



# 2013 ArCA By-Laws Manual

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# ARKANSAS COUNSELING ASSOCIATION

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A branch of The American Counseling Association

Original, May 1, 1957

Amended 1970, 1978, 1979, 1982, 1983, 1985, 1986,  
1991, 1996, 1997, 1999, 2000, 2001, 2002, 2004, 2010, 2013, 2020

## ARTICLE I : NAME AND PURPOSE

### Section 1. Name

The name of this association shall be the Arkansas Counseling Association.

### Section 2. Affiliation

This Association is organized as The Arkansas Branch of the American Counseling Association.

### Section 3. Purposes

The purposes of the Arkansas Counseling Association are to enhance individual human development by: Seeking to advance the scientific discipline of counseling professions and those who are served; by conducting and fostering programs of education in the field of counseling by promoting sound counseling practice in the interests of society and the individual; by stimulating, promoting, and conducting programs of scientific research and education in the field of, counseling,; by publishing scientific, educational, and professional literature; by advancing high standards of professional conduct, by conducting scientific, educational, and professional meetings and conferences; by informing and educating the general public about the counseling profession; by establishing contacts with various organizations for scientific and educational pursuits; and by examining conditions which create barriers to individual development and working to remove them. The purposes of ArCA shall be in accordance with those of ACA.

### Section 4. Non-Discrimination Clause

The Arkansas Counseling Association shall not discriminate against any individual on the basis of race, color, creed, gender, affectional or sexual orientation, or age.

## ARTICLE II : MEMBERSHIP

### Section 1. Types of Membership

- A. Voting membership shall be one type--individual member.
- B. Student Membership. Any student at the college level having interests in the area of counseling and human development shall be eligible to become a student member of the Association. For Association purposes, "student" is defined as one who is degree seeking or certification in a counseling associated field.
- C. Supporting membership is open to any appropriate business, industry, foundation, or other organization or individual contribution of \$100.00 or more either in general support of the organization or applied to special projects at the discretion of the Board or on the basis of criteria to be developed.

- D. Special Members. The Board of Directors may prescribe and establish criteria for special memberships in the Association, consistent with the Constitution of the Association provided, however, no person shall be deprived of any privileges heretofore granted.

## **Section 2. Individual Members**

- A. Eligibility. Any person whose primary responsibilities or interests are in the area of counseling and human development such as professional school counselors, licensed professional counselors, community agency workers, school social workers, school psychologists, or Para-professionals in counseling shall be eligible for membership.
- B. Procedure. Any person desiring to become a member of the Association shall make an application to the Association, which shall then notify the applicant of the action taken on the application. A person shall become a member of the Association upon approval of the application and the payment of dues.
- C. Individual Membership. An individual member is a person who (1) meets the eligibility requirements, (2) is in good standing and (3) has paid the current year's ArCA membership dues and membership dues in at least one ArCA division unless a student or retired member.
- D. Emeritus Members. Members who, having reached the age of sixty-five (65) years and having been a member of at least one (1) division or branch, or its antecedent, for at least twenty (20) years, may request Emeritus Membership under qualifications established by the Board of Directors. Emeritus Membership is granted to an individual by a vote of the Board of Directors upon recommendation by a division or branch. Emeritus Members shall be exempt from the payment of dues to the Association but shall retain all rights and privileges of dues paying members.
- E. Special Members. The Board of Directors may prescribe and establish criteria for special memberships in the Association, consistent with the Constitution of the Association provided, however, that no person shall be deprived of any privileges heretofore granted.

## **Section 3. Dues**

- A. Annual Association dues for members shall be established by action of the Governing Council.
- B. Division or branch dues shall be established by the division or branch.

## **Section 4. Severance of Membership**

- A. A member will be dropped from membership for the non-payment of dues.
- B. A member may be dropped from membership for any conduct that tends to injure the Association or to adversely affect its reputation or that is contrary to or destructive to its objectives according to the By-Laws and Code of Ethics of the Association. Any member charged with engaging in any such conduct shall be given notice of the precise nature of the charge, shall be given the opportunity to confront witnesses, and shall have the right to appeal to and have a hearing before the Board of Directors, whose decision shall be final. The Ethics committee shall

consider any charges made over the signature of two (2) members in good standing and shall have the power to determine whether the charges shall be dropped, whether the accused member shall be permitted to resign, or whether the charges are true, subject, however, to the right of any accused member to appeal to the Board of Directors from any final decision of the Ethics Committee.

