

# AMERICAN COCKATIEL SOCIETY, INC.

## BY - LAWS

Revised August 1, 2006

These by-laws, having been duly approved and adopted do so remain in effect until duly changed or amended as provided under ARTICLE X.

### ARTICLE I

#### SECTION 1, Name:

The name of this organization shall be The American Cockatiel Society, Inc. This society is to be a not-for-profit organization under the laws of the state of Texas.

#### SECTION 2, Office:

The Board of Directors shall elect the principle office and resident agent by a simple majority vote. A simple majority vote consists of one vote more than half the votes cast.

### ARTICLE II

#### SECTION 1, Purpose:

1. To encourage an interest and understanding of the Cockatiel as a pet or exhibition bird;
2. To establish an official standard of perfection for judging and breeding the ideal Cockatiel;
3. To establish a panel of qualified judges so that judging will be of uniform quality, governed by the Standard of Perfection;
4. To encourage improvement of the Cockatiel through closed banding, selective breeding and record keeping;
5. To increase interest in mutations through studies pertaining to the genetics of the Cockatiel;
6. To exchange ideas and inform all members throughout the world, through the mediums of our publication, The American Cockatiel Society Magazine and the official American Cockatiel Society website;
7. To support research pertaining to the nutrition and diseases of cockatiels;

8. To have and support an American Cockatiel Society Specialty Show each year.

### ARTICLE III

#### SECTION 1, Dues:

The Board of Directors sets dues.

#### SECTION 2, Memberships:

1. Membership renewal will be on an annual basis.
2. A single membership is one person.
3. A dual membership is two people residing at the same address.
4. A lifetime membership shall be available for purchase only. The Board of Directors shall set the purchase price of a lifetime membership.
5. One magazine will be sent to a membership, whether single or double.
6. Persons having not paid their dues by the end of the month following their renewal date will be dropped from membership.
7. Any person who has at any time been convicted, in a court of law, of having in his/her possession or handling of protected or smuggled birds shall not be eligible to become a member of this Society. If he/she is already a member, his/her membership may be canceled by a vote of  $\frac{3}{4}$  of the entire Board of Directors.
8. A member may not conduct themselves in a manner which is injurious to this society or to its purpose. Such conduct may subject a member to expulsion from the society by a vote of  $\frac{3}{4}$  of the entire Board of Directors. A member, once expelled, forfeits all future rights to membership in the society.

### ARTICLE IV

#### SECTION 1, Voting Privileges:

1. Single memberships have one vote.
2. Dual memberships have 2 votes.
3. Lifetime memberships have the right to one vote.

## **SECTION 2, Voting Procedures:**

1. A notice inviting nominations will be published in the ACS Magazine, beginning with the first issue of the year of elections, for all issues of the magazine until nominations are closed.
2. A nominating committee of at least three members shall be proposed by the President and approved by the Board of Directors to seek out candidates for elective offices during election years. The President shall appoint a chairman with Board approval to serve as chairman of this committee. The nominating committee shall present the names of all nominees to the Secretary by August 1 of each election year. No other nominations, as write-in candidates or otherwise will be included after August 1.
3. All other nominations must be mailed to the Secretary by August 1 of each election year in order to be listed on the ballot
4. All nominees for office must be members in good standing.
5. All members nominated for an office shall be contacted by the Secretary to confirm their willingness to serve in that office and advise them of the duties of that office.
6. A name may appear only once on the final ballot for an elective office. The Secretary shall ensure that all members in good standing as of September 30 receive a ballot by October 31.
7. The Secretary shall receive all ballots no later than December 1 of each election year.
8. The Secretary and 2 members in good standing, appointed by the President, shall count and certify ballots and notify the Board of Directors of the results.
9. The candidate receiving the highest number of votes for each office shall be declared elected.
10. After completion of the election, the ballots are to be filed for two months with the Secretary. After two months, if there is no contest to the election results, the ballots may be destroyed. The statement of election results will be retained with all other ACS records.
11. The newly elected officers will be notified by the Secretary and an announcement published in the ACS Magazine.
12. Elected officers will assume office on January 1st.
13. The Board of Directors shall have the power to recall any elected officer by a  $\frac{3}{4}$  vote of the Board of Directors voting

after a 20-day discussion period.

## **ARTICLE V**

### **SECTION 1, Officers and Duties of Office:**

These Officers are elected by a simple majority vote of the general membership, pursuant to Article IV.

