

BY-LAWS

Florida Educational Research Association, Inc.

Revised 2005

Article I. Name and Governing Authority

Section 1. Name. The Association shall be known as the Florida Educational Research Association, Incorporated.

Section 2. Governing Authority. The Association is incorporated under the laws of the State of Florida pursuant to Articles of Incorporation filed on November 2, 2004. The Association shall be governed by these bylaws as amended from time to time in accordance with the provisions hereof. These bylaws shall not conflict with the Articles of Incorporation.

Article II. Purpose

Section 1.

The purpose of the Association shall be to encourage and improve all aspects of educational research and its application through training and dissemination, thereby increasing the contribution of education to human welfare. In these by-laws, the term "educational research" shall be broadly construed, to include both theoretical and applied educational research, including educational evaluation, educational measurement, and institutional research.

Section 2.

Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purpose, 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.

Section 3.

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 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 R3evenue Code, or corresponding section of any future federal tax code.

Article III. Objectives

The objectives of this Association shall be:

- a. To promote the development of theory and the acquisition of knowledge on which to base the professional practice of education.
- b. To foster and encourage, on the part of educators, an open-mindedness and willingness to change when evidence from research indicates the need for change.
- c. To promote objective evaluation of all levels of educational programs in Florida.
- d. To foster and promote the professional growth of educators by providing opportunities to exchange information and ideas relating to measurement, evaluation and research.
- e. To encourage and stimulate better training in research procedures and methods for all educational personnel, both as consumers and, where appropriate, as active participants.

Article IV. Membership

Section 1. Classes of Membership. Membership in this Association shall be divided into three classes: Active, Associate, and Honorary.

a. Active membership. Active membership shall be open to all persons engaged in public or private education or in occupations closely related thereto, who are actively interested in educational research. Active members in good standing shall be entitled to full rights and privileges of membership, including the right to attend all meetings of the Association, to participate in its affairs, to vote, and to hold office.

b. Associate membership. Associate membership shall be open to all persons who are interested in educational research and who subscribe to the purposes and objectives of the Association. Associate members in good standing shall be accorded all rights and privileges of membership except the right to vote and to hold office. Bona fide graduate students in full-time programs of study which are related to educational research may be admitted to Associate membership; graduate student membership may not be renewed more than two times.

c. Honorary membership. At the initiative of the Association, honorary membership may be accorded to persons who have been active in educational research. Candidates for honorary membership must be nominated by at least five active members of the Association and elected by two-thirds of the Executive Committee. A nomination letter for honorary membership must be signed (or endorsed through email) by at least five active members and must include a justifying description of the contributions made by the nominee. Honorary members shall be excused from paying annual dues and special assessments. Honorary members shall have the rights and privileges of active membership.

Section 2. Application. Application for active or associate membership shall be made to the Secretary-Treasurer. Upon receipt of annual dues, the applicant shall be admitted to the class of membership for which qualified. When eligibility is in doubt, applications shall be sent to the Executive Committee, which shall have the power of final decision.

Section 3. Membership Year. The membership year of the Association shall be concurrent with the calendar year.

Section 4. Termination of Membership.

a. Failure to Pay Dues. Failure of active or associate members to pay dues for any membership year by the last day of the month preceding the annual meeting shall automatically result in loss of good standing and suspension of all rights and privileges of membership for such member. Upon request and payment of current dues during the membership year for which dues have not been paid, the rights and privileges of membership shall be reinstated by the Secretary-Treasurer of the Association.

b. Removal for Cause. If continued membership of any person is believed to be contrary to the interests, purposes, or accepted ethical standards of the educational research profession and hence of the Association, the Executive Committee shall appoint a special committee and delegate to it the conduct of investigations and hearings. Before final action is taken to terminate membership, the member shall be given opportunity to present a defense. Membership may be terminated by a two-thirds vote of the Executive Committee.

