

CONSTITUTION AND BY-LAWS OF THE NORTH CAROLINA COUNCIL OF EDUCATIONAL OPPORTUNITY PROGRAMS

CONSTITUTION

ARTICLE I

NAME

The name of this organization shall be the NORTH CAROLINA COUNCIL OF EDUCATIONAL OPPORTUNITY PROGRAMS, hereafter referred to as the COUNCIL.

ARTICLE II

PRINCIPLE OFFICE

The principle office of the **COUNCIL** shall be the President's working office and address during the President's term.

ARTICLE III

The COUNCIL exists to:

A. Foster and promote professional standards for **TRIO** program personnel (employees of the following programs: Educational Opportunity Centers, Educational Talent Search, Ronald B. McNair Post-Baccalaureate Achievement Program, Student Support Services, Upward Bound, Upward Bound Math & Science Centers, and Veterans Upward Bound, hereafter called **TRIO** Programs) and other interested parties.

B. Enhance the effectiveness and recognition of **TRIO** programs personnel in institutions of

higher learning and other organizations concerned with educational opportunity programs through sponsoring professional development and training activities.

C. Service the needs and interests of students, staff and faculty in addition to administrators of institutions charged with the support and administration of the **TRIO** programs.

D. Promote and facilitate communications between **TRIO** programs and sponsors of student financial aid funds.

E. Stimulate, promote, and conduct systemic studies and research, cooperative experiments, education, conferences, and such other related activities as are desirable or necessary in fulfilling said purpose.

F. Coordinate with SAEOPP and COE, Inc. to advise specific programs.

F. Coordinate with the Southeastern Association of Educational Opportunity Program Personnel hereafter referred to as SAEOPP and the Council for Opportunity in Education, Inc. hereafter referred to as COE, to advise specific programs.

ARTICLE IV

MEMBERSHIP

SECTION 1. TYPES OF MEMBERSHIP

Membership shall be of three types: ACTIVE, ASSOCIATE, and HONORARY.

SECTION 2. ACTIVE MEMBERSHIP

A. Any person employed or formerly employed by a TRIO program shall become an Active Member with the payment of state membership dues set by the Executive Board.

B. Each Active Member shall be entitled to one vote as a member of the Council, shall be eligible to hold office in the Council, and shall be eligible for committee appointments.

SECTION 3. ASSOCIATE MEMBERSHIP

Associate Membership is open to persons interested in the activities of TRIO programs, but not employed at a TRIO program. A person may become an Associate Member upon payment of dues as set by the Executive Board. Associate Members are ineligible to vote, to serve on committees or hold office. Persons employed by TRIO programs may not become an Associate Member.

SECTION 4. HONORARY MEMBERSHIP

Persons deemed by the Executive Board to have made outstanding contributions to educational opportunity programs in general, and the TRIO programs in particular, shall be eligible to become Honorary Members. Honorary Members are ineligible to vote, hold office, or serve on committees.

SECTION 5. SEVERANCE OF MEMBERSHIP

Any member of the **COUNCIL** may have membership revoked by the **Executive Board** for nonpayment or for conduct, which adversely affects the reputation of the **COUNCIL**. No member shall be removed from membership without due process.

SECTION 6. DUES

Council dues shall be set by the **EXECUTIVE BOARD**.

ARTICLE V

OFFICERS

SECTION 1.

A. Officers of the **COUNCIL** shall be **President, Vice-President, Secretary, Treasurer, and Parliamentarian.**

B. These officers will be members of the **EXECUTIVE BOARD** in addition to other Board members as stated in **Article VI**.

C. Consideration shall be given to the distribution of elected offices throughout the state to promote diverse and fair representation for all **TRIO** programs.

SECTION 2.

A. All officers of the **COUNCIL** shall be elected at-large from the active membership.

B. Officers shall be elected by ballots mailed to all Active Members of the **COUNCIL**.

SECTION 3.

The term of the office of elected officers shall begin following installation ceremonies to be held at the SAEOPP Conference or the Council's Spring Conference.

SECTION 4.

An elected officer may serve in the office for no more than two consecutive terms.

SECTION 5.

Officers shall be elected by ballots mailed to all Active Members of the **COUNCIL**.

ARTICLE VI

EXECUTIVE BOARD

SECTION 1.

