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# **Nebraska Association of the Deaf**

## **Constitution/By-Laws**

**As it is approved by the**

**2007 NeAD Conference  
(June 16, 2007)**

**Tami Richardson-Nelson, Second Vice-President**

43 **ARTICLE I**  
44 **Name and Object**

45  
46 **Section 1.** The *name* of this corporation shall be the *NEBRASKA*  
47 *ASSOCIATION OF THE DEAF, INCORPORATED*  
48

49 **Section 2.** The Association is organized exclusively for charitable, educational,  
50 literary and scientific purposes as may qualify it exempt from  
51 federal income tax under Ss 501 (c) (3) of the Internal Revenue  
52 Code of 1954 (or the corresponding prevision of any future United  
53 States Internal Revenue Law). More specifically, such purposes  
54 include, but are not limited to, promoting the welfare of the deaf in  
55 educational measures, in employment, and in any other field  
56 pertaining to or affecting the deaf of Nebraska in their pursuit of  
57 economic security, social equality and all their rights and privileges  
58 as citizens.  
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60 **ARTICLE II**  
61 **Earnings, Distribution and Dissolution**

62  
63 Provisions for the regulation of the internal affairs of the corporation, including  
64 provisions for distribution of assets on the dissolution or final liquidation are as  
65 follows:

- 66 A. No part of the net earnings of the corporation shall inure to the  
67 benefit of or be distributable to its members, directors, officers  
68 or other persons, except that the corporation shall be authorized  
69 or empowered to pay reasonable distributions in furtherance of  
70 the purposes set forth in Article I.  
71  
72 B. No substantial part of the activities of the corporation shall  
73 participate in or intervene in (including the publishing or  
74 distribution of statements) any political campaign on behalf of  
75 any candidate for public office.  
76  
77 C. Notwithstanding any other provision exempt from federal  
78 income tax under Ss 501 (c) (3) of the Internal Revenue Code of  
79 1954 (or any corresponding provision of any future United  
80 States Internal Revenue Law).  
81  
82 D. In the event of dissolution or final liquidation, the remaining  
83 assets of the corporation shall be applied and distributed as  
84 follows:  
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86 1. All liabilities and obligations of the corporation shall be  
87 paid, satisfied or discharged, or provisions shall be made  
88 therefore;

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2. Any assets held on the condition that they be returned, transferred on conveyed upon dissolution shall disposed of in accordance with such requirements;
3. All remaining assets of every nature and description shall be distributed to one or more deaf corporations, funds or foundations organized and operated exclusively for religious, charitable, scientific, literary or educational purposes, qualified for exemption from federal income tax under Ss 501 (c) (3) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law).

**ARTICLE III  
Membership**

Any person, deaf or hearing, is eligible for active membership in the association upon payment of the required fees.

**ARTICLE IV  
Board of Directors, Officers, and Elections**

- Section 1.** No member may be qualified for election to an office unless they have been active members for a period of 2 years.
- Section 2.** The Board of Directors shall manage the affairs of the Association. The Board of Directors shall consist of the officers of this Association which shall be: a President, a Vice President/Legislative Affairs, a Vice-President/Community Affairs, a Secretary and a Treasurer.
- Section 3.** Officers of the Association shall be elected by a majority vote of members voting at the biennial conference. Officers shall be elected on separate ballots.
- Section 4.** The term of each office shall be two (2) years. The elected officers shall assume their respective duties immediately following the close of the conference. The retiring officers shall have up to one (1) month to resolve the affairs of the Association.

134 **Section 5.** When an office is vacant, or when an officer is absent from the  
135 State of Nebraska for more than three (3) months, the remaining  
136 members of the Board of Directors may, at their discretion, appoint  
137 at successor to serve until the next election.  
138

139 **Section 6.** An officer or director may resign by giving written notice of  
140 resignation, addressed to the Board of Directors. The resignation  
141 will be effective on receipt of the notice by any remaining  
142 director/officer. A(n) director/officer may be removed from office for  
143 failure to carry out the duties of the office as expected, or for the  
144 other good and sufficient reasons by a vote of two-thirds (2/3) of the  
145 Board of Directors.  
146

147 **Section 7. Duties**  
148

149 A. The Board of Directors shall have general control of the affairs  
150 of the Association for the time of its election and installation,  
151 until the election of its successors. It shall aim to carry out the  
152 expressed will of the Association as far as circumstances may  
153 render it wise and allowable.  
154