- C. A member in good standing may be dropped from membership by voluntary submission of written resignation. The member's dues will not be refunded; however, they may at any time rejoin the association.

## **ARTICLE III : DIVISION, CHAPTERS, AND INTEREST SECTIONS**

### **Section 1. Nature of Divisions**

- A. Any Arkansas organization representing areas of interest in counseling professions and those who are served which is composed of persons eligible for membership in the American Counseling Association shall be eligible for divisional status in this Association.
- B. Divisions shall be organized in accordance with the Constitution of the Association.
- C. The purposes of a division shall be in accord with the Association.

### **Section 2. Formation of Divisions**

Application for divisional status shall be submitted to the Governing Council which shall have the power to approve the granting of charters by national divisions to respective state divisions in accordance with standing rules established within the framework of Section 1 above.

### **Section 3. Autonomy of Divisions**

- (a) A division of the Association shall be free to conduct its own affairs but shall do so only in compliance with the By-Laws of the Association. The Governing Council shall develop guidelines for division operation necessary to insure responsible fiscal operation.
- (b) A division of the Association may adopt its own name but in all instances shall identify itself as "A Division of the Arkansas Counseling Association."

### **Section 4. Amendments to Basic Documents**

Amendments to any divisions' constitutions and/or by-laws or other basic document shall be reported in writing to the President of the Association for approval by the Governing Council at least thirty days prior to the effective date of their adoption.

### **Section 5. Reports**

Each division shall transmit to the President of the Association the names and addresses of its officers forthwith upon their election or appointment. Each division shall transmit an annual written report to the President of the Association who shall report salient developments to the Governing Council.

### **Section 6. Involuntary Dissolution of a Division**

The Governing Council shall have the power to recommend that the charter of a division be revoked by the respective national division when it is deemed in the best interest of the Association to do so.

- A. Before final action may be taken with respect to the dissolution of a division, a notice of intent to dissolve must first be passed by a majority of the Governing Council present and voting and the division in question advised in writing of the reasons for the proposed action. The division shall have until the next state meeting of the Association (but in no case less than nine months) to affect remedial measures.
- B. A two-thirds vote of the Governing Council shall be necessary to recommend that the charter of a division be revoked by the respective national division.

### **Section 7. Voluntary Dissolution**

No division may by its own decision affect the dissolution of a division or its voluntary withdrawal from the Association. Voluntary dissolution or withdrawal from the Association shall be undertaken only in compliance with standing rules adopted by the Governing Council.

### **Section 8. Chapters**

A chapter shall consist of persons who organize on the basis of a local geographic unit within the state in accordance with the By-Laws of this Association.

### **Section 9. Interest Sections**

- A. An interest section shall consist of persons who organize on either a statewide or local basis in accordance with the Constitution of this Association to promote a professional interest not otherwise provided for in the divisional structure.
- B. The same rules that apply to divisions shall apply to interest sections.

### **Section 10. Southern Region Membership**

The Association may obtain membership in the American Counseling Association Southern Region and is entitled to be represented by one voting delegate.

## **ARTICLE IV : BUSINESS AFFAIRS OF THE ASSOCIATION**

### **Section 1. Severable or Transferable Interest**

No member shall have any severable or transferable interest in the property of the Association.

### **Section 2. Control and Management**

All property of the Association shall be subject to the control and management of the Governing Council. Any accumulation or disposal of real property must be approved in advance by the Governing Council.

### **Section 3. Disposal upon Dissolution**

In the event of the Association's dissolution, none of its property shall be distributed to any of the members. The Governing Council, after paying or making provision for payment of all lawful debts and liabilities of the Association, shall determine and distribute all remaining assets of the Association to one or more of the following categories of recipients:

- A. A nonprofit organization or organization which may have been created to succeed the Association, as long as such organization or each of such organizations shall then qualify for exemption from federal income taxation under section 501 (a) of the Internal Revenue Code as an organization described in sections 170 (c) (2) and 501 (c) (3) of such Code; and /or
- B. A nonprofit organization of organizations having similar purposes as the Association and which may be selected as an appropriate recipient of such assets, as long as such organizations shall then qualify for exemption from federal income taxation under section 501 (a) of the Internal Revenue Code as an organization described in sections 170 (c) (2) and 501 (c) (3) of such Code.

