

# Coalition of Fathers and Families NY, Inc.

## CONSTITUTION OF THE ASSOCIATION

Chartered June 26, 2002

Ratified by the Membership \_\_\_\_\_

### ARTICLE I Association Name

The name of the association shall be the Coalition of Fathers and Families NY, Inc.

### ARTICLE II Purposes

- Section 1 To preserve and protect the natural, legal and fundamental right of fathers. To promote between fathers and children a strong, meaningful and constructive relationships with each other.
- Section 2 To assure the nondiscriminatory application of the law, and the observance of due process of law, in judicial proceedings involving familial relationships and responsibilities
- Section 3 To promote the positive contributions that men make to marriage, their children, family life and society. To challenge stereotypical expectations of fathers that compromise their opportunities for meaningful familial relationships.
- Section 4 To promote the concept that both sexes are economically responsible and that neither should be presumed subservient to, or economically dependent upon, the other, regardless of marital status.

### ARTICLE III MEMBERSHIP

- Section 1 Membership in the association shall be open to all individuals committed to the purposes of the association. New members shall apply for admittance to the executive board and the Executive Board shall be authorized to accept or deny any application for membership with or without cause. Renewal of members shall occur upon payment of membership renewal fees as set by the Executive Board and shall not be denied except for due cause.
- Section 2 For the purposes of exercising the rights, privileges and powers of membership in the association, there shall be one class of membership.
- Section 3 Membership in the association shall be voluntary. A member may resign without reason at any time, upon written notice to the Secretary of the association.
- Section 4 The payment of membership dues shall be a condition of membership in the association unless waived by the Executive Board. Where membership dues so paid are periodic, membership shall expire at the end of the last period for which dues have been paid.

- Section 5 The rights, privileges and powers of membership shall not be suspended or revoked except for actions detrimental to the purposes of the association consistent with the By-Laws of the Organization.

#### **ARTICLE IV Officers**

- Section 1 The officers of the association shall be the President, the Vice-President, the Secretary and Treasurer.
- Section 2 Any member of the association may become an officer, except that no person shall hold more than one office at a time.
- Section 3 The Executive Board shall elect the officers of the association. Such election shall take place at the meetings of the Executive Board and consistent with the By-Laws of the Association. The presumption is that at a minimum a board meeting for each fiscal year will be held in the month of January of each year to seat Executive Board Member vacancies and elect officers of the association. Another date can be set by:
- (a) Simple majority of the board at a duly constituted board meeting or
  - (b) By an officer should inclement weather make a different date advisable.
- Section 4 The terms of the officers shall begin immediately upon their election, and shall continue until the election of their successors by the Executive Board or their resignation from the position.
- Section 5 All Executive Board meetings shall be held at a time, place and location selected by the Association President provided the Executive Board has not set a place, time and/or location at any previous Executive Board Meeting. Any meeting set by the President must be held in the County of Albany, Schenectady, Rensselaer or Saratoga unless authorized otherwise by the executive board.

#### **ARTICLE V Executive Board**

- Section 1 The Executive Board shall be the main governing body of the association and shall be empowered to act on behalf of the members of the association in all matters necessary to accomplish the purposes of the association.
- Section 2 The Executive Board shall consist of one representative from each County within New York State provided that the individual County has at least three members in good standing of the Association. In Counties with over twenty-five members in good standing they shall be entitled to two seats on the executive board. In Counties with over 60 members in good standing they shall be entitled to three seats on the executive board. In Counties with over 100 members they shall be entitled to four seats on the executive board. In all cases, members of the Executive Board shall be members of the association. County Representatives shall reside in the County they represent except, that should a vacancy exist with no resident of that county willing to assume the duties, the Executive Board may sit an Executive Board for that county from outside that county. Notwithstanding the aforementioned the Executive Board shall consist of at a minimum the four Officer Position regardless of membership numbers. Should no member

volunteer as a County Representative then that seat shall remain vacant and not count towards a quorum of the Executive Board.

