

**BYLAWS OF THE  
CALIFORNIA ASSOCIATION  
FOR  
POSTSECONDARY  
EDUCATION AND  
DISABILITY**

Available in Alternate Formats

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# BYLAWS OF THE CALIFORNIA ASSOCIATION FOR POSTSECONDARY EDUCATION AND DISABILITY

## ARTICLE I Name and Purpose

**Section 1. Name.** The name of the Association is the California Association For Postsecondary Education and Disability (CAPED), a not for profit corporation chartered by the State of California.

**Section 2. Use of name or logo.** The name of this Association shall be employed in connection with all official business and activities of the Association. The name of the Association or logo shall not be used, altered, or combined by members, individuals, organizations, or agencies without the approval of the Vice President for CAPED Interest Groups (CIGs) or the Vice President for Committees and the current President of the Association. CAPED interest groups and committees may use the Association name or logo for communications with approval of their respective CAPED Vice President.

**Section 3. Mission Statement.** To facilitate collaboration and professional development that promotes and models equal access and educational opportunities for students with disabilities in California higher education.

**Section 4. Purposes.** The purposes of the Association are:

- A. To facilitate the exchange of current information, issues and techniques among personnel and agencies serving persons with disabilities
- B. To communicate and coordinate with all institutions and agencies offering programs or services to persons with disabilities.
- C. To inform the public about higher education programs and services for persons with disabilities.
- D. To promote high standards and success in higher education programs and services for persons with disabilities.
- E. To promote, conduct, and report on research related to higher education and persons with disabilities.
- F. To advance high standards of professional ethics and integrity among those who instruct or provide programs and services for persons with disabilities.
- G. To conduct educational and/or professional meetings on disability issues  
and concerns affecting education and transition.

- H. To remain technologically current and promote the use of accessible technology in every aspect of the organization.
- I. To respond to the legislative needs of individuals with disabilities in accordance with rules governing CAPED's non profit status as stated in its Articles of Incorporation.

**Section 5. Annual Convention.** The California Association for Postsecondary Education and Disability shall hold an Annual Convention to:

- A. Conduct the business of the Association. Ten percent (10%) of the members in good standing shall constitute a quorum for the purpose of conducting business at the Annual Convention.
- B. Facilitate professional growth, development, and communication among professionals working with individuals with disabilities.
- C. Promote collaboration among individuals, agencies and other organizations serving persons with disabilities.

## **ARTICLE II Membership and Dues**

**Section 1. General membership.** General membership is defined as the total number of active members of the Association. An "Active" member is a member whose dues are current or who is an honorary or life member of the Association. Membership shall be classified as one of the following:

- A. Professional Member. Any person actively working *in postsecondary education* with or for individuals with disabilities in a full or part-time faculty, staff, professional, certificated, or similar position. A Professional Member is eligible to vote, join CIGs and be an officer of the Association.
- B. Emeritus Member. Any person retired from a position working with or for individuals with disabilities in a full or part-time faculty, staff, professional, certificated, or similar position who maintains currency in the field. An Emeritus Member is eligible to vote, join CIGs and be an officer of the Association.
- C. Associate Member. Any individual who does not qualify under Article II, Sections A, B, D, E, or F, and is interested in supporting and promoting the mission of CAPED. An Associate Member is eligible to vote and join CIGs, but may not be an officer of the Association.
- D. Student Member. Any full time or part-time student in higher education who does not qualify under any other section in Article II of these by-laws. Determination of "student" status and verification must be signed annually by the student's college

advisor or counselor on the CAPED membership renewal form. A Student Member is eligible to vote within the Student CIG, if one exists, or may join, but not vote in other CIGs, and may not be an officer of the Association. One Student CIG co-chair is an active ex- officio member of the CAPED Executive Board.

- E. Honorary Member. Any person or representative recognized and approved by a two-thirds vote of the Officers' Council as having made an outstanding contribution for students with disabilities and in promoting the goals and purposes of the Association may be granted a one time, one- year honorary membership. Any member in good standing may present a written nomination to the President for consideration. An Honorary Member is not eligible to vote but may join CIGs. An honorary member does not pay dues (except for any CIGs joined) for one year and may not be an officer of the Association. An honorary member is eligible to join the Association under Article II, Sections A, B, C, or F at the conclusion of the honorary membership year.
- F. Life Member. All CAPED Presidents who complete their full term of office in good standing and receive a simple majority vote of the executive board shall be granted life membership privileges. A life Member does not pay membership dues (except for any CIGs joined), is eligible to vote, join CIGs and be an officer of the Association. A professional member in good standing may become a life member by paying the life membership dues established by the Association Officers' Council at the time of the member's current re-application for annual membership.
- G. Institutional Member. An institution, corporation, or other organization interested in supporting and promoting the mission of CAPED is an institutional member. An institution will designate, by name, up to four individuals to receive benefits of membership. Each institution member designee is eligible to vote, join CIGs, and be an officer of the Association as stipulated under Article II, Section I-A, B, or C of these bylaws.

