

North Dakota Art Education Association

**Constitution
And
Bylaws**

Membership Adoption Date: Aug.5, 2019

North Dakota Art Education Association Constitution and Bylaws

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Constitution and Bylaws

CONSTITUTION

ARTICLE I - NAME

- The organization shall be known as North Dakota Art Education Association (NDAEA), an affiliate of the National Art Education Association (NAEA), incorporated non-profit charitable organization as registered with the Secretary of State of North Dakota and the Federal Government.

ARTICLE II - PURPOSES

The purpose of North Dakota Art Education Association shall be to:

- represent, promote and inform North Dakota visual art teachers
- improve the conditions and teaching of art in public and private schools, colleges, and universities
- increase access to visual arts and media arts education for all students regardless of race, economic status or geographic location
- encourage the study, research and experimentation in art education
- promote quality art education as an integral part of the school curriculum, K-12 and college/university as an academic basic.
- stimulate, encourage and assist teachers in professional growth and competence through conferences, programs and workshops
- collaborate with other arts and education related organizations and agencies
- develop and support leadership in art education
- inform professional, educational, and public interests in support of the comprehensive nature of art education
- operate in the manner defined by Section 501(c)(3) of the Internal Revenue Code or any successor provision in accordance with non-profit status.

ARTICLE III - MEMBERSHIP ELIGIBILITY

- Individuals who are professionally interested in, engaged in or supportive of NDAEA's vision, mission and values for visual and/or media arts education are eligible for membership.

ARTICLE IV - GOVERNING STRUCTURE

- NDAEA's governing structure shall consist of a minimum of 8 Directors with a maximum of 15. The ND Map Addendum to the Constitution shall designate the 4 quarters of ND from which regional

coordinators reside or teach. Changes in titles, positions, and duties of the NDAEA Board of Directors are subject to Article XI of the NDAEA Bylaws.

The Board of Directors will consist of the following officers:

- A. President
- B. President-Elect
- C. Secretary
- D. Treasurer
- E. Northwest Regional Coordinator
- F. Northeast Regional Coordinator
- G. Southwest Regional Coordinator
- H. Southeast Regional Coordinator
- I. Elementary Division Coordinator
- J. Middle Level Division Coordinator
- K. Secondary Level Division Coordinator
- L. Higher Education, Museum and/or Retired Coordinator

ARTICLE V - TERMS OF OFFICE

Section 1 President

- The term of office of the President shall be for two years.
- The President is eligible for re-election for a maximum of three terms.

Section 2 President-Elect

- The term of office of the President-Elect shall be for two years.
- The President-Elect shall become the President at the end of the term.

Section 3 Secretary

- The terms of office of the Secretary shall be for two years.

Section 4 Treasurer

- The terms of office of the Treasurer shall be for two years.

Section 5 Regional and Division Coordinator Positions

- The terms of office of the Regional and Division Coordinator positions shall be for two years.
- The Regional and Division Coordinators are eligible for re-election for a maximum of three terms.

Section 6 Chair or Committee Member Removal

- If a Chair or Committee Member's actions have been deemed to violate the Code of Ethics by the Executive Board, the Chair or member shall be removed from the Committee by a simple majority of the Board.
- The Chair or Member shall have the right to petition the Executive Board about the charges concerning his/her actions.

ARTICLE VI - ELECTIONS

Section 1 President-Elect Nomination

- NDAEA Chairs shall nominate candidates for President-Elect from within the Executive Board.
- A Chair may also nominate him or herself.
- Candidates may accept or decline the nomination.
- Candidates will write a position statement to be presented to the voters.
- The membership shall decide by majority of cast votes which candidate will move into the President-Elect position within two months of the end of their term.
- Any candidate nominated for the President-Elect position shall have had at least one year of experience as a Committee Coordinator or Standing Committee Chair serving on the Executive Board.
- President-Elect shall become the next President.

Section 2 Committee Chair Nominations

- Candidates for Standing Committee Chairs shall be nominated from within the ranks of each Committee.
- A Committee Member may also nominate him or herself.
- Candidates may accept or decline the nomination.
- Each Committee shall decide by vote which candidate will move into the Committee Chair position within two months of the end of the term.