Article V. Officers

Section 1. Titles, Term of Office, Duties. The officers of this Association shall be a President, a President-Elect, a Secretary, and a Treasurer. All officers shall be active members in good standing.

a. President.

(1) The term of office of the President shall be one year.

(2) The President shall automatically become Past President at the close of the term of office as President.

(3) It shall be the duty of the President to preside at all meetings of the Association, to serve as Chair of the Executive Committee, to appoint committees as provided by Article VII hereof, and to exercise general supervision over the affairs of the Association.

(4) The President shall submit an operating budget to the Executive Committee for approval at the Executive Committee meeting next following the Association's Annual Meeting. This budget shall be set up in the same format as the previous year's budget unless a format change is approved by a two-thirds majority vote of the Executive Committee or by a majority vote of the members attending the annual business meeting.

b. President-elect.

(1) The term of office of the President-elect shall be one year.

(2) The President-elect shall automatically become President at the close of the term of office as President-elect.

(3) It shall be a duty of the President-elect to select and chair the Program Committee and to act as President in the latter's temporary absence or incapacity.

c. Secretary.

(1) The term of office of the Secretary shall be one year.

(2) It shall be the duty of the Secretary to keep a record of all meetings of the Executive Committee and of the Association; to issue calls and notices of meetings as provided in Article X hereof; to send, receive, and be custodian of ballots and deliver them to the teller committee as provided in Article IX; to request, receive, and store electronic or

hard copies of written reports from each committee chair at the end of the year; to store copies of newsletters, meeting minutes, ballots, and lists of committee members and procedures and to disseminate this material upon request.

d. Treasurer.

(1) The term of office of the Treasurer shall be one year.

(2) It shall be the duty of the Treasurer to have care and custody of all of the funds of the Association, however received; to sign checks on behalf of the Association for disbursements of funds upon authorization of the President and the Executive Committee in accordance with Article VII hereof; to maintain adequate records of all such receipts and disbursements; and to nominate and coordinate with the Membership Chair (see Article VIII).

Article VI. Board of Directors

Section 1. Number; qualification. There shall be three (3) Directors, who shall be active members of the Association.

Section 2. Term of office. The term of office for Directors shall be three (3) years. One member shall be elected at large each year.

Section 3. Duties. Directors shall assist in the general supervision of the affairs of the Association as provided in Article VII.

Article VII. The Executive Committee

Section 1. Membership. The Executive Committee of the Association shall consist of the President, President-elect, Secretary, Treasurer, the immediate Past President, and the Directors. The chairs of the various committees may meet with the Executive Committee but will have no vote.

Section 2. Duties. The Executive Committee shall be the legislative and policy-making body for the Association, and shall have general supervision over the affairs of the Association, including the annual adoption of an operating budget. In particular, the Executive Committee shall develop, implement, and oversee policies for the organization and operation of the Association, including its various annual and ad hoc committees. Such policies shall not conflict with these by-laws nor with the Articles of Incorporation, and shall be available for review by members of the Association at meetings of the Executive Committee and at the Annual Meeting of the Association.

Section 3. Meetings. A meeting of the Executive Committee shall take place immediately prior to the annual meeting. Additional meetings of the Executive Committee shall be held on the call of the President or upon petition in writing by ten or more voting members of the Association. A majority of the Executive Committee shall constitute a quorum. Any issue discussed at a meeting but held over because of the absence of a quorum may be decided by mail or electronic ballot of the Executive committee unless one or more members of the Committee requests a deferment to a subsequent meeting. Only members of the Executive Committee shall vote on questions brought before it. Other persons may be permitted to speak to such matters at the discretion of the Chair.