**Section 2. Rights and Privileges.** Each member in good standing shall receive the publications of the Association, may join CIGs, and serve on committees of the Association. All members in good standing shall have voting privileges or may be an officer as stipulated in Article II above.

**Section 3. Obligation of Membership.** Any member in the Association shall abide by the CAPED Articles of Incorporation, Bylaws, and Code of Ethics.

**Section 4. Violation and Due Process.** Any CAPED member in good standing

may submit a written report to the current President of the Association in reference to an alleged violation of Article II, Section 3. The President shall submit the report to the Officers' Council for consideration within thirty days after contacting (by certified mail) the member who has allegedly violated any portion of Article II, Section 3. The accused

member will have thirty days from the date of notice to respond in writing with any supporting documentation in relation to the accusations. The Officers' Council will determine if there is enough evidence to consider or dismiss the allegations. If the Officers' Council determines that a violation of Article II, Section 3 has occurred, a majority vote of the CAPED officers will suspend or confirm the member's eligibility in the Association. However, the accused member may submit a written appeal to the President within 15 days of certified notice of the Officers' Council decision. The Executive Board will review the accused members appeal at the next scheduled meeting of the Executive Board for final determination. Member confirmation or suspension will be finalized by two-thirds vote of the Executive Board. The Executive Board shall send a certified notice to the accused within fifteen days after determination. Any suspended member will forfeit all rights and privileges granted under Article II of these bylaws for a minimum period of not less than two calendar years from the date of notification of suspension.

### **Section 5. Dues.**

**A. Association Dues.** Annual Association dues for each membership classification shall be proposed by the Officers' Council and approved by a simple majority of the Executive Board voting at an official Executive Board Meeting or by mail ballot.

**B. CAPED Interest Group Dues.** The CIGs shall have the right to establish dues for membership in their respective units, in accordance with Article VIII, Section 6.

**Section 6. Payment of Dues.** Payment of Association and CIG dues shall be made to the California Association for Postsecondary Education and Disability. Annual payment of dues in conjunction with adherence to Article II, Section 3 of these bylaws shall establish "membership in good standing." Annual membership dues for each membership category shall be due and payable on the date set by the Association and approved by the Executive Board. If dues are not paid in full, all privileges of membership expire on the annual date set by the Association. Privileges shall be restored and membership shall return to active status immediately upon payment of dues unless Article II, Section 3 has been allegedly violated and the member in question has been referred in writing to the Officers' Council and Executive Board for review and determination of status.

**Section 7. Membership List.** The list of CAPED members shall not be sold for any purpose without a majority vote of the Officers' Council.

**ARTICLE III**  
**Officers and Ex-Officio Members**

**Section 1. Composition**

- A. **Officers.** The officers of the Association shall be the President, President Elect, Immediate Past President, Vice President for CAPED Interest Groups (CIGs), Vice President for Committees, Treasurer, Secretary, and ex-officio members as listed in these bylaws.
- B. **Job Descriptions.** Job descriptions of officers and ex-officio members shall be written and revised with approval of a majority vote of the Officers' Council. See Appendix B of the CAPED Policies for the complete descriptions.
- C. **Terms of Office.** The President shall serve a two-year term. The President Elect and Immediate Past President shall serve two year terms. The Vice President for CIGs, Vice President for Committees, Treasurer, and Secretary shall serve two-year terms.

**Election Years.** The Vice President for CIGs and Treasurer shall be elected in the fall of odd-numbered years. The President (Elect), Vice President for Committees and the Secretary shall be elected in the fall of even-numbered years. The incumbent President-Elect assumes the office of President and the incumbent President shall assume the office of Immediate Past President. All officers assume their positions during the Annual Convention immediately following their election.