ARTICLE VII - COMMITTEES

Section 1 Executive Committee

Shall consist of President, President-Elect, Secretary, Treasurer

Section 2 Regional Committee

Shall consist of Northwest Coordinator, Northeast Coordinator, Southwest Coordinator, and Southeast Coordinator

Section 3 Division Committee

Shall consist of Elementary Level Coordinator, Middle Level Coordinator, Secondary Level Coordinator, and Higher Education, Museum, and/or Retired Coordinator

Section 4 Standing Committees

The NDAEA shall have the following standing committees:

- A. Advocacy
- B. Communication
- C. Membership
- D. Professional Development

Members of the Board of Directors will serve as chairs for the association’s standing committees. Each committee may structure its members and subcommittees upon the recommendation of the Committee, its Chairperson(s), and the needs/tasks of the Committee’s plan and efforts. Committee Chair(s) will track participation and tasks, great or small, of Committee Members and report to the executive committee. Committee members may serve in aspects and for timelines determined by the member, the Chairs, and the Committee.

Section 3 Special Committees

Special committees may be formed by the President to undertake special assignments. These committees shall be appointed on an ad-hoc basis.

ARTICLE VIII - VACANCY PROCEDURES

Section 1 Vacancy in the Office of President

- A vacancy of the office of President will be filled by the President-Elect for the remainder of the current term of office and assume all presidential duties, subject to approval by the NDAEA Board of Directors

Section 2 Vacancy on the Board of Directors

- A vacancy on the Board of Directors will be filled by Presidential appointment until an election can be held.

ARTICLE IX - MEETINGS

Section 1 NDAEA Board of Directors

- The NDAEA Board shall conduct at least four meetings annually; the second Saturday of January, March, Summer (June-August), and October (tied to NDEA break).
- The President may call special meetings of the Board if needed.

Section 2 NDAEA Committee Meetings

- Each Committee Chair shall determine the schedule and agenda for when and how their committee will meet.

Section 3 Voting Privileges

- Each member of the Board of Directors has one vote.
- President will cast tie-breaking vote when and if the situation arises.

Section 4 Proxy Vote

- At any meeting, a Board member shall be allowed to vote by proxy at the meeting if they cannot attend, and the authority to do so is presented in writing to the President.

ARTICLE X - REVENUE AND BENEFITS

Section 1

- NDAEA shall not, in any way, act or engage in activities which might affect its right to full tax exemption or the right of NDAEA's donors to full tax deduction of their contributions to NDAEA.
- NDAEA shall so operate as to entitle and receive all tax exemptions, federal or state, which may be granted to charitable, scientific, education associations, or foundations.

Section 2

- No part of the net revenue of NDAEA shall be used to the benefit of any member, sponsor, donor, creator, trustee, officer, employee, any other private individual, corporation, or organization without the approval of the NDAEA Board of Directors.

Section 3

- No part of the net revenue of NDAEA shall support activities of which carry on propaganda or otherwise attempt to influence legislation without the approval of the NDAEA Board of Directors.
- NDAEA Board of Directors shall authorize payment as reasonable compensation for services or legal aid actually rendered to or for NDAEA.

Section 4

- NDAEA shall not divert any part of its revenue or corpus to any member, sponsor, donor, creator, trustee, officer, or employee, nor lend any part of its revenue or corpus, without the receipt of adequate security and a reasonable rate of interest.
- NDAEA shall not pay any compensation in excess of reasonable allowance for salaries or other compensation for personal services rendered.
- NDAEA shall not make any purchase of security or other property for more than adequate consideration for money or money's worth.
- NDAEA shall not sell any substantial part of its securities or other property for less than adequate consideration for money or money's worth.

- NDAEA shall not engage in any other transaction that either directly or indirectly results in such diversion of its revenue or corpus.

Section 5

- NDAEA Board of Directors shall annually determine that revenue has served the operation and purpose of NDAEA as set forth in Article II of the NDAEA Constitution.
- NDAEA Board of Directors shall engage in sensible fiscal management that values carryover surplus from one fiscal year to the next in order to provide a contingency fund for unexpected expenses and to provide unearned income for NDAEA.
- NDAEA Board of Directors shall annually review the monetary value of the contingency fund to determine if it is appropriate in amount and/or duration.

Section 6

- Upon dissolution, all of the NDAEA assets shall be turned over to such non-profit, tax-exempt charitable, scientific or educational associations, or foundations as the final NDAEA Board of Directors shall determine.