### **SECTION 2, President:**

1. Supervises the daily business and functioning of ACS, coordinates all activities of ACS and carries out the decisions of the Board of Directors concerning ACS;
2. Presides over all meetings;
3. Serves as an ex-officio member of all ACS committees with the exception of the nominating committee;
4. Appoints all committees and chairpersons other than those specifically addressed otherwise in the by-laws;
5. Casts the deciding vote in case of a tie;
6. Shall be the representative and official spokesperson of the policy set by the ACS Board of Directors;
7. Gives copy of up-to-date Standing Rules to incoming President when his/her term of office has ended.

### **SECTION 3, Vice-President, Exhibition:**

1. Acts as interim President in the event that the President is unable to perform his/her duties (illness, resignation, etc.). This assumption of duties will continue until a permanent replacement has been selected and approved by a  $\frac{3}{4}$  vote of the entire Board of Directors or the President is able to resume his/her duties;
2. Acts as an advisor for clubs hosting ACS Regional Shows and ACS Specialty show;
3. Orders all trophies/ribbons and other awards for all shows;
4. Updates the Editor and Webmaster on all club show dates, sites, and judges;
5. Supervises the Points Registrar;
6. Prepares an article, in digital format, for publication in each issue of the ACS Magazine.

### **SECTION 4, Vice-President, Breeding Management & Research:**

1. Prepares an article, in digital format, for publication in the each issue of the ACS Magazine;
2. Keeps up-to-date on research into cockatiel health, nutrition, and behavior and reports same to membership via the ACS Magazine and the official ACS website;
3. Responds to persons seeking advice regarding the breeding and management of cockatiels and research into their health, nutrition and behavior;
4. Researches and provides genetics information to the membership;
5. Identifies research programs and coordinates grants made by the ACS.

**SECTION 5, Vice-President, Pet Cockatiel Information & Issues:**

1. Prepares an article, in digital format, for publication in each issue of the ACS Magazine;
2. Develops pet-related programs for affiliated clubs;
3. Creates packets to promote pet members of the ACS;
4. Develops and promotes a youth program;
5. Reports to the Board of Directors on pet cockatiel related issues and challenges.

**SECTION 6, Vice-President, Membership:**

1. Is in charge of efforts to increase membership;
2. Keeps records on all paid and delinquent members;
3. Informs the Editor, Points Registrar, and Secretary of all changes in membership status on a monthly basis;
4. Keeps a record of and assigns all code numbers on leg bands;
5. Orders bands for only paid members;
6. Is in charge of affiliated clubs;
7. Sees that patronage and affiliation forms are sent to all affiliated clubs at the first of each year;
8. Sees that copies of returned and completed patronage forms are sent the Magazine Editor and webmaster;
9. Sees that the Vice President, Exhibitions, as well as the Editor and Webmaster, receive information on all upcoming shows as it becomes available through affiliated clubs.

**SECTION 7, Vice President, Communications:**

1. Supervises the American Cockatiel Society Magazine Editor;
2. Supervises the American Cockatiel Society Webmaster;
3. Supervises national advertising efforts.

**SECTION 8, Treasurer:**

1. Receives all monies and is in charge of all funds for the Society;
2. Submits a semi-annual statement to the Board of Directors;
3. Provides an annual statement to the ACS Magazine Editor for publication.

**SECTION 9, Secretary:**

1. Keeps the minutes of the general and board meetings;
2. Notifies the Board of Directors of the results of issues voted on by the board;
3. Sends a copy of the general membership meeting minutes and/or board meeting minutes, in digital format, to the Editor within 30 days;
4. Keeps the Editor informed on any changes in the by-laws;
5. Keeps all past and present ACS correspondence and records, including up-to-date Standing Rules;
6. Follows the directives of Article IV in relation to nominations and elections;
7. Is in charge of all general correspondence;
8. Sends out all special notices via ACS magazine.

**ARTICLE VI**

**SECTION 1, Terms of Office:**

1. No one person may hold more than one elected office concurrently.
2. The term of elected offices shall be two years.
3. Except as otherwise specified, in the case of an elected office becoming vacant for any reason, the Board of Directors will nominate a replacement, to be approved by a  $\frac{3}{4}$  vote of the Board of Directors.