Section 4. Power over funds.

a. Authorized Expenditures. The Executive Committee shall have the power to authorize

expenditure of Association funds. Ordinary expenditures shall be authorized by the approval of an annual budget by at least two-thirds of the Committee voting at a meeting. Expenditure in excess of, or in addition to amounts stated in approved budgets shall be authorized only upon a two-thirds vote of the Committee.

b. Bank Accounts. Bank accounts of the Association shall be established by at least a two-thirds majority vote of the Executive Committee, and Association funds shall be deposited only into accounts so authorized. Such accounts are deemed to include interest-bearing accounts or short-term certificates of deposit, into which the Executive Committee may authorize the deposit of Association funds from time to time. Only those Officers designated by majority vote of the Executive Committee shall be authorized to sign checks or otherwise withdraw funds of the Association.

c. 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 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.

Section 5. Review of Actions. All actions of the Executive Committee are subject to review by the active members of the Association at the next business meeting following such actions. Actions of the Executive Committee shall be published in the Association newsletter, and the minutes of Executive Committee meetings shall be read at the business meeting next following such Executive Committee meetings.

Section 6. Vacancies. Vacancies which occur by virtue of the death, incapacity, resignation or termination of membership of a member of the Executive Committee, shall be filled as provided in this section. If a member of the Executive Committee loses good standing because of non-payment of dues as provided in Article IV, Section 4, the remaining members of the Executive Committee may, after fourteen days' notice to such member, declare a vacancy and proceed to fill it as provided herein.

a. A vacancy in the office of President shall be filled by the Past President. If the Past President is unable or unwilling to serve, the vacancy shall be filled by the most senior Director.

b. A vacancy in the office of President-elect shall be filled through the appointment of a qualified active member by a two-thirds majority vote of the Executive Committee. The member so appointed shall not automatically become President at the end of the term; at the next election of officers, candidates for the offices of President and President elect

will be nominated.

c. A vacancy in the office of Secretary or the office of the Treasurer shall be filled through the appointment of a qualified active member by a two-thirds majority vote of the Executive Committee.

d. A vacancy in the position of Past President shall not be filled. In the event of a vacancy in this position, the President shall appoint a qualified active member to perform the duties enumerated in Section 7 of this Article.

e. A vacancy among the Directors shall not be filled by appointment. If the unexpired term of the vacant position shall extend beyond the end of the membership year in which the vacancy occurred, the Nominating Committee shall nominate a qualified active member as a candidate for election to the unexpired term at the time of the next regular election, as provided in Article IX.

Section 7. Duties of the Past President. The Past President is not an Officer of the Association as defined in the Articles of Incorporation. By virtue of special experience and in consideration of service to the Association, the Past President is a member of the Executive Committee. The term of office and duties of the Past President are as follows:

a. The term of office for the Past President shall be one year following the year as President.

b. The Past President shall collect, update, and keep information, memorabilia, etc., to be added to the archives.

c. The archives shall be turned over to the incoming Past President by the close of the annual meeting.

d. The Past President shall act as liaison with the American Educational Research Association to coordinate all activities common to the state and national associations.

Article VIII. Other Committees

Section 1. Standing Committees. Standing Committees of the Association shall be:

a. A Membership Committee, composed of three members nominated by the Treasurer and approved by the President. The Membership Committee shall operate under the direction of the Treasurer. The responsibility of the Membership Committee shall be to extend membership invitations to qualified persons within the state and to make recommendations to the President concerning membership matters.

b. A Committee on Publications, composed of members of the Executive Committee and three additional members appointed by the President and approved by the Executive Committee. The President shall designate one of the committee members to be the Committee Chair. The responsibilities of this committee shall be to plan, produce, and distribute to the membership one or more publications. Each publication shall have an Editor, who shall appoint an editorial board to assist in production of such publication. One of the publications shall be a journal of educational research that shall be published in an annual volume of one or more issues.