- D. **Qualifications.** The officers shall qualify as Professional, Life or Institutional Members of the Association in good standing according to Article II, Section 1A of these bylaws.
- E. **Succession to Office.** In case of a resignation, a vote of "no confidence" by a two-thirds vote of the Executive Board, or death of any elected officer of the Association other than the President or President Elect, any eligible member in good standing may be elected by a simple majority vote of the Officers' Council to serve the remainder of the term of the vacated officer. Should the President of the Association be unable to serve the remainder of the current term for any reason, the President Elect will immediately assume the office of the President for the remainder of the current term in addition to the elected term of office. Should the President Elect be unable to serve the remainder of the current or future terms of office, the Officers' Council will nominate an eligible member in good standing and conduct a special election by the membership or the Executive Board, at

the discretion of the Officers' Council. Should both the President and the President Elect be unable to complete their terms of office for any reason, the immediate Past



President and the current Vice President for CIGs will assume the remainder of their terms respectively. Any other vacant positions on the Officers' Council at any time will be appointed by the President in accordance with these bylaws for the remainder of their current terms of office.

## **Section 2. Duties of Officers and Ex-Officio Members.**

- A. **President.** Chief elected Executive Officer of the Association.  
The President is the presiding officer and primary decision-maker for all functions of the Association.
- B. **President Elect.** Is an active member of the Officers' Council, shall perform the duties of the President in the absence or incapacity of the President, and represents the Association on various committees as assigned by the President. Traditionally is the Chair of the CAPED Futures Committee and coordinates the CAPED Leadership Conference on request of the Officers' Council.
- C. **Vice President for CAPED Interest Groups (CIGs).** Is an active member of the Officers' Council and performs the duties of the President in the absence or incapacity of the President and President Elect. This officer shall facilitate and coordinate the CIGs, report to the Officers' Council, and provide a biannual written summary of CIG activities to the Executive Board and general membership.
- D. **Vice President for Committees.** Is an active member of the Officers' Council, facilitates and coordinates the functions of the Standing Committees, reports to the Officers' Council and provides a biannual written summary of committee activities to the Executive Board and general membership.
- E. **Immediate Past President.** Is an active member of the Officers' Council, serves in an advisory capacity to the Association and represents the Association as delegated by the President. The Immediate Past President shall review the CAPED Bylaws and make recommendations to the Executive Board, coordinate the CAPED Leadership Conference on request of the Officers' Council, and be an ex-officio member of the CAPED annual conference planning committee.
- F. **Secretary.** Is an active member of the Officers' Council, records and keeps minutes of all Officers' Council, Executive Board, and any additional meetings requested by the President. The Secretary shall update all policies and procedures approved by the Officers' Council or Executive

Board annually and shall maintain a copy of the official records and minutes of the Association.

**G. Treasurer. Chief Financial Officer of the Association.**

Is an active member of the Officers' Council, the Treasurer provides reports as indicated and approves and disapproves expenditures of Association funds with the approval of the President or a two-thirds vote of the Executive Board.

**H. Executive Assistant.** Is an ex-officio member of the Officers' Council without the right to vote. This individual maintains all original records, minutes, and data of the Association. The Executive Assistant's duties and responsibilities are described in the CAPED Executive Assistant's contract and reviewed annually by the President. Job performance and recommendation whether or not to retain a particular contractor is approved by a majority vote of the Officers' Council.

**I. Fiscal Coordinator.** Is an ex-officio member of the Officer's Council without the right to vote. This individual coordinates all financial obligations of CAPED, including the reconciliation of the Annual Convention finances and serves as a member of the Finance Committee, among other specific responsibilities. The Fiscal Coordinator duties and responsibilities are described in the CAPED Fiscal Coordinator's contract and reviewed annually by the President. Job performance and recommendation whether or not to retain a particular contractor is approved by a majority vote of the Officers' Council.

**Section 3. Nomination and Election of Officers**

**A. Nominees.** The Nominations, Elections and Awards Committee (NEA) shall establish a date on which the election shall be held, prepare a list of professional member nominees for offices, conduct the election and tabulate the results. The Chair of the Nominations, Elections and Awards Committee must receive a written statement of acceptance by the candidates. At least forty-five (45) days prior to the annual election, the NEA Committee shall compile a list of names, short professional biographies, and a goals statement for each nominee and prepare the official ballot.

**B. Write-In Nominations.** The name of any eligible previous or current CAPED member in good standing may be written in on the ballot by any voting member (Article II, Section 1.A.) if fewer than two qualified candidates are identified for any vacant position as stipulated in Article III, Section 3.A.