The **EXECUTIVE BOARD** of the **COUNCIL** shall be composed of: the **President**, the **Vice-President**, the **Secretary**, the **Treasurer**, the **Parliamentarian**, the **Immediate Past President**, and four **Regional Representatives**.

SECTION 2.

The Immediate Past President shall serve as a member of the **EXECUTIVE BOARD** for a one-year period during the first year of the next administration.

SECTION 3.

The President will appoint four (4) Regional Representatives for two-year term subject to the approval of the **EXECUTIVE BOARD**.

SECTION 4.

A simple majority of the **EXECUTIVE BOARD** shall be necessary to pass any business which is acted upon by the Board.

ARTICLE VII

MEETINGS

The **COUNCIL** shall meet three times per year. One meeting will be in conjunction with the annual **SAEOPP** meeting. The other meetings will be held at the annual Fall Conference and Spring Conference. The meeting sites shall be presented by the Conference Committee with approval from the **EXECUTIVE BOARD**. Other meetings (called or emergency as designated by the President or by a majority of the Executive Board) may be called and the **COUNCIL** shall be duly notified.

ARTICLE VIII

COMMITTEES

All committees of the **COUNCIL** are created to promote the purpose of the **COUNCIL** and shall be composed of Active Members of the **COUNCIL**.

ARTICLE IX

AMENDMENT OF CONSTITUTION

SECTION 1.

This **CONSTITUTION** may be amended by a simple two-thirds majority vote of the members voting at a regularly called meeting, providing that all registered membership is notified by mail of impending action thirty (30) days prior to voting. If there is no prior notification, a two-thirds vote of the total membership will be required. Abstentions will be counted as negative votes.

SECTION 2.

This **CONSTITUTION** may be amended by an affirmative vote of at least two-thirds of the members of the **COUNCIL** actually voting at a regular scheduled meeting or a specially called meeting as described in Article VII of the **CONSTITUTION**.

ARTICLE X

AMENDMENT OF THE BY-LAWS

SECTION 1.

Proposals to amend the **By-Laws** may be initiated by the **EXECUTIVE BOARD**, a duly constituted committee of the **COUNCIL**, or by any Active Member of the **COUNCIL**. Such proposals must be in writing, and if initiated by an individual member, they must be signed by at least seven (7) **Active Members** in good standing. Copies of such proposed amendments shall be delivered to the Secretary for distribution to all **Active Members** of the **COUNCIL** and no vote shall be taken until thirty (30) days after copies of such proposed amendments have been made available to all **ACTIVE MEMBERS**. Without prior notification, a two-thirds vote of the total membership with **ABSTENTION** counted as negative votes will be required to amend the **By-Laws**.

SECTION 2.

By-Laws consistent with this **CONSTITUTION** shall be adopted or amended by a two-thirds majority vote of the members voting at a regular or called meeting, providing that all registered membership is notified by mail of impending action thirty (30) days prior. If there is no prior

notification, a two-thirds vote of total active membership will be required. ABSTENTION will be counted as negative votes.

ARTICLE XI

DISSOLUTION OF CONSTITUTION

SECTION 1.

Upon dissolution or final liquidation of the **COUNCIL**, the **Executive Board** shall (after paying or making provisions to pay all debts, obligations, and liabilities) make adequate provisions to transfer, convey, or distribute all remaining assets of the **COUNCIL** to one or more of the following categories or recipients, as determined by a majority vote of the **Executive Board**.

A. A nonprofit organization or organizations, which may have been created to succeed the **COUNCIL**, as long as said organizations shall then qualify as exempt from Federal income taxation under Section 501 (a) of such Code as an organization described in Sections 170 (c) (2) and 501 (c) (3) of such code; and/or

B. Nonprofit organizations having similar aims and objectives as the **COUNCIL** which may be selected as appropriate recipients of such assets, as long as such organizations shall then qualify as exempt from Federal income taxation under Section 501 (a) of such Code as an organization(s) described in Sections 170 (c)(2) and 501 (c)(3) of such Code.

ARTICLE XII

REFERENCES

SECTION 1.

Reference herein to sections of the Internal Revenue Service Code, as amended is to provisions of such Code as those provisions are currently enacted or to corresponding of any future United States Internal Revenue Service laws.