- Section 3 The terms of the members of the Executive Board shall begin upon incorporation and shall be for until January 1, 2004 or until replaced. Members of the Executive Board now serving shall complete their terms until 2004 subject to the requirements for their attendance at meetings. The Executive Board members of the association shall elect succeeding members of the Executive Board for terms to begin January 1, 2004. Thereafter, the Executive Board of the association shall elect the succeeding Executive Board according to the By-Laws of the Association in each succeeding four year increments. The Executive Board shall elect new Executive Board Members as seats shall become available through vacancy or membership increase. Membership decrease in any County shall not be cause for removal of an Executive Board Member however, should vacancies occur replacement shall be consistent with the membership in good standing in V.2. Any Executive Board Member elected outside of the four year increment shall fill the seat only for the remaining time within the four year increment.
- Section 4 The regular election of the Executive Board shall take place at the meeting of the Executive Board that occurs in August prior to the expiration of the four year term, the next being August 2003, provided there are nominations for executive board seats consistent with the By-Laws.
- Section 5 The Executive Board shall be empowered to establish bylaws to govern the operation of the association. Such bylaws shall be consistent with the constitution of the association and may provide the rules and procedures for the election of members of the Executive Board, the election of the officers of the association, the operation of the Executive Board and its committees, the operation of the membership meetings, and the payment of membership dues. Such bylaws shall define the duties, powers and responsibilities of the officers, directors and staff of the association.
- Section 6 The Executive Board shall establish, amend and repeal the bylaws or any specific bylaw or group of bylaws by a majority of the votes cast, provided however, that the affirmative votes cast shall equal at least One Half of the Executive Board.
- Section 8 The Executive Board shall hold regular meetings at least but not limited to thrice annually. Meetings of the Executive Board may be called upon the written request of any executive board member provided however that there should be no more than one executive board meeting in any calendar month excepting an emergency meeting called by the President or Vice President and at least one other Executive Board Member. Such request shall specify the place, date, hour and purpose or purposes for the meeting and be delivered to the President of the association not less than seven nor more than forty-five calendar days from such specified date. Upon receipt of such request, the President shall promptly give notice of such special meeting. Upon the President's failure to give such notice within five business days of such delivery of such request, any executive board member may give such notice.
- Section 9 A quorum of the Executive Board shall be one third of the occupied positions on the Executive Board. Provided however that should a quorum of the Executive Board not be reached at any Executive Board meeting the quorum for the next Executive Board Meeting shall be any three Executive Board Members.

Section 10 The Executive Board may remove members of the Executive Board for cause, provided however, that the affirmative votes cast shall equal at least a two-thirds majority of the occupied seats on the Executive Board. For the purposes of this section, absence from two consecutive meetings of the Executive Board without reasonable excuse may be cause for removal. Absence from executive board meetings for any 12 consecutive months shall be cause for removal. Removal is not a bar to service in the future.

## **ARTICLE VI Membership Action**

- Section 1 The association shall hold one general membership meeting per year, which shall be designated the Annual Meeting.
- Section 2 The Secretary of the association, with the consent of a majority of the Executive Board, shall appoint the place, date and hour for the Annual Meeting, which shall be between April 21 and October 21, inclusive. The Secretary shall give written notice of such place, date and hour to each member of the association at least five calendar days before such appointed date.
- Section 3 The President of the Association shall provide an annual report to the membership outlining the accomplishments of the association and present a plan for the future. The Treasurer of the association shall present a financial report to the membership outlining income, expenses and a financial plan for the future. The Executive Board shall issue an annual membership report and shall designate one person to do so.
- Section 4 Upon notice to the Association President 30 calendar days prior to the annual meeting of the association any member may petition for removal of an executive board member, officer or committee chair or committee member for cause. The notice to the President shall state the cause and all relevant facts. The President shall conduct an investigation into the facts and present a report at the annual meeting with a recommendation for action. The petition shall be voted on by the membership actually in attendance at the annual meeting, with no proxy voting. Provided a quorum is present the executive board member, officer, committee chair or committee member shall be removed with a simple majority of the membership in attendance affirming the petition. Removal shall be immediate and shall last for the remainder of that term.
- Section 5 A quorum of the members of the association shall be ten percent of the members of the association, or fifty members of the association, whichever is less.
- Section 6 Whenever the members of the association are permitted or required to take any action by vote, such action shall be taken by a majority of the votes cast, provided however, that where the constitution of the association or laws of the state of New York require a different proportion, or necessary minimum number of affirmative votes cast, such provisions shall govern.
- Section 7 Whenever the members of the association are permitted or required to take any action by vote, other than when they take such action without a meeting, they may vote either in person or by proxy except in VI.4 where each vote shall be in person.