**C. Closing Nominations.** There shall be no nominations other than as prescribed above except in the unlikely event that no candidates are identified for a particular office. If this event occurs, the President shall immediately submit a nomination for the vacant position(s) to the Executive Board.

**D. Voting. The Nominations, Elections and Awards Committee** shall receive an official ballot from voting members at least fourteen (14) days prior to the Annual Convention for tabulation. The date of opening and counting the ballots shall be specified on the ballot. Should Article III, Section 3. C. be

invoked, nominees will be elected by a simple majority vote of the Executive Board for the terms of office as prescribed in these bylaws.

- E. Election Results.** All nominees who have received a majority of the ballots cast by the established date for their respective offices shall be declared elected.

**Section 4. Compensation and Expenses of Officers.** None of the elected officers shall receive any compensation for their services to the Association. However, actual business-related expenses may be paid for using the funds of the Association under procedures established by the Finance Committee and approved by a majority vote of the Officers' Council.

#### **ARTICLE IV Officers' Council**

**Section 1. Composition.** The Officers' Council shall be composed of the President, President Elect, Vice President for CIGs, Vice President for Committees, Immediate Past President, Secretary, Treasurer and ex-officio members as stipulated in these bylaws.

**Section 2. Function of the Officers' Council.** The Officers' Council shall be the executive directors of the Association and perform the following functions:

- A. Formulate and recommend policies to the Executive Board for its consideration and action;
- B. Plan and implement actions necessary to accomplish the policies established by the Executive Board;
- C. Request written reports from Association members, Committees, CIGs, Executive Board members, and Officers as may be necessary for the execution of Association business;
- D. Convene at the call of the President or any three (3) members of the Officers' Council;
- E. Convene at least four (4) times per year;
- F. Authorize control and disbursement of the Association's funds according to legal procedures and established CAPED policies and procedures;
- G. Conduct the business of the Association.

**Section 3. Alternative Deliberations and Actions of the Officers' Council**

The Officers' Council may deliberate and take action on pressing issues through the use of the internet, telephone and other technologies in lieu of an in-person meeting. Such

actions will be considered for ratification at the next regularly scheduled meeting of the group.

## **ARTICLE V Executive Board**

**Section 1. Composition.** The Executive Board shall be composed of the Officers of the Association, CIG Co-chairs and Committee Chairs. A CIG representative may be either the north or south Co-chair. However, only one vote shall be cast per CIG for all Executive Board matters. The President shall recognize only one Co-chair from each CIG to act as the CIG representative on the Executive Board at any given time. The President shall recognize one representative each from the University of California, California State University, California Community Colleges, and Private/Proprietary Colleges as liaisons to the Executive Board. These liaisons will cast one vote per system represented. The Historian is an ex-officio member of the Executive Board appointed by the President, without the right of vote, who maintains records and memorabilia pertinent to the historical and significant events of the Association, coordinates an historical presentation at the Annual Convention, and assumes other related duties assigned by the President. One Student CIG co-chair is an active ex-officio member of the CAPED Executive Board.

All Standing and Special Committee Chairs or Co-chairs shall be ex-officio members of the Executive Board. Ex-officio members may not vote but may be invited to participate in any Executive Board or Officers' Council meeting at the discretion of the President.

**A. Term of Office.** The members of the Executive Board shall serve terms of office according to Article III, Section 1. C.; Article VII, Sections 2 and 3; and Article VIII Section 4. A. of these bylaws.

**B. Vacancy of Office.** In the case of resignation, a vote of "no confidence" by a majority vote of the Officers' Council, or death of any member of the Executive Board, a successor shall be elected or appointed according to Article III, Section 1. E. and Article VII, Sections 2 and 3.

**Section 2. Functions of the Executive Board.** Serves as the governing body of the Association and is responsible for executing the following functions:

- A. General management of the Association;
- B. Review the annual budget and present it to the Association membership for adoption at an annual business meeting;
- C. Review actions taken by the Officers' Council;
- D. Formulate, recommend, approve or disapprove policies;

- E. Formulate policies appropriate for executive action by the Officers' Council and direct the execution thereof, subject to review by the membership;
- F. Inform the Association membership of all Board actions;
- G. Receive and act on reports of Officers, CIGs, Committees, members, and others.