## ARTICLE VII

### SECTION 1, Board of Directors:

1. The Board of Directors will be elected by the general membership.
2. One of the Board members will be the last outgoing President, upon completion of the normal term of office.
3. The Immediate past President and duly the elected President; Vice-Presidents for Exhibition, Breeding Management & Research, Pet Cockatiel Information & Issues, Communications, and Membership; the Secretary, and the Treasurer constitute the Board of Directors.
4. All Board members must be members in good standing.
5. Each member of the Board of Directors is entitled to only one vote.
6. Any member of ACS has the right to bring an item of business before the Board of Directors. That item of business should be proposed, in writing, to the Secretary, who will report same to the Board within 10 days.
7. The Secretary will ask for discussion from the Board of Directors on all items of business and, at the end of 20 days, will ask the Board of Directors for a vote on the matter. All votes must be received by the Secretary within 10 days of the call for a vote. In emergencies, an immediate response may be requested.
8. Any two voting Board members may determine that any item of business constitutes an emergency for the purpose of requesting an immediate response.
9. Voting results involving specific individuals will become a part of the secretary's record; however, only the final vote count will be published, with no names mentioned.
10. All votes cast by the members of the Board of Directors will be recorded by the Secretary, who will then provide the Editor with a report of the issues requiring Board votes, including how each Board Member voted, for publication in the ACS Magazine.
11. In addition to the normal business procedures outlined above, the BOD will meet annually at the Specialty Show immediately preceding the General Membership meeting, or when called by the President, with 45 days notice. These

in-person meetings will require a quorum of 50% plus one member of the voting board to conduct business. Items brought before these meetings are not subject to the normal 20 day waiting period before a call for vote.

## ARTICLE VIII

### SECTION 1, Advisory Board:

Members of the Advisory Board receive all board correspondence and provide advice and counsel to the Board of Directors.

### SECTION 2, REGIONAL DIRECTORS:

1. Must reside in the region they are representing;
2. Will be appointed by the President and ratified by a simple majority vote of the Board of Directors;
3. Shall provide support for the local show chairman of the ACS Regional show in his/her region;
4. Appoints all State Representatives within their region;
5. Coordinates State Representative activities within their region and acts as the liaison between State Representatives and the ACS Board of Directors;
6. Advises the Editor and webmaster of all changes in State Representatives;
7. Presents regional information to the board of Directors;
8. Responsible for solicitation of regional advertising for the ACS Magazine and/or the official ACS website;
9. In case of vacancy, procedures provided for in Item 2 will be followed to choose a replacement.
10. Regional Directors and the states within each region are as follows:
  - a. Region 2: ME, NH, MA, CT, RI, NY, VT, PA, W.VA, DE, MD, NJ.
  - b. Region 4: NC, SC, GA, AL, TN, KY, MS, VA.
  - c. Region 6: Florida, Puerto Rico
  - d. Region 8: AR, LA, OK, TX, NM
  - e. Region 9: OH, MI, IN, IL, WI
  - f. Region 10: ND, SD, NE, KS, MO, MN, IA
  - g. Region 11: WA, OR, ID, MT, AK, W. Canada
  - h. Region 12: CA, NV, CO, WY, AZ, HI, UT

### **SECTION 3, Points Registrar**

1. Is under the direction of the Vice President, Exhibition;
2. Receives and checks completed show reports from ACS Panel Judges;
3. Records show results and awards points as indicated on show reports;
4. Provides Champion and Grand Champion certificates to appropriate exhibitors;
5. Provides "end-of-year" report to the Editor for the ACS Magazine

### **SECTION 4, Editor:**

1. Secures content, edits and publishes the ACS Magazine
2. Ensures that the Magazine is mailed in a timely manner;
3. Is under the direction of the Vice President, Communications and Board of Directors;
4. The Board of Directors has final discretion on all matters concerning the ACS Magazine;
5. Receives a copy of all Board of Directors' decisions from the Secretary and publishes same in the ACS Magazine;
6. Chooses printer with advice and consent from the Treasurer and the Vice President, Communications.

### **SECTION 5, Webmaster:**

1. Edits and publishes the official web page of the American Cockatiel Society;
2. Is under the direction of the Vice President, Communication, and the Board of Directors on all matters relating to the web page including design and content;
3. Ensures that website content is up-to-date;
4. Refers inquiries received through the website to appropriate person for reply.