155 B. It shall have the power to act on proposals submitted by  
156 Cooperating Member Association between conferences.  
157

158 C. It shall have the power by a majority vote to fill any vacancies in  
159 the Board of Directors, other than, that of the President, which  
160 may occur between conferences.  
161

162 D. It shall have the power to appropriate money from the Operating  
163 Fund of the Association for purposes tending to promote its  
164 welfare. It may appropriate money from the Invested Funds of  
165 the Association by a vote of two-thirds (2/3) of its members. No  
166 expenditures not directly authorized by the Association in  
167 conference shall be made without the consent of the Board of  
168 Directors.  
169

170 E. The President shall appoint three members of the Nebraska  
171 Association of the Deaf, one of which must be a member of the  
172 Board of Directors, to serve as finance committee which will be  
173 charged with monitoring all fiscal and fund-raising activities of  
174 the Association, including assisting with budget preparation for  
175 view and approval by the Board prior to presentation for  
176 approval at the biennial conference.  
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F. When meetings are conducted by mail, any members not heard from within ten (10) working days of mailing shall be recorded as abstaining.

G. It shall turn over to its successors all papers, documentations, etc., it may have which belong to the Association.

**Section 8.** Meetings of the Board of Directors shall be called by the President or shall be called at the written request of no less than five (5) members of the Board. Notice of Board of Directors meetings must be posted at least ten (10) days prior to the meeting. There shall be at least one (1) board meeting per year.

## **ARTICLE V Duties of Officers**

The officers of the corporation shall have the following powers and duties, as well as such others as from time to time may be determined by the Board of Directors.

**Section 1. President.** The President shall be the Chief Executive Officer and shall generally have charge of the business and affairs of the Association and generally have supervisory authority over its order on officers and its agents. The President shall perform all duties customarily incident to the office of President, and shall see that all resolutions of the Board of Directors are carried into effect. It shall be the duty of the President to preside at all meetings of the Association and its Board of Directors; to enforce order; to decide questions in dispute; to form special committees, and to make appointments to fill vacancies on all committees unless otherwise provided for in the By-Laws. The President shall be the representative of Nebraska at every Conference of the National Association of the Deaf, at every National Association of the Deaf regional meeting, or at any other related meetings of the National Association of the Deaf. If the President is unable to attend any such meeting, the Board of Directors shall appoint an alternative representative replacing him/her.

**Section 2. Vice-President/Legislative Affairs.** The Vice-President/Legislative Affairs shall serve as Chairman of the Law Committee, shall consider all legislation affecting the welfare of deaf Nebraskans and shall appoint at least four (4) members to serve on this committee.

224 **Section 3. Vice-President/Community Affairs.** The Vice-  
225 President/Community Affairs shall serve as Chairman of the  
226 Community Planning Committee and also as Publicity Director for  
227 the Association.  
228

229 **Section 4. Secretary.** The Secretary shall record the proceedings of all  
230 meetings and conferences, including all meetings of the Board of  
231 Directors; and have full responsibility for all papers and books  
232 pertaining to the Association, except those that are the  
233 responsibility of the Treasurer. He/she shall surrender to his/her  
234 successor all such property of the Association as specified by this  
235 Constitution and By-Laws. The Secretary shall handle all  
236 correspondences of the Association; keep a list of the full names  
237 and addresses of the members; and have full responsibility for all  
238 corresponding papers pertaining to the Association except those  
239 that are the responsibility of the Treasurer. He/she shall surrender  
240 to his/her successor all such property of the Association as  
241 specified by this Constitution and By-Laws.  
242

243 **Section 5. Treasurer.** It shall be the duty of the Treasurer to receive all  
244 monies belonging to or due to the Association; to keep an accurate  
245 account of all receipts and expenditures; to submit a financial report  
246 at each conference and to the Board of Directors whenever called  
247 upon. He/she shall surrender to his/her successor all monies and  
248 books in his/her possession, as soon as possible, but in no case  
249 longer than ninety (90) days after adjournment of the conference.  
250

251 **Section 6. Executive Director.** The Executive Director shall serve as the  
252 chief administrative officer of the Association, operating within the  
253 policies, guidelines, and financial limits established by the Board of  
254 Directors. The Executive Director shall report directly to the Board  
255 via the President and serve as a non-voting member of the Board.  
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258 **ARTICLE VI**  
259 **Corporate Finances**  
260

261 **Section 1.** The funds of the Association shall be deposited in the name of the  
262 Association in a financial institution(s) approved by the Board of  
263 Directors.  
264