**Section 3. Nominations, Elections and Orientation of the Executive Board.**

Nominations and elections of the Executive Board shall be in accordance with Article III, Section 3 and 4. Executive Board members representing specific CIGs shall be nominated and elected by members in good standing of both the Association (Article II, Section 6) and the respective CIG in accordance with Article VIII, Section 5. Each newly-elected Executive Board Member shall receive a CAPED Executive Board Member Handbook containing pertinent information to orient the new Board member in his/her new position.

**Section 4. Meetings of the Executive Board.** The Executive Board shall meet at least two (2) times annually, one of which shall be at the time and place of the Annual Association Convention. The Executive Board must have a quorum present consisting of a simple majority of the total members of the Executive Board in order to take action on resolutions or motions. Votes on motions or resolutions must have a second and be approved or disapproved by a simple majority vote of Officers and one Co-chair from each CIG present. Each Officer and CAPED Interest Group has one vote as stipulated in these bylaws. Members of the Association may attend Executive Board meetings but may not vote on resolutions unless they are duly elected or appointed Executive Board members. Executive Board members may not vote by absentee ballot during regularly scheduled Board meetings. Resolutions may only be submitted for consideration by an elected or appointed Executive Board member according to these bylaws.

**Section 5. Reports of Elected Officers.** The President and the Treasurer of

the Association shall make and distribute annual written reports to the membership of the Association at the annual business meeting. The Vice President for CIGs, Vice President for Committees, and other requested members of the Association shall provide written summaries of activities to the President who will determine the method of dissemination to the membership. Traditionally, these reports have been presented in the annual report during the Annual CAPED Convention.

**Section 6. Liability Insurance.** Liability insurance to cover damages resulting from wrongful acts and offenses will be provided to protect the organization and its officers.

## **ARTICLE VI**

### **Appropriations and Expenses**

**Section 1. Association Budget.** All appropriations and expenditures of the Association shall be subject to federal and state law as provided for in the CAPED Articles of Incorporation and as directed by these bylaws.

- A. Appropriations.** An annual current and projected budget including general and CIG funds shall be adopted by the Executive Board and approved by a simple majority vote of all members in good standing in attendance at the annual business meeting. All appropriations of Association funds shall be approved by the Finance Committee and included within the budget. The current CAPED budget shall include an accounting of the operating accounts for CIGs as well as Association general funds. CIG operating expenses and incomes shall be monitored by each CIG in consultation with the CAPED Treasurer.
- B. Expenses.** The expenses incurred in the conduct of the affairs of the Association, its CIGs, or its committees shall be paid by the CAPED Treasurer or other authorized designee in accordance with these bylaws and the policies and procedures established by the Executive Board. No more than an insubstantial portion of the total activities of this Corporation may consist of carrying on propaganda, or otherwise attempting to influence legislation. It will not, as a substantial part of its activities, participate to any extent, in a political campaign for or against any candidate for public office. Insubstantial will be evidenced as 20% or less of the total annual expenses of the Association.
- C. Contracts.** Contracts may not be entered into in the name of the Association without the approval of the Officers' Council. However, CIGs may enter into simple contractual arrangements for speakers and/or presenters with the approval of the CAPED Finance Committee (*change to CAPED Vice President of CIGS*).
- D. Independent Contractors.** Individuals may be secured to provide services such as Convention coordination, website maintenance, fund development. A contract specifying the extent of the service, duration and remuneration shall be developed by the CAPED President and approved by the Officers' Council. The duties and responsibilities shall be noted on their contract kept on file by the CAPED Secretary.

**Section 2. Audit of Association Financial Accounts.** Prior to the end of the term of office of the Association Treasurer, the Officers' Council may conduct an internal audit and/or contract with an independent accounting firm for the purpose of conducting an audit of the Association's financial records. Determination of either an internal or

external audit shall be determined by a simple majority vote of the Executive Board. This report shall be acknowledged by the President of the Association at the annual business meeting.

## **ARTICLE VII Committees**

**Section 1. Committees.** Standing Committees and Special Committees promote the purposes of the Association in accordance with these bylaws. Committee activities held or sponsored shall be publicized through timely written notices and reports to the Vice President for Committees or President and to the Editor of the *Communiqué*. A written summary of all activities, projected expenditures, and any recommendations or resolutions for consideration must be submitted to the Vice President for Committees or President and the CAPED business manager sixty (60) days preceding the annual conference. The written summary of activities will be published in the annual Association business report.

**Section 2. Standing Committees.** The Association shall have the following Standing Committees, with Chairs who shall be appointed by the President of the Association in consultation with the Vice President for Committees. The Chairperson of each committee shall select members of the Committees. Committee members must be members in good standing of the association according to Article II, Sections 3 and 6. Committees shall perform such functions as may be prescribed by the Executive Board and by these bylaws.