## **ARTICLE VII Amendments**

Section 1        The constitution of the association shall be amended by a vote of the members of the association at the annual meeting. Action to amend the constitution shall be by majority vote, provided however, that the affirmative votes cast shall equal at least a quorum of the members of the association. Proposed amendments shall be submitted to the Executive Board in writing and be placed on the agenda and discussed prior to the annual meeting. The Executive Board shall make a recommendation regarding the amendment.

**ARTICLE VIII**  
**Adoption**

Section 1        The constitution of the association shall become effective if approved by a majority of the members of the association present and voting at the Constitutional Convention.

## **BYLAWS OF THE ASSOCIATION**

### **ARTICLE I Membership**

- Section 1 The yearly membership fee (dues) shall be determined by the Executive Board. The executive Board is authorized to include in the yearly membership fees such membership fees for membership in a Statewide or National father or family organization(s).
- Section 2 Membership fees are waived for any member of the Executive Board in any year they are actually seated.
- Section 3 The executive Board is authorized to issue honorary or associate memberships however such persons or organizations shall not be members of this association pursuant to the Constitution of this Association.
- Section 4 The Executive Board is authorized to set membership application fees for new members, approve memberships or deny membership applications.

### **ARTICLE II Member Service**

- Section 1 The Executive Board is authorized to appoint a member services coordinator. Such Coordinator shall be a member of the association and not be authorized to sit as an Executive Board Member or Officer of the Association.
- Section 2 Duties of the Coordinator shall be outlined in writing by the Executive Board.
- Section 3 The President of the Association shall be in charge of the day to day functions of the membership Services Coordinator and shall act as liaison between the Board and the Coordinator. The president shall have the authority to suspend the Member Services Coordinator pending approval of the executive board.
- Section 4 The Executive Board may contract with the Member Services Coordinator on a contractor basis for a set fee or a contingency basis or for a set fee per member or the board may chose to hire him as an employee of the organization as the Board sees fit to insure maximum services are provided to members.
- Section 5 The Member Services Coordinator shall not set policy or association positions but shall relay the policy and positions of the executive board to the public and members alike. The member services coordinator shall Chair the Membership Committee and aid and assist the County Coordinators.
- Section 6 The Member Services Coordinator shall provide to the President at least once monthly a report outlining membership data and information as the President requires to maintain membership data bases and organizational statistics. Such information shall be relayed by the president to the Executive Board