### **Section 4. Appropriation of Association Funds**

- A. No appropriations of Association funds shall be made except pursuant to the authority of the Governing Council.
- B. The Governing Council shall adopt an annual budget. The Financial Affairs Committee shall be responsible for proposing a budget to the Governing Council during its March meeting.

### **Section 5. Association Year**

The fiscal year and the governance year of the Association shall be July 1- June 30.

### **Section 6. Reports**

Income and expense reports shall be provided to members of the Governing Council at each of its regular meeting. Members of the Governing Council also shall receive the auditor's report each year.

### **Section 7. Limitation of Activities**

ArCA is organized and shall be operated exclusively for charitable and education purposes with the meaning of sections 170 (c) (2) (B), 2055 (a), and 2522 (a) (2) of the Internal Revenue Code. No part of net earnings of ArCA shall inure to the benefit of or be distributed to the members of the Governing Council, officers, members of its committees, other private individuals, or for-profit organizations (except that ArCA shall be authorized and empowered to further the purposes stated above). No substantial part of the activities of ArCA shall involve the carrying on of propaganda or otherwise attempting to influence legislation, and ArCA shall be empowered to make the election authorized under section 501 (h) of the Internal Revenue Code. ArCA shall not participate in or intervene in any political campaign (including the publishing or distribution of statements) on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision herein, ArCA shall not conduct any activities not permitted to be conducted.

- A. by an organization exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501 (c) (3) of such code, and/or

- B. By an organization, contributions to which are deductible under sections 170 (c)(2), 2055 (a)(2), or 2522(a)(2) of the Internal Revenue Code.

### **Section 8. Internal Revenue Code**

References herein to sections of the Internal Revenue Code are to provisions of the Internal Revenue Code of 1986, as amended, as those provisions are now enacted or to corresponding provisions of any future United States internal revenue law.

## **ARTICLE V : EXECUTIVE COMMITTEE**

### **Section 1. Members of the Executive Committee and Terms of Office**

- A. The members of the Executive Committee of the Association shall be President, the President-Elect, the President-Elect-Elect, the immediate Past President, the Secretary, and the Treasurer.
- B. All members shall be active in the Association in good standing, and shall be members in good standing of the American Counseling Association.
- C. The term of office shall begin on July 1 and shall be for a period of one year or until a successor takes office.
- D. All members of the Executive Committee shall be currently practicing counselors.
- E. Counselors, or those who were previously in a counseling related field, who are retired and do not have another job that would be considered a conflict of interest (school administrator, business person, etc.) may be members of the Executive Committee.

### **Section 2. Duties of the Executive Committee**

- A. The President shall be chief executive officer of the Association, chairperson of the Governing Council, and shall preside at all general meetings of the Association. The President shall appoint all members to ad hoc committees unless the method is otherwise specified and shall hold ex-officio membership on all committees. The President shall serve as the voting delegate to the Southern Region Branch Assembly unless the President elects to appoint another member as a voting delegate to represent the State Branch.
- B. The President-Elect shall act in place of the President at all Association meetings and functions which the President is unable to attend.
- C. The President-Elect-Elect shall have an interim year to observe and learn policy governance as they prepare for leadership within the association. The President-Elect-Elect shall perform such duties that might be helpful to the Association, as directed by the President, and/or Governing Council.
- D. The immediate Past-President shall serve as Chairperson of the Nomination and Election Committee.
- E. The Secretary shall keep the records of the current activities of the Association and its meetings, shall issue all notices of meetings, shall be responsible for the maintenance of the membership rolls of the Association subject to the decisions of the association.. She/he shall also chair the Bereavement committee.