**A. Membership.** The Membership Committee shall be responsible for the coordination of membership activities of the Association including but not limited to: updating, developing, and sustaining member information, applications and procedures; developing retention and new membership activities; coordination of the new members function at the Annual Convention.

**B. Finance.** The Finance Committee is composed of the President, Immediate Past President, the Treasurer, and the Fiscal Coordinator. The Finance Committee shall develop fiscal policies of the Association, make

recommendations regarding such policies, develop and revise written procedures, and shall present a budget for adoption at the annual business meetings.

**C. Publications.** The Publications Committee shall coordinate all periodic publications of the Association including but not limited to the *Communiqué*, the CAPED Journal and the Newsletter. The Chair of the committee shall be appointed by the President and shall either be the *Communiqué*, Journal, or Newsletter Editor. Editors may select members in each area of responsibility according to Article VII, Section 2. The editors shall serve two-year terms but may be reappointed by the incumbent CAPED President.

**D. Nominations, Elections, and Awards.** The Nominations, Elections and Awards Committee shall develop and carry out procedures as directed in Article III, Section 3 and 4, and Article V, Section 3. This committee is responsible for compiling a list of

names and short biographies of those individuals nominated for honors of the Association and the Lanterman Award. This committee organizes the presentation of awards for the Presidential Reception during the Annual Convention.

**E. Convention.** The Convention Committee shall initiate, coordinate, and implement the activities necessary to conduct the Annual Association Convention according to Article I, Section 4, and Article VI. The Convention committee shall consist of the Convention Chair or Co-Chairs, Program Chair, Convention Treasurer, immediate Past President (ex- officio), and other individuals as determined by the Convention Committee. At a minimum, mid-year, pre and post-convention status reports shall be presented to the Executive Board during regular meetings. All convention accounts and a final written budget summary shall be submitted to the Finance Committee within one hundred eighty (180) days from the final date of the Annual Convention.

**F. Legislative Committee.** The Legislative Committee Chair shall report directly to the President Elect, and regularly to the Officers Council, Executive Board and the general membership. The Legislative Committee shall update and develop CAPED position statements related to disability issues for approval by the President in consultation with the Officers' Council. The Legislative Committee shall inform the Executive Board and membership of legislation impacting programs and services for persons with disabilities. Additionally, this committee shall coordinate and maintain a systematic process to provide educational information and materials for legislators, public officials, and other interested parties regarding postsecondary education programs and services for persons with disabilities. This committee shall be chaired by one co-chair from the community college system and one co-chair from a four-year degree institution. This committee will be responsible for coordinating regional legislative meetings with CAPED members and others to discuss and develop recommendations to be submitted to the Executive Board and general membership. This committee is responsible for disseminating current and timely legislative information to the Officers' Council for inter and intra-Association consultation.

**G. Scholarship Committee.** The Scholarship Committee shall coordinate with the CAPED Vice President for Committees and the Treasurer, committee procedures, timelines, solicitations, maintenance and development of all scholarships and financial awards granted by the Association. Granting of all scholarships or financial awards shall be pre- approved annually by a simple majority vote of the Finance Committee and Executive Board.

**H. Futures Committee.** The purpose of this committee is to annually review current association goals and objectives, and make recommendations for revisions to the association. Written recommendations will be submitted to the Officers' Council for consideration. The Officers' Council shall present recommendations to the Executive Board for discussion. The current CAPED President may charge the Futures Committee to organize regional meetings with local CAPED members to discuss and develop written recommendations concerning the future direction of the association. The Futures



Committee is chaired by the President -Elect and is responsible for selecting one active member from each CIG and may appoint additional members as necessary.

**Section 3. Special Committees.** The President may appoint special committees in consultation with the Officers' Council. Special Committees may become "standing committees" after a one-year review by the President and simple majority vote of the Executive Board.

## **ARTICLE VIII CAPED Interest Groups (CIGs)**

**Section 1. Purpose.** CIGs are established in order to further the purposes of the Association. CIGs may be organized around a specific discipline and/or special interest topic. Only members of the Association in good standing may join or receive the benefits of CIG membership.