### **ARTICLE III Officers**

- Section 1 The President shall be the chief executive of the organization and oversee the daily operations including instituting operational directives. The President has the power to suspend all contracts or terminate association employee's pending approval of the Executive Board. With the advice and consent of the Executive Board, The President shall be empowered to create temporary committees and appoint or remove chairs of committees at his discretion. A temporary committee is one that exists at the discretion of the President and the Executive Board. The President shall deliver an annual report of the association at the annual meeting, as well as act as parliamentarian from the membership for this and all meetings. The President shall be able to call Executive Board meetings as designated in the association constitution. The President may appoint standing committee chairs. The President shall sit on all committees as a committee member. The President shall Chair the Public Relations Committee. The President shall be empowered to have all the duties as prescribed by Robert's Rules of Order, Revised Edition, as long as these powers do not conflict with these by-laws and constitution.
- Section 2 The Vice President shall assume all duties assigned by the President, take the President's place when the President is unable to fulfill the duties of the President, and shall assist the President in carrying out his duties. The Vice President shall be Chair of the Legislative Committee.
- Section 3 The Secretary is the recording officer of the association. The Secretary shall keep a record of all the proceedings of the association, file committee reports and make such information available to the membership upon request. The Secretary shall maintain an accurate list of all existing committees and their members, along with an accurate list of all of the members of the Association. The Secretary shall also be responsible for notifying the membership and Executive Board of each meeting and conducting the general correspondence of the association which is not a function proper to the other officers or committees. In the absence of the President and Vice-President, the Secretary shall call meetings to order and preside until the election of a chairperson pro tempore, which should take place immediately.
- Section 4 The Treasurer shall be the chief fiscal officer of the association and, in cooperation with the Financial Committee, is responsible for all financial matters of the organization. The Treasurer shall keep a separate bank account in the name of the Fathers and Family Coalition of NY, Inc. The Treasurer shall also be responsible for preparing an annual financial report to be presented at the annual meeting, shall keep up-to-date financial records, and prepare and present a financial report to the Executive Board at executive Board meetings. With the advice and consent of the Executive Board and the officers of the association, the Treasurer shall have the authority to enter into agreements with public and private agencies for the purpose of accepting grants to aid the association in meeting the purposes of the association as stated in Article II.
- Section 5 The President or the Treasurer shall be the officers who may sign checks for the association. A report on all such disbursements shall be part of the financial report of the Treasurer to the Executive Board.
- Section 6 If the President should resign or otherwise be deprived of the office, the Vice-President shall take his place. Upon the resignation or deprivation of office of any other officer, the Secretary will call an executive Board meeting which shall be empowered to elect a new officer who shall serve until the next annual election.

Section 7 Any member of the association or person denied membership may petition the Executive Board for redress of any grievance with the association. Notice of grievance shall be in writing to the President or Secretary of the Association. Said grievance will be put on the next Executive Board Meeting Agenda under new business. The grievant shall be given notice of the date and time of the Executive Board meeting and shall be offered the opportunity to be heard either in person or in writing. The Executive Board may then dismiss the petition, uphold the petition or order any action to remedy the grievance in their judgment. Nothing herein shall limit a member from filing complaints with any agency charged with overseeing this association.

#### **ARTICLE IV Executive Board**

Section 1 The Executive Board shall authorize distribution of the CAPITAL NEWS. The CAPITAL NEWS shall be the communication medium for and among the membership and the public.

Section 2 The Executive Board shall create a single mailing address for the association and a place for the depository of the records of the association.

Section 3 Duties, powers, and responsibilities of the Executive Board shall be to:

- (a) Adopt an agenda for each Board meeting. Any member of the Executive Board shall be empowered to solicit and submit agenda items to the President for meetings of the Executive Board.
- (b) Determine the time and place of the Annual Meeting.
- (c) Recommend an order to business and rules of procedure to the annual meeting.
- (d) Execute written agreements on behalf of the organization.
- (e) Employ staff and define their duties to accomplish the purpose of this organization.
- (f) Implement policies, establish procedure, set standing rules of the organization.
- (g) Submit an annual budget to the annual meeting and provide such financial statements as are appropriate.
- (h) Act upon extraordinary expenditures which may require modification of the budget.
- (i) Approve appointments to committees.
- (j) Fill officer vacancies.
- (k) Adopt rules of procedure for its own operation.
- (l) Recommend and set policy.
- (m) Act on behalf of the membership in matters necessary to accomplish the purposes of the organization.
- (n) Set dues for the association.

Section 5 The Executive Board is authorized to set up and maintain an advisory board to assist the Executive Board in its functions and may be made up of members of the association including honorary or associate members.