### **SECTION 6, Parliamentarian:**

Advises the President, Board of Directors and/or members on Parliamentary procedures when necessary and/or as requested by any member of the Board of Directors.

### **SECTION 7, Judges Panel Chairperson:**

1. Is nominated to the President by the members of the Judges Panel;
2. Term of office runs concurrently with the elected Board of Directors;
3. Appoints the chairperson and committee members for a special committee to be known as the "Standards Committee". The Standards Committee chairperson and members are to be approved, as a group, by a majority vote of the Board of Directors. This committee will be in charge of all issues related to the ACS Standards for the ideal cockatiel and show cage.

## **ARTICLE IX**

### **SECTION 1, General Meeting:**

1. At least one General Meeting will be held each year.
2. The General meeting will be held in conjunction with the ACS Specialty Show.
3. All ACS business may be reviewed and discussed at the general membership meeting. On issues requiring membership vote, a ballot will be sent, by the secretary, to the editor to be published in the ACS magazine, to each member. The secretary will be responsible for receiving and counting ballots as per Article IV of the By-Laws and for reporting results to the Board of Directors. The Editor will then publish the results in the next available issues of the ACS Magazine.

### **SECTION 2, ACS Specialty Show:**

1. The American Cockatiel Society, Inc. will pay for transportation, not to exceed coach air fare, lodging and meals (which is considered average or normal) to the American Cockatiel Society Judge that judges at Board of Directors approved shows.
2. The Judges panel will make a recommendation for the next year's Advanced Specialty Show Judge at the Judges Panel Annual meeting. This recommendation will consider seniority of panel judge. Also, the recommended panel judge must live outside the region of the Specialty Show and not have judged a Specialty Show in the last 5 years. The recommendation of the Judges panel will be presented

to the ACS Board of Directors for final approval. Once approved by the Board of Directors, the name of the selected judge will be announced at the General membership meeting.

3. ACS affiliated clubs will make application to host the ACS Specialty show by mailing their application to the ACS Vice President of Exhibition. That ACS Vice President will collect all applications and present all locations to the ACS Board of Directors for a vote. The ACS Specialty show will not be awarded to the same region two years in a row, (exception: if only one club applies to host the Specialty, it will be approved as the host club-regardless of regional location.) Whenever possible, this Board of Directors vote should take place at the Specialty show board meeting with the results announced at the general membership meeting.

## **ARTICLE X**

### **SECTION 1, Amendments:**

Any or all of the Articles or the By-Laws may be amended, altered, added to or be rescinded, providing such changes are presented to the general membership in written form and approved by 2/3 of the vote cast.

### **SECTION 2, Rules of Order:**

Robert's Rules of Order Newly Revised shall govern the Society in all cases to which they are applicable and not inconsistent with these By-laws and/or the current Standing Rules of this organization.

## **ARTICLE XI**

### **SECTION 1, Majority Vote:**

The regular business of ACS, unless otherwise specified in the By-Laws, will be passed by a simple majority vote of the Board of Directors. A majority vote shall be a simple majority vote of the Board of Directors consisting of one vote more than half the votes cast.

## **ARTICLE XII**

### **SECTION 1, Dissolution:**

If on the dissolution of the society there remains, after the satisfaction of all its debts and liabilities, any assets whatsoever, the same will be distributed to non-profit Cockatiel research.

## **ARTICLE XIII**

### **SECTION 1, Insufficient Funds:**

In the event the funds and assets prove insufficient to meet the liabilities of this society, the Board of Directors shall have the power to ask each and every member, for a sum of money not to exceed \$2 per year per member, to cover the costs needed to run the Society for that year.

### **SECTION 2, Disclaimer:**

The Members, Directors and Officers of the American Cockatiel, Inc. shall not be personally liable for any debt, obligation or liability of ACS. All persons, corporations or other entities contracting with, extending credit to, or having any claim against ACS may look to the funds and property of ACS for payment of any such claim or contract for the payment of any debt, damages, judgment or decree, or of any money that may otherwise become due or payable to them from ACS.

## **ARTICLE XIV**

### **SECTION 1, Miscellaneous:**

All checks shall be made to the "American Cockatiel Society, Inc." Except as otherwise authorized by the Board of Directors, all legal documents, including checks, contracts, and bonds, approved by the Board of Directors, shall be signed by the President and the Treasurer.