTICLE II;
- To conduct the business of ACE; and
- To install officers-elect.

## **ARTICLE VI**

### ***COMMITTEES***

**Section 1** The Board of Directors of ACE shall consist of its President, President-Elect, Vice-President of Membership, Vice-President of Professional Development, immediate Past President, Secretary, Treasurer, Regional Representatives and ad hoc members. The incumbent President shall chair the Board of Directors. Ad hoc members shall be appointed by the Board of Directors.

**Section 2** The Board of Directors shall meet at the call of its President.

**Section 3** Voting members of the Board of Directors shall be the seven officers of ACE and Regional Representatives. Ad hoc members shall not be voting members, but rather act in an advisory capacity.

**Section 4** The President shall nominate chairpersons for ad hoc or other committees. Reports and recommendations of these committees shall be submitted to the Board of Directors.

## **ARTICLE VII**

### ***AMENDMENTS***

**Section 1** The Constitution of ACE shall be amended by a simple majority of the voting membership.

**ARIZONA CORRECTIONAL EDUCATORS, INC.**

## BY-LAWS

### SECTION I

- A. Non-renewed members shall be carried on the membership rosters for a maximum of sixty days. If membership is not renewed within sixty days of the expiration date, names will be dropped from the enrollment.

### SECTION II

- A. The duties of the ACE President shall be:
- To preside at regular meetings of ACE and regular meetings of the Board of Directors and Executive Committee.
  - To represent ACE to other organizational affiliates and at conferences.
  - To recommend to the Board of Directors the appointments of all chairpersons of standing committees and persons to fill unexpired terms of office in positions represented on the Board of Directors.
  - To distribute proportionately and representatively committee appointments throughout ACE.
- B. The duties of the President-Elect shall be:
- To serve as President in the event that the incumbent President is unable to fill his/her term of office.
  - To assist the President in promoting the organization at the State and National Level.
  - Will work with the President on projects that will prepare her/him to assume Presidency.
  - To attend all regular meetings of the Board of Directors.
- C. The duties of the Vice-President of Membership shall be:
- To maintain an up-to-date membership roster.
  - To promote new and renewal membership.
  - To conduct membership drives.
  - To maintain notices of membership renewal and collect membership data.
  - To attend all regular meetings of the Board of Directors.
- D. The duties of the Vice-President of Professional Development shall be:
- To assist with annual conference planning and implementation.
  - To inform membership of training opportunities.
  - To develop, plan, locate and schedule conferences, seminars, and meetings of ACE, not including meetings of standing or ad hoc committees.
  - To inform membership of current research and practices in correctional education.
  - To attend all regular meetings of the Board of Directors.
- E. The duties of Secretary shall be:
- To maintain and file the correspondence of ACE.
  - To record and file meetings of the Board of Directors.
  - To maintain a complete and current membership roster for ACE.

- To preserve the archives of ACE.
  - To attend all regular meetings of the Board of Directors.
- F.** The duties of Treasurer shall be:
- To professionally maintain the ACE financial records.
  - To monitor the annual budget and the annual training conference budget.
  - To report the financial condition at regular meetings.
  - To disburse funds as designated by the Board of Directors.
  - To collect and register all drafts and indebtedness issued to ACE.
  - To work with or provide information to any ACE contracted accountant/auditor.
  - To attend all regular meetings of the Board of Directors.
  - To keep an inventory of association property, person responsible and location
- G.** The duties of the Past-President shall be:
- To serve as parliamentarian at all regular meetings of the membership and Board of Directors.
  - To serve as a non-voting member of the Board of Directors except if the Board of Directors casts a tie vote, then Past-President may vote to break the tie.
  - To serve in an advisory role to provide guidance and expertise on past practices and operations in accordance with the bylaws
- H.** The duties of the Regional Representative shall be:
- To attend all regular meetings of the Board of Directors as a duly elected voting member
  - To serve as a liaison between the ACE Board and the Regional Centers and maintain regular contact with their respective Regional Centers
  - To promote new and renewal membership to ACE in their respective regions
  - To represent and recommend to the Board of Directors the specific needs of their respective regions relative to professional development and membership services
- I.** In the event the President-Elect, the Vice-Presidents, the Secretary, or the Treasurer are unable to serve the remainders of their terms for any reason, the President shall appoint a replacement for the unexpired term.
1. In case of the inability of either the President or the President-Elect to serve, a replacement will be designated in the following descending order:
    - Vice-President of Membership
    - Vice-President of Professional Development
    - Secretary
    - Treasurer
  2. The new President shall then appoint the replacement for the resulting vacant office for the unexpired term.