265 **Section 2.** The fiscal year of the Association shall begin on the first day of  
266 October.  
267

- 268 **Section 3.** The Treasurer shall sign all checks, drafts, notes and evidence of  
269 obligation or indebtedness. Two other officers of the Board shall be  
270 assigned as co-signers in case of an emergency.  
271
- 272 **Section 4.** The membership fee schedule shall be approved by a majority vote  
273 of members present and voting at the biennial conference. The  
274 Board of Directors shall determine the membership fee schedule or  
275 any other assessments imposed upon members and affiliates of the  
276 Association. The membership fee schedule may be established to  
277 reflect national due or quotas to be paid to the National Association  
278 of the Deaf, as well as the amount to be allocated to the State  
279 Association. The membership fee schedule may distinguish  
280 between instate residents and out of the state residents who have  
281 paid national dues in another state.  
282
- 283 **Section 5.** The term of membership fee shall be for two years, from one  
284 biennial conference to the next. A member joining the Association  
285 at the biennial business meeting or later may pay one half of the  
286 normal dues.  
287
- 288 **Section 6.** The state membership fee shall be 50 percent of the full Nebraska  
289 Association of the Deaf membership fee for members who are 60  
290 years of age or older. Such persons shall have full privileges of  
291 active membership upon payment of National Association of the  
292 Deaf membership dues.  
293
- 294 **Section 7.** A Nebraska deaf student graduating from any school in Nebraska  
295 or Iowa School for the Deaf, Council Bluffs, Iowa, shall receive a  
296 free state membership prior to the next biennial conference. The  
297 same shall apply to those leaving school at the discretion of the  
298 Board of Directors. The membership will become effective when  
299 the person attends a conference, or when such a person makes a  
300 special request to the Board of Directors.  
301
- 302 **Section 8.** Honorary membership may be conferred at any biennial conference  
303 or business meeting upon any person who has rendered  
304 distinguished service for the welfare of the deaf. Honorary  
305 membership shall be conferred by a majority of members present  
306 and voting at any such meeting. Honorary members shall have no  
307 membership privileges.  
308
- 309 **Section 9.** Except as otherwise stated herein, each member shall be entitled  
310 to one vote on each matter submitted to a vote of members.  
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314 **ARTICLE VII**  
315 **Affiliates**

316  
317 **Section 1.** Any organization serving the deaf in the State of Nebraska having  
318 ten (1) or more members [5 if not located in Douglas, Lancaster, or  
319 Sarpy Counties], may become an affiliate of Nebraska Association  
320 of the Deaf by paying an annual membership fee to be determined  
321 by each conference.

322  
323 **Section 2.** Affiliates shall have the right to elect a representative to  
324 conferences of the association. Such representatives shall be  
325 entitled to participate as non-voting members of the Board of  
326 Directors, at conferences and business meetings.

327  
328 **Section 3.** The Association shall have no control over the affairs of the  
329 affiliates. Neither shall the Association be responsible for the  
330 expenses of representatives of affiliates.

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333 **ARTICLE VIII**  
334 **Sections**

335  
336 **Section 1. Purpose.** The Nebraska Association of the Deaf shall within its  
337 corporate structure permit such groups shall be known as Sections  
338 and which will be concerned with specific areas of concern and  
339 interests which are consistent with the broad objective and  
340 purposes of the Association.

341  
342 **Section 2. Composition.** At the time a Section is established, the total  
343 Association membership shall be advised and eligible members  
344 shall be invited to participate. Other persons may be invited to  
345 become Section members with the provision that Section members  
346 must be members of the Association.

347  
348 **Section 3. Powers.** Each Section shall identify goals, objectives, and  
349 functions relevant to its area of interest and expertise. These  
350 Section guidelines or any revision thereof are subject to the  
351 approval of the Board of Directors.

352  
353 **Section 4. Dissolution.** A Section may be dissolved by a vote of its  
354 members. The conference body upon a recommendation from the  
355 Board of Directors may then ratify the dissolution.

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**ARTICLE IX**  
**Affiliation with the National Association of the Deaf**

- Section 1.** The Nebraska Association of the Deaf shall affiliate with the National Association of the Deaf.
- Section 2.** The Nebraska Association of the Deaf will send two representatives to the National Association of the Deaf conference-the President and another active member elected by the conference body.
- Section 3.** The expenses for each representative to the National Association of the Deaf conference shall be limited to one hundred dollars (\$100.00) per diem for a period of seven (7) days, a round trip coach airfare, and a conference combination ticket.