c. A Committee on Professional Education and Training, to be composed of at least six members appointed by the President and approved by the Executive Committee. The President-elect shall be an ex-officio member of the Committee. Members shall be appointed to three-year terms except for initial appointments which shall be for one, two and three years. Vacancies among Presidential appointees shall be filled by the President by appointment. Initially, the President shall designate one member of the Committee as Chair. The committee members shall elect an Associate Chairperson from among the second year members of the committee. The Associate Chairperson will serve as Chair the following year. The Chair may appoint ex-officio members to one year terms as deemed necessary. The responsibility of this Committee shall be to recommend to the Executive Committee and to the Program Committee an annual program of professional education and training which shall be carried out at the annual meeting and at other appropriate times during the year. The Committee shall coordinate the Association's education and training activities with the Research Training Committee of the American Educational Research Association, extending such activities to members of this Association wherever possible.

Section 2. Annual Committees. Annual Committees of the Association shall be:

a. The Nominating Committee, composed of at least three active members broadly representative of the Association's membership, nominated by the President and approved by the Executive Committee. The President shall designate one member of the Committee as Chair. The responsibility of the Nominating Committee shall be to nominate qualified active members for each office to be filled by election as provided in Article IX, to certify the qualifications of members nominated by petition, and to render its report to the President and the Executive Committee in sufficient time to permit timely notification and preparation of ballots.

b. The Teller Committee, composed of at least three active members nominated by the President and approved by the Executive Committee. The President shall designate one member of the committee as Chair. The responsibility of the Teller Committee shall be to examine all ballots cast in the election of officers and directors, or in questions submitted to the membership by mail or email, to tally the votes received by each candidate or for each question, and to certify the winner of each office or the outcome of each question. The Teller Committee shall also be responsible for the proper application of the Hare System in allocating votes in the event that ranking of candidates or questions is required. With the approval of the Executive Committee, the President may appoint a separate Teller Committee for each separate ballot submitted to the membership during the year.

c. The Audit Committee of at least three members, to be nominated by the President and approved by the Executive Committee. The President shall designate one of the members of the Committee to be Chair. The Audit Committee shall examine the records of Association receipts and disbursements since the date of the previous audit, and determine whether receipts have been properly accounted for and whether disbursements have been made pursuant to Executive Committee action and in accordance with these bylaws.

d. The Program Committee, composed of at least three members appointed by the President-elect, of whom at least one shall be a member of the Committee on Professional Education and Training. The President-elect shall be Committee Chair. It

shall be the responsibility of the Program Committee to make arrangements for the annual meeting of the Association.

e. The Distinguished Paper Award Committee, to be composed of at least five members and a chair appointed by the President-elect and approved by a majority of the Executive Committee. The Committee shall have at least one member who served on the Committee during the previous year.

f. The Educational Researcher of the Year Award Committee, composed of at least 3 members appointed by the President with the approval of the Executive Committee.

g. The Russell P. Kropp Award Committee, to be composed of at least 3 members appointed by the President with the approval of the Executive Committee.

Section 3. Ad Hoc Committees. Ad hoc committees may be appointed by the President to make recommendations or conduct studies for specific purposes, and to serve for specific times. Ad hoc committees shall be dissolved upon the completion of their work and rendering of final reports, or upon the conclusion of the term of office of the appointing President, whichever comes first.

Section 4. Qualification of Committee Chair. The member serving as Chair of each committee described herein shall be an active member in good standing. However, unless otherwise specified herein, committees may be composed of members of all classes.

Article IX. Nomination, Election, and Installation of Officers and Directors

Section 1. Qualification for office. Only persons who have been active members of the Association for two consecutive years may be nominated for office. Further, no person shall be nominated for election to any office which such person has previously held in this Association, until a period of five years has passed from the date of previous election; provided, that the Nominating Committee may nominate an incumbent Secretary and/or Treasurer for one additional term.