3. In the event the President is temporarily unable to serve, the President-Elect or a Vice-President shall assume the responsibilities until such a time as an appointment is made, or the President is again able to serve.

### **SECTION III**

#### ***ELECTIONS***

- A.** The President shall appoint a nominating committee, which will accept and report nominations for new officers to the President.
- B.** The Nominating Committee shall prepare a slate of candidates for all offices except President-Elect in even-numbered years. The Nominating Committee shall prepare a list of candidates for the Position of President-Elect starting in 2002 in even-numbered years. The President-Elect will assume the position of President after serving one year as President-Elect. All other officers are elected for a 2-year term.
- C.** A nominee must give written consent for his/her name to be placed in nomination. A nominee may submit a written resume of no more than 75 words to be printed on the ballot. Each nominee must be a voting member of ACE in good standing.
- D.** The Secretary will conduct elections by electronic ballot of the eligible members as of March 15. Electronic Ballots must be provided by the Secretary to the voting members by April 10. Ballots must be returned to the Secretary by the voting members no later than May 1.
- E.** All ballots must provide space for write-in candidates.
- F.** The election ballots will be tabulated at the office of the President or at a location otherwise designated by the President.
- G.** The President shall appoint a tabulation committee to tally and verify balloting results. Balloting shall not be verified by any member of the Board of Directors.
- H.** Results of the election will be presented by the Chairperson of the nominating Committee to the President upon verification, and declared official by the president unless contested by a member of the committee.
- I.** If no objections are raised, the president will declare the results official and order the ballots destroyed. If there are objections, they must be presented to the Board of Directors in writing within seven days of the public announcement. The Board of Directors will announce its final decision.
- J.** The results of the election will be announced at the annual conference and published on the ACE website and other regular means of ACE communication.

### **SECTION IV**

#### ***MEETINGS***

- A.** Robert's Rules of Order (Revised Edition) shall control the conduct of all meetings.

- B.**
  - 1. The President shall schedule and preside at the annual meeting of ACE.
  - 2. Official matters, unless otherwise stated in the Constitution and By-Laws, shall be decided by a plurality of those voting members present.
  - 3. The agenda for the annual meetings shall include:
    - a). Minutes of previous meetings;
    - b). Treasurer's report;
    - c). The President's report, which shall address any actions taken by the Board of Directors since the last such report was made and, if timely, the official results of the election of officers.
  - 4. The President may request a written report from each committee chairperson at this time.
  
- C.**
  - 1. The President shall prepare and distribute a written agenda to all Board of Director members prior to all Board of Directors meetings.
  - 2. A simple majority shall be necessary to approve business.
  - 3. The minutes of the previous Board of Directors meeting(s) shall be available at the meeting.
  - 4. All officers and Board of Directors members should be prepared to make a brief report to the Board of Directors.
  - 5. Other Board of Directors meetings may be called at the time and place designated by the President. In order to conduct official business, any special meetings must be announced by email to all Board of Directors members at least seven days prior. Should such notice not be made, no official business may be conducted without the affirmative vote of a plurality of the total Board of Directors.

## **SECTION V**

### ***FISCAL POLICY***

- A.**
  - 1. The Board of Directors shall authorize and adopt the annual budget prior to its inclusive dates of January 1 to December 31 of the following year. It shall contain sufficient line item provisions to clarify the amounts budgeted for all offices, committees, and projects of ACE and shall contain a general reserve of an amount considered prudent by the Board of Directors.
  - 2. Expenditures of funds within the adopted budget shall be the prerogative of the Board of Directors.
  
- B.**
  - 1. Any checks, drafts, or other indebtedness issued to ACE shall be signed and endorsed by the recipient and forwarded to the Treasurer.
  - 2. All obligations or indebtedness created in the name of ACE must have prior approval of the Board of Directors or an officer responsible for that program, activity or project.
  - 3. All check payments/debits shall be issued by the President or the Treasurer.
  - 4. The funds of ACE shall be disbursed only for purposes set forth in the approved budget or other wise approved by the Board of Directors.
  - 5. Any source of income to ACE deemed proper by the Board of Directors may be solicited and accepted by the Board Directors.
  - 6. The Treasurer shall report the financial condition of ACE to the Board of Directors at any regular or called meeting.
  - 7. The organization shall submit to an audit every election year.