**ARTICLE X**  
**Conference and Business Meetings**

- Section 1.** The Board of Directors shall establish a schedule of registration fees for the Biennial conference or other association activities and meetings as may be appropriate. The fee schedule may include different fees for members, non-members, persons over retirement age, and other appropriate classes.
- Section 2.** A biennial conference shall be held every odd-numbered year at such place as shall be determined by the preceding conference. The time and place for the conference shall be announced at least 90 days in advance. The Board of Directors shall determine the date and the program of the biennial conference.
- Section 3.** Twenty-five (25) active members shall constitute a quorum at any biennial conference and business meeting or special membership meeting.
- Section 4.** The order of business of each biennial conference shall be as follows:
1. Minutes of the previous meeting.
  2. Reports of officers, committee chairpersons and delegates.
  3. Communications
  4. Reports of Standing Committee—Law and Resolutions
  5. Unfinished business
  6. New Business
  7. Selection of next conference site.
  8. Election of officers.
  9. Establish dues for next biennium.
  10. Adjournment

406 **Section 5.** A biennial business meeting shall be held every even-numbered  
407 year. The Board of Directors shall decide upon the site and date of  
408 this meeting, and an evening program following the meeting. The  
409 business meeting shall be announced at least (90) days in  
410 advance.

411  
412 **Section 6.** The order of the biennial business meetings shall be as follows:  
413 1. Minutes of previous meeting.  
414 2. Reports of officers, committee chairman and delegates.  
415 3. Communications  
416 4. Recommendations/Resolutions  
417 5. Adjournment  
418

419 **Section 7.** A special meeting may be called by order of the Board of Directors,  
420 by a petition signed by at least fifteen (15) active members, or by  
421 the President. Notice of such meetings shall be sent to active  
422 members at least five (5) full days in advance. The object of the  
423 meeting shall be stated in the notice, and no other business shall  
424 be transacted at the meeting.  
425

426 **Section 8.** Twenty-five (25) active members shall constitute a quorum at these  
427 special meetings.  
428

429 **Section 9.** The retiring officers shall meet with the newly elected officers within  
430 thirty (30) days following the close of each conference to ensure a  
431 smooth transition.  
432

## 433 **ARTICLE XI**

### 434 **Committees**

435

436  
437 **Section 1.** Only active members may serve on any committee.  
438

439 **Section 2.** Upon taking office, the President shall appoint and announce the  
440 various committees, subject to the approval of the Board of  
441 Directors. They are to serve until the next conference and all  
442 vacancies that may occur are to be filled by the President. These  
443 committees are as follows:  
444

445 A. **Social.** Not less than five (5) members, to attend to the social  
446 aspects of the conference, such as the program for the opening  
447 night, banquet, picnic, etc.  
448

449 B. **Program.** Consisting of three (3) members, to arrange the  
450 business session of the conference. A tentative program shall  
451 be mailed to as many deaf citizens of the state as possible and

452 to other interested parties at least thirty (30) days before the  
453 opening date of the conference.

454  
455 C. **Ways and Means.** A committee of three or more members, not  
456 officers, to arrange amusements and attend to details between  
457 conferences. This committee, after the entertainment, shall  
458 complete an auditable report within thirty (30) days and turn the  
459 proceeds over to the Board of Directors.

460  
461 The Ways and Means Committee shall also draw up and submit  
462 a budget for the Association at each conference in light of  
463 anticipated income and expenditures. It shall study and make  
464 recommendations concerning any and all programs or projects  
465 of the Association as may be proposed by the Board of  
466 Directors and approved by the Ways and Means Committee.

467  
468 D. **Nominating Committee.** The committee shall submit before  
469 the conference a list of candidates for office in the Nebraska  
470 Association of the Deaf with the provision that the conference  
471 may nominate additional candidates. This committee shall  
472 consist of three (3) members.

473  
474 E. **Other Committees.** Such other committees, at such other  
475 times, as shall be deemed necessary by the Board of Directors,  
476 including any committee which may have and exercise the  
477 authority of the Board of Directors in the management of the  
478 Association, pursuant to the Nebraska Non-Profit Corporation  
479 Act.

480  
481 **Section 3. Permanent Auditing Committee.** The Permanent Auditing  
482 Committee shall consist of three (3) members, each of whom shall  
483 be elected by a majority of active members voting at the biennial  
484 conference. The term of membership on the Committee shall be  
485 six (6) years. The term of the committee members shall overlap,  
486 and one (1) member shall be elected at each conference unless  
487 more than one vacancy must be filled. The Board of Directors shall  
488 temporarily fill vacant membership on the Committee until a  
489 member can be elected at the next succeeding conference.