Section 2. Nominations.

a. The Nominating Committee provided in Article VIII shall meet and, after first having obtained the agreement of potential nominees, nominate one qualified person for each office to be filled.

b. Additional qualified members may be nominated to candidacy for any office to be filled, upon petition of ten or more active members in good standing. Nomination petitions shall be delivered to the Chair of the Nominating Committee, with a copy to the Secretary, on or before a date established as provided in Section 3 of this Article. The Nominating Committee shall insure that its nominees and others nominated by petition are active members in good standing as defined in Article IV, Section 1 hereof.

Section 3. Notice of Nominations. The names of the nominees selected by the Nominating Committee shall be mailed or emailed to the active members with notice that additional persons may be nominated by petition. Such notice shall establish a date after which nomination petitions will not be accepted, which date shall be no less than thirty days following sending of notice of nominations.

Section 4. Balloting.

- a. If no more than one candidate is nominated for an office, balloting shall not be necessary for that office. The Executive Committee shall certify the election of the nominee(s) at a meeting held prior to or during the Annual Meeting.
- b. If two or more candidates are nominated for an office, election to that office shall be by secret ballot. The Secretary shall prepare or have prepared an official ballot containing the names of the nominees for the office, which shall provide for a preference ranking of candidates in each case where more than two members have been nominated for an office. One ballot shall be made available to each active member in good standing. The polls shall be declared closed exactly thirty days following the sending of the ballots. The day on which the polls shall be closed shall be indicated on each ballot. Ballots shall be returned to the Secretary-Treasurer, who shall deliver them to the Teller Committee. Ballots received after the polls have closed shall not be counted.

Section 5. Counting Votes. Votes cast for each candidate shall be counted by the Teller Committee. If two candidates have been nominated for an office, the candidate receiving the largest number of votes shall be declared elected. If more than two candidates have been nominated for an office, voting shall be by ranking, and election by allocation of votes in accordance with the Hare System. In the case of a tie vote, a special ballot will be submitted to the active membership in good standing.

Section 6. Announcement of Results. The President shall make an official announcement of the election result at the annual meeting. If an emergency prevents holding an annual meeting, or in the case of a special ballot, the announcement shall be made in the Association newsletter first published after the election.

Section 7. Time of Installation. Newly elected officers and directors shall take office following the close of the business session held at the Association's annual meeting, or if there is no annual meeting, on the first day of the membership year following expiration of the term of office of the incumbent President.

Article X. Membership Meetings

Section 1. Annual Meeting; Meeting Time. A meeting of the Association membership shall take place at least annually at the time designated by the Executive Committee. Each such meeting shall provide at least for the transaction of Association business. Meetings may be held in conjunction with other professional organizations.

Section 2. Notice of Business Meetings. The Secretary shall inform the membership by mail or email of the place and time of any business meeting. Such notice shall be made at least sixty days prior to the date of the meeting, and shall indicate the matters of business known by that date which are to be presented for action at the meeting.

Section 3. Quorum. A quorum is defined as those members present at any meeting that has been announced in accordance with Section 2 of this Article.

Article XI. Finances

Section 1. Dues. Changes in the annual dues may be recommended by the Executive Committee or by any group of ten active members. Any such change shall be discussed at the annual meeting of the Association and shall be ratified at the same annual meeting or

by mail or electronic ballot.

Section 2. Special Assessments. Special assessments for Active and nongraduate student Associate members shall be established by the Executive Committee subject to approval by a majority of the members who vote at the annual meeting or who respond within 30 days to a mail or electronic ballot.

Section 3. Grants. In keeping with its objectives, the Association may receive grants and contributions from members and other interested parties to help carry out its programs and objectives. Unrestricted grants will be added to the general operating funds of the Association and controlled accordingly. Where special requirements are imposed by the grantor, the Executive Committee shall review the grant, decide on acceptance, and specify conditions for controlling the funds.

Section 4. Use of Funds. The Association shall use funds collected only to accomplish the objectives stated in these bylaws. No member or group of members shall commit the financial resources of the Association in any manner except as stipulated in these bylaws.