- C. The Treasurer shall be the chief financial officer of ACE and will oversee custody and disbursement of all ACE funds and assets. He/she shall be custodian of the financial records of ACE and have charge of the investment of funds, subject to Board of Directors' approval.

## **SECTION VI**

### ***STANDING COMMITTEES***

- A. The Board of Directors of ACE shall consist of its President, President-Elect, Vice-President of Membership, Vice-President of Professional Development, immediate Past President, Secretary, Treasurer, Regional Representatives and ad hoc members. The incumbent President shall chair the Board of Directors. Ad hoc members shall be appointed by the Board of Directors and shall represent members of those organizations that belong to ACE.

## **SECTION VII**

### ***MISCELLANEOUS***

- A. Correspondence
  1. All critical correspondence in the name of ACE should be written on organizational stationery.
  2. Copies of all "critical" correspondence pertinent to actions of the President and members of the Board of Directors, and written on official stationery, shall be maintained by the Secretary.
- B. The place of business of ACE is the office of the President or at such a place as may be designated by the President. The Treasurer shall maintain an office and a mailing address, which may be different from that of the President, to ensure the timely receipt of fiscal items.

## **SECTION VIII**

### ***AMENDMENTS***

- A. The By-Laws of ACE may be amended in accordance with this Section.
- B. The President shall appoint a committee to draft, review or edit proposed amendments. The recommendations of said committee shall be forwarded to the Board of Directors.
- C. The Board of Directors shall refer to the Secretary for distribution to the voting membership the final drafts of any proposed amendments. The Secretary shall conduct electronic balloting of all current voting membership.
- D. Ballots must be distributed electronically by the Secretary and returned to the Secretary by the voting members.



- E.** Only validated Ballots will be counted.
- F.** All ballots must contain the precise wording of the existing portion of the passage to be amended and the proposed alteration.
- G.** The election ballots will be tabulated at the office of the President or at a location otherwise designated by the President.
- H.** The President shall appoint a tabulation committee to tally and verify balloting results. Balloting shall not be verified by any member of the Board of Directors.
- I.** Results of the election will be presented upon verification and declared official by the President, unless contested by a member or members.
- J.** Any official changes in the Constitution or By-Laws are effective immediately.

#### **AMENDMENT #1**

Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(C)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(C) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(C) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Upon dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (C)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization, as said Court shall determine, which are organized and operated exclusively for such purposes.

#### **AMENDMENT #2**

By the majority vote of the ACE membership conducted at the Annual Membership meeting on May 30, 2014, the ACE Regional Representatives will be added as voting members of the ACE Governing Board effective immediately pursuant to the ACE By-laws.

**AMENDMENT #3**

By the majority vote of the ACE membership conducted at the Annual Membership meeting on May 30, 2014, all future voting by the ACE membership required for official ACE business will be conducted by electronic balloting in lieu of U.S. Postal balloting effective immediately pursuant to the ACE By-laws.

**AMENDMENT #4**

If any member of the Board shall be absent from two (2) consecutive Board meetings or if a Board member shall be absent from three (3) meetings within a twelve (12) month period, without prior approval from the Board, the position may be considered vacated and the Board reserves the right to nominate a replacement with ratification from the Board. Furthermore, any Board Member may be removed with or without cause, at any time, by a vote of three-quarters (3/4) of the members of the Board if in their judgment the best interest of the Organization would be served.

Moreover, the Board may terminate membership for actions of a member contrary to Arizona Correctional Educators, Inc. Bylaws. Any Member may be removed with or without cause, at any time, by a vote of three-quarters (3/4) of the members of the Board if in their judgment the best interest of the Organization would be served. Each member of the Board must receive written notice of the proposed removal at least ten (10) days in advance of the proposed action.

**ARIZONA CORRECTIONAL EDUCATORS, INC.**

**SIGNATURES OF OFFICERS**

_____ <b>President</b>	_____ <b>Date</b>
_____ <b>President-Elect</b>	_____ <b>Date</b>
_____ <b>Vice-President of Membership</b>	_____ <b>Date</b>
_____ <b>Vice-President of Professional Development</b>	_____ <b>Date</b>
_____ <b>Treasurer</b>	_____ <b>Date</b>
_____ <b>Secretary</b>	_____ <b>Date</b>
_____ <b>Past President</b>	_____ <b>Date</b>

**Ratification Date:** \_\_\_\_\_