#### **ARTICLE V Committees**

Section 1 Standing committees of the Executive Board shall be:

- (a) Nomination Committee, the Immediate Past President is automatically nominated as Chair.
- (b) Membership Committee, the Member Services Coordinator is automatically nominated as Chair, if none then the President of the Association
- (c) Fiscal Committee, the Treasurer is automatically nominated as Chair.
- (d) Public Relations Committee, the President is automatically nominated as Chair.
- (e) Legislative Committee, the Vice-President is automatically nominated as Chair.
- (f) County Coordinators Committee.

Section 2 The Executive Board shall approve chairs to each of the standing committees at the first Executive Board Meeting of the Fiscal Year as automatically nominated or they may consider nominations from the ranks of the Executive Board or the membership.

- (a) Each Standing Committee Chair is empowered to choose a minimum of one individual to assist the chair in the committee's responsibilities; except
- (b) The County Coordinators Committee. The County Coordinators Committee shall consist of one County Coordinator from each County. The Executive Board shall choose the County Coordinator for each County from the membership from that County. The Executive Board member(s) for each county shall automatically be nominated for the position of County Coordinator in the county in which they serve.

Section 3 The President has the authority to select a chair for an ad hoc committee at his/her discretion.

- (a) The committee must be charged with a specific task and objective.
- (b) The life of the committee may not exceed the fiscal year in which the committee was formed.

Section 4 A committee made up of the President, Vice-President, Secretary, and Treasurer known as the Executive Committee will exist to advise the President when a meeting of the entire Executive Board is impractical.

- (a) A meeting of the Executive Committee can be called with a 14 day notice of all committee members.
- (b) A quorum to make a financial decision is three members.

Section 5 Appointment of nominations committee

- (a) The President with the advice and consent of the Executive Board, shall appoint a Nomination Committee for election of the Executive Board consisting of at least two members. When possible, the immediate past-president of the association shall serve as chair of the Nominating Committee.
- (b) The nominating committee shall be responsible for overseeing the nominations for the election of the Executive Board. Any member may nominate himself or another for any position within the association consistent with the constitution and by-laws by notifying the nominating committee. The Nominating Committee shall verify pedigree, residence and ability of the member to perform the position applied for. A list of nominees for the Executive Board and all other positions shall be made available for inspection to all members on demand and forwarded to the Executive Board.
- (c) The Chair of the Nominating Committee shall not put forward any candidate nominated unless they have fully met the requirements of the position sought.

(h) The Executive Committee shall resolve any disputes concerning eligibility for candidacy. All other disputes shall be resolved by the Nominating Committee.

Section 6 The Membership Committee shall be responsible for individual member services, the recruitment of new members, the renewal of all members, keeping an up-to-date list (data base) of paid members, as well as the creation of standards and forms for becoming a member. Development and implementation of new and renewing member services, seeing to member intake including clearing phone messages and returning calls and arranging new member intake appointments. The distribution of organization flyers and advertising in the courts, public and through networking with organizations providing services to fathers. Compiling resource and referral information for the members. Organization of monthly membership meetings to include agenda, speakers and topical information.

Section 7 The Fiscal Committee shall oversee all the financial affairs of the association and assist the Treasurer in his duties. If called upon, it shall serve as a liaison committee with public and private granting agencies. The Fiscal Committee in consultation with the Treasurer, shall submit an Annual Budget to the Executive Board.

Section 8 The Public Relations Committee shall prepare the CAPITAL NEWS and news releases and work closely with the print and electronic media in terms of fulfilling the purposes of the association as stated in Article II. The Public Relations Committee shall prepare booklets and other background materials relating to Fathers' and children, families and men's issues. The Committee Chair shall act as Editor of the CAPITAL NEWS.

Section 9 The Legislative Committee shall prepare a legislative agenda for the Executive Board, testify and arrange testimony before legislatures, administrative and government bodies for legislation of concern to the association. The Legislative Committee shall prepare legislation, meet with Legislators, groups concerned with legislation and with individual government and court officials in terms of the purposes of the association as stated in Article II. The Legislative Committee shall carry out its duties in close cooperation with the Executive Board and present up-to-date reports of legislative activity to the Executive Board at each Executive Board meeting and at the Annual Meeting. The Legislative Committee Chairman shall be responsible for monitoring expenditures and activities consistent with current lobbying laws and ensuring filings are up to date.