ARTICLE XI - AMENDMENTS OR REVISION TO THE CONSTITUTION

- Proposed amendments or revisions to the Constitution shall be submitted by Committee Members, Committee Chairs, President-Elect, or the President to the Board.
- The NDAEA Board shall review the proposed amendments or revisions.
- If the proposed changes pass the **NDAEA Board of Directors by a two-thirds majority vote**, they shall be submitted to the NDAEA membership for approval.
- The adoption of the amendments or revisions to the constitution shall **require approval by a two-thirds majority of cast votes by the NDAEA membership**.

BYLAWS

ARTICLE I - DUTIES OF NDAEA BOARD OF DIRECTORS

Section 1 **President**

It shall be the duty of the President to:

- uphold the Constitution and Bylaws of NDAEA

- ensure that the Vision, Values and Mission of NDAEA are represented in all organizational activities and decisions
- serve as the Chair of the NDAEA Board of Directors and Executive Committee
- preside at all general meetings
- serve as the official liaison between NDAEA, National Art Education Association and other organizations
- serve as the NDAEA representative to the NAEA Delegate Assembly
- serve as the NDAEA representative to the NAEA Western Region Conference
- perform other duties as found in the NDAEA Constitution or Bylaws, listed in the NDAEA Job Descriptions Policy or determined by the NDAEA Board of Directors
- when possible, participate in Committee discussions and planning
- monitor Committee activities
- facilitate Committee conflict resolution
- uphold the NDAEA code of ethics

Section 2 President-Elect

It shall be the duty of the President-Elect to:

- Assist the President with the duties listed above
- Prepare to assume the responsibilities of the President
- serve as the NDAEA representative to the NAEA Delegate Assembly
- serve as the NDAEA representative to the NAEA Western Region Conference
- serve on the Executive Committee

Section 3 Secretary

It shall be the duty of the Secretary to:

- serve as the recorder for all regular and special meetings of the association, as well as assume secretarial duties as designated by the president and the board of directors
- serve on the Executive Committee

Section 4 Treasurer

It shall be the duty of the Treasurer to:

- shall receive and disburse all monies of the association as directed by the president and the board.
- keep a record of all monetary transactions of the association and shall submit these records for audit.
- shall prepare an annual budget for the association
- shall provide frequent financial statements to all members of the board and shall present a financial report to all general membership meetings of the association
- serve on the Executive Committee

Section 3 Regional and Division Coordinators

It shall be the duty of each Division and Regional Coordinator member to:

- bring Recommendation/Rationale items for action to Board meetings
- manage and report on strategic plans and work in progress to Board of Directors
- serve as the voting representative of their committee on the Board of Directors
- uphold the NDAEA code of ethics
- perform other duties as determined by the NDAEA Board of Directors.
- ensure that their individual members are aware of the actions/activities of the other NDAEA committees

ARTICLE II - DUTIES OF NDAEA COMMITTEE MEMBERS

Section 1 Committee Members

It shall be the duty of the Committee Members to:

- serve Committee functions and duties in whatever capacity deemed appropriate by themselves, the Committee and the Chair
- participate in long- and short-term planning towards Committee goals
- maintain communication with the Committee
- ensure that the tasks of the Committee move forward
- uphold the NDAEA code of ethics
- attend Leadership training provided by NDAEA

ARTICLE III - GENERAL RESPONSIBILITIES OF NDAEA COMMITTEES

Section 1 Executive Committee

- Shall advise the President on matters that concern the association.
- Shall have authority to act for the full Board of Directors in the interval between regularly scheduled board meetings.

Section 2 Regional Committee

- Northwest, Northeast, Southwest, and Southeast Coordinators will communicate Executive Board business and news of the NDAEA to their respective region of the state, along with report news or business of their areas and local concerns to the Executive Board.

Section 3 Division Committee

- Elementary, Middle, Secondary, and Higher Ed/Museum Coordinators will communicate Executive Board business and news of the NDAEA to their respective division, along with report news or business of their division areas and concerns to the Executive Board.

Section 4 Advocacy

- Ensure that NDAEA has a visible presence at the community, state and national level.
- Will plan, promote, and coordinate Youth Art Month activities statewide.