**Section 2. Initiation.** Any twenty (20) members in good standing of the Association desiring to promote the goals of the Association may submit a signed petition to form a CIG. The proposed CIG must submit the written petition to the Officers' Council fifteen (15) days prior to a regularly scheduled meeting of the Executive Board for consideration. The petition shall include a statement of purpose, goals and objectives, proposed name of the CIG, conditions for membership, names of interim CIG Co-chairs (one each from the northern and southern portions of California), and the required signatures from twenty (20) members in good standing.

**Section 3. Establishment by Petition.** All CIGs shall be established by petition to the Officers' Council and Executive Board. A simple majority vote by the members of the Executive Board during a regularly scheduled Executive Board meeting shall be sufficient to establish or deny a CIG in the Association.

### **Section 4. Structure of CAPED Interest Groups.**

- A. **CIG Chairs.** Members in good standing of CAPED and the CIG shall elect Co-Chairs for a two-year term, one from the southern and one from the northern portion of California. During the initial formation of a CIG, one chair will serve for one year and the other chair will serve for two years. After the initial election, one co-chair will be elected each year for a two-year term. New CIGs must conduct formal elections for Co-Chairs during their first official meeting and notify the Vice President for CIGs in writing. One Co-Chair shall serve as the CIG's voting representative on the Executive Board as specified in Article V of these bylaws.
- B. **CIG Chair Job Descriptions** are written and revised with the majority vote of the Officers' Council. See Appendix CAPED Policies, Appendix B for complete descriptions.

**C. Interim Leadership.** Until such time as the CIG can conduct its own formal election, one interim Co-Chair will serve as the CIG's representative on the Executive Board as specified in Article VIII, Section 4. A. In case of the resignation, parliamentary removal, or death of an elected CIG Co-Chair, any CIG member in good standing may be appointed by the Vice President for CIGs to serve as interim Co-Chair until such time as the CIG membership shall elect a new Co-Chair.

**D. Organization.** The membership of a CIG may select officers, operating committees, and develop appropriate policies and procedures to conduct their affairs. CIG policies, procedures, or other documents shall not supersede or otherwise cause to negate the Association's Articles of Incorporation, Bylaws, or Code of Ethics. CIG policies, procedures and other related documents are subject to simple majority approval of the Association's Executive Board. At a minimum, CIGs must meet at least three times per year, one of which may be at the Annual Convention. Any CIG that does not meet at least three times per year or sustain an annual membership of at least twenty (20) members in good standing will be subject to Officers' Council review and may be dissolved by a majority vote of the Executive Board as outlined in Article VIII, Section 7. B. and Section 8 of these bylaws.

**E. Reports to the Executive Board.** The CIG Co-Chairs shall keep the Executive Board informed in writing of policies and CIG operating procedures established for conducting the affairs of their respective units. CIG activities held or sponsored shall be publicized through timely written notices and reports to the Vice President for CIGs and to the Editor of the CAPED Communiqué. A written summary of all activities, projected expenditures, and any recommendations or resolutions for consideration must be submitted to the Vice President for CIGs and the CAPED Business Manager sixty (60) days preceding the Annual Convention. The written summary of activities will be published in the annual Association business report.

**Section 5. Membership.** Membership in the CIGs of the Association shall be open to all members in good standing as specified in Article VIII, Section 1 of these bylaws. Members of the Association may belong to more than one CIG.

**Section 6. Dues.** The CIGs shall have the right to establish and modify CIG dues after consultation with the CAPED Finance Committee.

**Section 7. Dissolution of CIGs.** A CIG may be dissolved from the Association by:

**A. A simple majority vote of its members.** The CIG Co-Chairs or designee shall conduct a dissolution vote. A dissolution vote shall be considered valid upon the receipt of ballots from a simple majority of CIG members in good standing. The results of this ballot shall be reported in writing to the Vice President for CIGs within 14 calendar days after the ballot.

**B. Executive Board.** Any CIG, which does not have twenty (20) members in good standing at any time or has not convened according to Article VIII, Section 4. C. may be dissolved by a majority vote of the Executive Board. Following such action, the Vice President for CIGs shall notify any remaining CIG members in good standing of the disenfranchised status.

**Section 8. Assets of a Dissolved CIG.** The Association Treasurer shall transfer unencumbered funds remaining in the fiscal account of a dissolved CIG immediately to the Association's general fund.

**Section 9. CIG Mergers.** Any CIG may merge with another CIG to form a new CIG by a simple majority vote of CIG members in good standing in both CIGs and with a simple majority approval of the Executive Board. A petition, which conforms to Article VIII, Sections 2 and 3 of these bylaws must be received by the Vice President for CIGs fifteen (15) days before a regularly scheduled Executive Board Meeting.