Section 5. Dissolution. Upon the 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, or to a state or local 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 or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Article XII. Amendments; revisions

Changes to these by-laws may be proposed by a two-thirds majority vote of the Executive Committee, or by written request of ten or more active members, or by action of a duly-constituted committee whose charge involves amendments or revisions hereto. Proposed changes shall be published and

distributed to all active members at the time of notice of the annual meeting. Any changes proposed will be discussed at a business meeting to be held during the annual meeting next following the proposal. Changes recommended for adoption by a majority of members present at such business meeting shall be adopted immediately.

Article XIII. Special Interest Groups

Section 1. Establishment. A group of ten (10) or more active members may petition the Executive Committee to establish a Special Interest Group. Such groups may be instituted to facilitate the exchange of knowledge among research specialists or persons with cross-disciplinary interests.

a. Each petition to establish a Special Interest Group must contain a title for the group and be accompanied by description of the purpose of the group.

b. Each petition to establish a Special Interest Group must be accompanied by a fee to offset the additional administrative cost to the Association. Such fees shall be determined by the Executive Committee.

Section 2. Officers. Each Special Interest Group shall designate one of its members as SIG Chair, and shall advise the Secretary of the name of the member so designated.

Section 3. Bylaws. Special Interest Group bylaws and activities may not conflict with the Articles of Incorporation or the bylaws of the Association. Power to determine whether conflicts occur rests with the Executive Committee.

Section 4. Termination. The Executive Committee may withdraw recognition of a Special Interest Group if its membership falls below ten (10) active members or if it fails to transmit its annual membership fee to the Secretary-Treasurer by the close of any membership year, or for other good and sufficient reasons. Such action requires a vote of two-thirds of the members of the Executive Committee.

Section 5. Objectives. Objectives of Special Interest Groups may not conflict with those of the Association.

Section 6. Meetings. A meeting of each Special Interest Group will be scheduled at the annual meeting of the Association. The SIG Chair may notify the President-Elect that a symposium organized by one of the members of the special Interest Group is to be designated as such a meeting. The program for the annual meeting will make note of that designation.

Article XIV. Association Awards

Section 1. Establishing Association Awards. In pursuit of the Purposes and Objectives described in Article II hereof, the Association may make awards or otherwise grant professional recognition to its members or to others who, while not members, have performed services or taken actions that represent outstanding contributions to the profession or that demonstrate the application of educational research principles in performance of professional responsibilities. Association Awards shall be established at the initiative of the Executive Committee and approved by the membership through amendment of this Article in the manner prescribed in Article XII hereof. The provisions of this Article shall not apply to the award of certificates or other tokens of appreciation for services provided to the Association.

Section 2. Granting of Association Awards. The granting of each Association Award shall be supervised by a committee of no less than three persons, appointed as provided in these by-laws. It shall be the responsibility of each such committee to recommend policies and procedures for selection of recipients, and to implement such policies when approved by the Executive Committee.

Section 3. Annual Association Awards. Association Awards named in this section may be granted annually; however, the Executive Committee may decide not to make an award when the conditions upon which the award is based have not been satisfactorily met.

a. The Distinguished Paper Award. This award shall be made in conjunction with the Association's Annual Meeting, and shall be made to the authors of the paper which is determined to be the most outstanding presentation of the meeting. The Distinguished Paper shall be selected on the basis of procedures approved by the Executive Committee.

Only members of the Association shall be eligible to receive this award.

b. The Educational Researcher of the Year Award. This award shall be made to recognize persons who have made recent outstanding and sustained contributions to educational research. Candidates shall be nominated and selected on the basis of procedures approved by the Executive Committee. Only members of the Association shall be eligible to receive this award.

c. The Russell P. Kropp Award. This award shall be made to recognize a policy-maker or administrator engaged in education in the State of Florida who has demonstrated the use of educational research or evaluation in educational decision making. Candidates shall be nominated and selected on the basis of procedures approved by the Executive Committee, and need not be members of the Association.