Section 5 **Communication Committee**

- Ensure that NDAEA’s business and events are communicated to all members

Section 6 **Membership Committee**

- Work with and for members, manages member data and perks, recruiting/retaining members

Section 7 **Professional Development Committee**

- Ensure that NDAEA provides quality staff development opportunities in all aspects of art education through our annual conference and other events

ARTICLE IV - QUORUM

Section 1 **NDAEA Executive Board Meeting**

- A quorum shall consist of a majority of Board of directors (8-15) members, or their authorized representatives, present at any Board of Directors meeting.

Section 2 **NDAEA Committee Meetings**

- A quorum (majority) of the committees members is needed to conduct official meetings.

ARTICLE V - MEMBERSHIP

Section 1 **Membership Divisions**

- For data collection purposes, membership divisions are: Elementary, Middle, Secondary, and Higher Education

Section 2 **Payment Rates**

- Active Member: (actively teaching full or part-time)
- Associate Member (any school personnel not actively engaged in the teaching of art and for all those interested in art education)
- First Year Member (first year teacher, one-time only)
- Retired Member (retired from teaching)
- Student Member (full or part time college student)
- Institutional Member (museum, organizational, or commercial)

Section 3 **Membership Registration**

- Membership dues and registration shall be collected throughout the year.

- Membership policy shall be established in writing regarding practices and limitations of NAEA and NDAEA membership.
- Membership information shall be recorded and maintained on an electronic database.
- A procedure shall be in place to remind members that their membership is about to expire and to review how to renew their membership.

Section 4 Membership Voting Privileges

- Membership voting privileges regarding constitutional changes, state dues rate changes and/or selection of President-Elect shall extend to all members with one vote per member.
- In the event of changes to NDAEA Bylaws, if the Board of Directors is not unanimous but there is a simple majority: the membership shall be asked to vote on Bylaws changes with one vote per member.

Section 5 Committee Representation

- Membership on any Committee is open to all NDAEA members.
- No member of NDAEA shall be excluded from participating, be denied the benefits of, or be subject to discrimination under any circumstance in the organization.

Section 6 Eligibility to Hold Office

- Committee Chair positions are open to all NDAEA members, based on the Nomination and Election procedures listed in the Constitution.
- No member of NDAEA shall be excluded from participating, be denied the benefits of, or be subject to discrimination under any circumstance in the organization.

ARTICLE VI - DUES

- NAEA dues are established by the NAEA Board of Directors.
- State (NDAEA portion) dues changes shall be recommended by any NDAEA Board member.
- State (NDAEA portion) dues changes shall require a simple majority of the NDAEA Executive Board, and ratification by a simple majority of NDAEA members voting.

ARTICLE VII - COMMUNICATIONS

Section 1 Communication with Membership

- NDAEA has the responsibility to maintain communications with membership regarding activities of the NDAEA committees and Board of Directors.

ARTICLE VIII - ADMINISTRATIVE AND FISCAL YEAR

- The administrative and fiscal year shall begin on January 1 and end on December 31.

ARTICLE VIII - RULES OF ORDER

- *Robert's Rules of Order* (recent version) shall be the reference for all meetings and procedures not otherwise covered in the Constitution and Bylaws.
- The Board of Directors and all NDAEA Committees and subcommittees must utilize *Robert's Rules of Order* in their proceedings.

ARTICLE X - AMENDMENTS OR REVISIONS TO THE BYLAWS

- Proposed amendments or revisions to the Bylaws may be submitted to the NDAEA Board of Directors by any of its members.
- The NDAEA Board of Directors shall review the proposed amendments or revisions.
- The adoption of amendments or revisions to the Bylaws shall require a unanimous vote by the NDAEA Board by members present and those voting by proxy.
- Failure to reach a unanimous approval by the NDAEA Board, the amendments or revisions to the Bylaws must be approved by a simple majority of the voting NDAEA members.

ARTICLE XI - ADOPTION OF CONSTITUTION, BYLAWS

- Approved additions and revisions to the Constitution and Bylaws shall become effective thirty days following the date of ratification.
- The approved Constitution and Bylaws shall replace any and all previous established Constitutions and Bylaws.

CERTIFICATION OF ADOPTION

The following officers certify that the foregoing Constitution and Bylaws were adopted by the 2019 Board of Directors and ratified by the NDAEA Members on Aug.5, 2019.

Sharon Eide _____ President

Date __ Aug.5,2019

Eric Syvertson _____ President-Elect

Date __ Aug.5,2019