**Section 10. Assets of Merged CIGs.** Unencumbered funds remaining in the

fiscal accounts of both CIGs to be merged shall be transferred to the new CIGs account after Article VIII, Section 2 and 3 of these bylaws have been resolved. In the event that the Executive Board does not approve a merger, Article VIII, Section 7 and 8 of these bylaws shall prevail.

**Section 11. Evaluation of CIGs.** CIGs will be evaluated according to the procedures outlined in CAPED Procedures.

## **ARTICLE IX Amendments and Revisions**

**Section 1. Limitations.** Proposed amendments shall be within the scope and authority of the Association's state-approved Charter, Articles of Incorporation, and Code of Ethics.

**Section 2. Initiation.** Amendments or other changes to these bylaws may be initiated in the following ways:

- A. The President may propose amendments.
- B. The Executive Board or Officers' Council may propose amendments.
- C. Any member in good standing of the Association may submit to the President in writing a proposed amendment, a brief rationale, and the signatures of thirty (30) members in good standing in support of the amendment, thirty (30) days before a regularly scheduled Executive Board Meeting. The President shall be responsible

for relaying the proposed amendment to the Executive Board for discussion and vote.

**Section 3. Adoption.** These bylaws may be amended by the following method: The President shall send all changes proposed under Section 1 of this article with explanations and recommendations to the Executive Board. A two-thirds majority vote of the Executive Board in favor of the resolution to amend shall constitute approval. The approved amendment(s) shall become effective immediately.

**Section 4. Rejection.** An approved amendment to these bylaws may be overturned by a two-thirds majority vote of the total membership in good standing. The President must receive a petition with signatures stating that forty (40) members in good standing have called a membership vote within twenty (30) days of the approved amendment by the Executive Board. The President will request a special ballot and vote to be organized and completed within forty-five days after receipt of the petition. Results of the special ballot will be disseminated to the membership.

**Section 5. Implementation.** If passed, the amendment(s) adopted under

Article IX, Section 2, shall take effect immediately following the approval of the Executive Board. The results of all amendment resolutions shall be disseminated to the general membership.

## **ARTICLE X Suspension of Bylaws**

**Section 1. Purpose.** An Executive Board Member may request that the bylaws be suspended during an Executive Board meeting to consider a resolution or motion of import, which could not be presented according to these bylaws due to unforeseen or special circumstances. A simple majority vote of the Executive Board members in attendance shall determine if such a request is granted.

## **ARTICLE XI Property of the Association**

**Section 1. Control and Management.** All property of the Association shall be subject to the control and management of the Executive Board. Upon dissolution of the Association, none of its property shall be distributed to any of the members of the Association. All holdings or property shall be transferred to other organizations that the Executive Board deems most nearly consonant with the purposes, goals, and activities of CAPED. Such organization or organizations shall be exempt under Section 501 (C) 3 of the Internal Revenue Code or corresponding provisions of the Internal Revenue Service Laws.

**Section 2. Position Papers.** Position papers, otherwise known as “white papers,” may be developed by any member in good standing but must be approved by majority vote

of the Officers' Council in order to be sponsored, endorsed or otherwise affiliated with the Association. Position papers written on behalf of the Association and approved by the Officers' Council become the property of the Association.

**Section 3. Website.** The Association will provide information about activities and events of interest to members and profession by maintaining a website. **A link to the CAPED current Bylaws and Table of Contents, CAPED Officers, and CAPED Executive Board shall be prominently displayed on the Caped website's main page, along with their current contact information.** The Association will maintain full oversight of the CAPED Website and all contents. If an independent contractor is hired to maintain the website, the contract shall be renewed by recommendation of the Officers' Council and majority vote of the Executive Board.

## **ARTICLE XII Association Affiliations**

The Association is currently affiliated with the Association for Higher Education and Disability (AHEAD). The purpose of the affiliation is to share resources to benefit the field of disability in higher education. The affiliation was designed to

ensure the autonomy and integrity of CAPED. Rights and responsibilities of CAPED include conveying information on bylaw changes, current states issues, and attending the Annual AHEAD convention. Affiliation in no way affects membership in either organization.

CAPED may choose to affiliate with other associations by a majority vote of the CAPED Membership.

**CAPED Bylaws**  
***Revised October 2014, GTH***  
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***October 11, 2014 Executive Board***