Section 10 The County Coordinator Committee shall coordinate services to members and the public within the individual counties. Such services shall be at the discretion of the Executive Board and Coordinators shall work closely with the Member Services Coordinator. Services may include support meetings, distribution of materials, identification of prospective members, coordinating local public relations or representing the Executive Board at public functions.

Section 11 The Executive Board may appoint subcommittees and subcommittee chairs to the standing committee on an as needed basis and shall list their function in the standing rules of the association.

## **ARTICLE VI Meetings**

Section 1 In meetings of the association and Executive Board, the following business shall be conducted, this order shall prevail unless set aside by the Executive Board:

- (a) Call to order.
- (b) Roll Call of Executive Board.
- (c) Reading of minutes of previous meeting, Secretary Report.
- (d) Report of the Treasurer.
- (e) Presidents Report.
- (f) Member Services Report
- (g) Communications.
- (h) Committee reports.
- (i) Unfinished business.
- (j) Announcement of any newly elected officers/members the Executive Board.
- (k) New business.
- (l) Resolutions.
- (m) Adjournment.

## **ARTICLE VII Amendment Procedures**

- Section 1      These by-laws may be amended by a simple majority the occupied positions of the Executive Board.
- Section 2      Proposed amendments to the by laws must be distributed to the executive board members in written form. All such proposed amendments be dealt with at two consecutive regularly scheduled executive board meetings. With the first for reading and initial debate and consideration and the second for determination. Proposed amendments may only be tabled or deferred if in fact the executive board majority agrees so.
- Section 3      A Scope of Purpose must be included to outline the background, the need and to allow for full discussion or modification as may be deemed necessary. The purpose and intention must be provided including the objective. This scope may be enclosed in the minutes not necessarily the amendment.

## **RULES OF THE ORGANIZATION**

### **Part 1**

#### **STANDING RULES-OPERATIONAL GUIDELINES**

1. The order of preference shall be the Association Constitution, By-Laws, Standing Rules, Operational Directives.
2. The President shall be authorized to issue operational guidelines for the daily operation of the organization.
3. The executive board is authorized to pass by simple majority of executive members present standing Rules of the Organization.

### **Part 2**

#### **Demeanor**

1. When conducting business of the Association members shall carry themselves in a polite professional manner at all times. Members shall dress appropriate for the event attending. Members shall at all times conduct themselves in a gentlemanly or ladylike fashion and afford others their due respect.

### **Part 3**

#### **Statewide Affiliation**

1. The Coalition of Fathers and Families NY, Inc. shall have no statewide or national affiliation at this time but there is no bar against such in the future at the discretion of the board consistent with the Constitution.

### **Part 4**

#### **Membership**

1. The membership of the Association on June 26, 2002 shall consist of James Hays, Randall Dickinson and James Nalven as directors of the corporation.
2. The directors of the corporation shall seat as an Executive Board of the Coalition of Fathers and Families NY, Inc. at it's first organizational meeting Mr. James Hays, Mr. Randall Dickinson, Mr. David Mysliwec, Mr. Jeff Baseel, Mr. Stephen Campbell, Mr. Curtis Apple, Mr. James Nalven, should they accept.
3. At the Executive Board Meeting to be held in August of 2002 the Executive Board shall seat the Officers of the Association and appoint the Member Services Coordinator, if they so desire.
4. The interim president until August 2002 Board Meeting shall be Mr. James Hays.
5. Membership in the Coalition of Fathers and Families NY, Inc. shall be offered to members in good standing of the Fathers' Rights Association of NYS, Inc., Capital District Chapter by approval of the Executive Board at the organizational meeting. Acceptance of membership for the calendar year shall require no action on the part of the members. Past members of Fathers' Rights Association Capital District shall be carried as past embers of the Coalition of Fathers and Families NY, Inc.