490  
491 **Section 4. Awards Committee.** The Awards Committee shall consist of three  
492 (3) members, each of whom shall be elected by a majority of active  
493 members voting at the biennial conference. The term of  
494 membership on the Committee shall be six (6) years. The term of  
495 the committee members shall overlap, and one (1) member shall be  
496 elected at each conference unless more than one vacancy must be  
497 filled. The Board of Directors shall temporarily fill vacant

498 membership on the Committee until a member can be elected at  
499 the next succeeding conference. The member's duties are to ask  
500 for nominations of past, present, or posthumous members to be  
501 deservedly awarded, analyze, and make/grant awards honoring  
502 them during each biennial conference. The Award Committee shall  
503 report to the Board of Directors before each conference.  
504

505 **Section 5. Miss Deaf Nebraska Pageant Committee.** A Committee that sets  
506 up the Miss Deaf Nebraska Pageant for the Association can set its  
507 own rules and bylaws subject to the approval of the members at the  
508 biennial conference.  
509

510 **Section 6.** In the event that more than one permanent auditing or awards  
511 committee member must be elected; seniority will be determined by  
512 a vote of members voting at the conference.  
513

514  
515 **ARTICLE XII**  
516 **Amendments**  
517

518 **Section 1.** These By-Laws may be amended at any biennial conference by a  
519 two-thirds (2/3) vote of the active members present, provided that  
520 the amendment is submitted in writing to the Law Committee at  
521 least forty-five (45) days prior to the beginning of the succeeding  
522 conference. The Law Committee shall then send members the  
523 proposed amendments thirty (30) days before the conference.  
524

525 **Section 2.** Unless otherwise specified, the By-Laws as a whole, including the  
526 amendments adopted at the conference, shall go into effect at  
527 once, and the Corresponding Secretary shall distribute newly  
528 adopted By-Laws to each active member in the most convenient  
529 manner within sixty (60) day following the conference and to new  
530 members upon joining at a later date.  
531

532  
533 **ARTICLE XIII**  
534 **Parliamentary Authority**  
535

536 **Robert's Rules of Order, Revised** (latest revision) shall be the parliamentary  
537 authority in all matters not answered in these By-Laws.  
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**ARTICLE XIV  
Complimentary Tickets**

Complimentary banquet and dance tickets shall be limited to members of the Board of Directors (one each), the speaker and spouse, the General Chairperson of the conference, one toastmaster of the banquet, and one person (limit to one) felt by the Board of Directors to highly deserve.

**ARTICLE XV  
Nebraska Association of the Deaf's Motto**

The NeAD's motto shall read as follows:

**"Committed to Serving the Needs of the Deaf."**

**ARTICLE XVI  
Nebraska Association of the Deaf's Colors**

The colors of the NeAD shall be red and white.

**ARTICLE XVII  
Nebraska Association of the Deaf's Logo**

The NeAD's logo will be a circle band stating the Nebraska Association of the Deaf encompassing a picture of the state of Nebraska, a sign version of the NeAD, and the words, "Established 1902" at the top and "Incorporated" at the bottom of the inner circle. See sample below:



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**ARTICLE XVIII**  
**Nebraska Association of the Deaf's Flower**

The Nebraska Association of the Deaf's flower shall be Goldenrod.

**ARTICLE XIX**  
**Nebraska Association of the Deaf's Bird**

The Nebraska Association of the Deaf's bird shall be Western Meadowlark.

**ARTICLE XX**  
**Nebraska Association of the Deaf's Song**

The Nebraska Association of the Deaf's song shall read as follows:

*BEAUTIFUL NEBRASKA*  
*The Official Nebraska State Song*

Beautiful Nebraska, peaceful prairie land  
Laced with away rivers and the hills of sands,  
Dark green valleys cradled in the earth.  
Rains and sunshine bring abundant birth.  
Beautiful Nebraska, as you look around, you will  
Find a rainbow reaching to the ground; all these wonders  
By the Master's land; Beautiful Nebraska land.  
We are so proud of this state where we live.  
There is no place that has so much to give.  
Beautiful Nebraska as you too around, you will  
Find a rainbow reaching to the ground: All these  
Wonders by the Master's hand,  
Beautiful Nebraska land.