- F. The Treasurer shall collect and disburse the funds of the Association subject to the approval of the President and shall make a financial report to the Association at its annual business meetings.
- G. To propose Association policies and recommend such policies to the Governing Council for its consideration and action.
- H. To formulate operational policies appropriate for executive action and direct the execution thereof subject to review by the Governing Council.
- I. To perform such other duties as delegated to it by the Governing Council.

### **Section 3. Nominations**

All practicing counselors/counselor members shall be eligible for nomination to any office except in the case/situation where that member already holds a divisional office on the Governing Council, which would prohibit them from accepting the nomination for an ARCA office. Counselors or those who were previously in a counseling related field, which are retired and do not have another job that would be considered a conflict of interest (school administrator, business person, etc) may be nominated for an office.

### **Section 4. Vacancies**

Vacancies in the offices of President-Elect, President-Elect-Elect, Secretary, and Treasurer occurring between annual meetings shall be filled by nomination and election by the remaining members of the Governing Council. Nomination and election may be conducted by electronic means at the discretion of the President. The officer so elected shall serve until the next annual meeting at which time a new President-Elect, President-Elect-Elect, Secretary, or Treasurer shall be elected. If the Presidency should become vacant, the President-Elect shall become President and shall serve out the remainder of the term of office of the President whom he/she replaces and his/her prescribed term of office.

### **Section 5. Executive Director**

The Arkansas Counseling Association shall utilize the services of an Executive Director. This shall be an appointed position and must be endorsed by a majority of the Governing Council. The specific duties of the Executive Director shall be specified by the Executive Committee. The Executive Director shall hold ex officio status as a member of the Executive Committee and the Governing Council.

### **Section 6. Removal of Officers**

Any elected Officer may be removed from office, with or without cause, upon a vote of a majority of the Governing Council members then in office to remove him or her from the Officer position, whenever the Governing Council members' judgment the best interest of the Association would be served thereby, provided that all the Governing Council members have at least ten days' notice of the proposed removal and the Officer at issue has an opportunity personal to address the Governing Council prior to the removal vote. Any officer appointed by the President may be removed with or without cause by the President.

## **ARTICLE VI : GOVERNING COUNCIL**

### **Section 1. Composition**

- A. The Governing Council shall be composed as follows:
  - a. The Executive Committee of the Association.
  - b. The Presidents of the various divisions of the Association.
  - c. From Divisions: The number of votes on the Governing council that a division receives shall be determined by division membership count as of July 1 of each year and will not change until the following July 1. A division would have the prescribed number of votes even if only one person from that division is present." Membership is determined by proportionality and the relative sizes of constituent bodies specifically, 1 vote per 100 members or portion thereof. Voting members must be elected by their divisions. The elected individual or his/her designee must be present to vote. No person may cast more than one vote at Governing Council.
- B. Term of office for each member of the Governing Council shall be limited to a maximum of three (3) years in any five (5) year period except that:
  - a. Individuals elected or appointed as officers of the Association as specified in Article V and serving under (a) (1) above, shall be exempt from this requirement.
  - b. Individuals elected as Divisional representatives, who are ineligible under this provision, but required by Divisional written policy or by-laws to serve, may be exempted from this provision to serve one additional year, or part thereof, by action of the Governing Council.
  - c. Individuals elected as Divisional representatives, who are ineligible under this provision, but are believed to be needed for rotational or continuity reasons, may be exempted from this provision to serve one (1) additional year, or part thereof, by action of the Governing Council.
- C. No member of the governing Council may concurrently represent more than one (1) division.
- D. All members shall be active in the Association in good standing, and shall be members in good standing of the American Counseling Association

### **Section 2. Powers and Functions of the Governing Council**

- A. To establish policies to govern the affairs of the association.
- B. To exercise such other powers as may be necessary or desirable in the best interests of the Association and not in conflict with the Constitution.
- C. The Governing Council shall be responsible for identifying issues and establishing priorities for professional thrusts relating to problems of human development pertinent to the Association
- D. The Governing Council will approve any suggested revisions of the Bylaws committee prior to being presented to the general membership for voting.
- E. Act on recommendations from the Executive Committee



- F. Act on the reports of the Executive Committee, Divisions, Standing Committees, and such special committees as are responsible to the Governing Council
- G. To grant and revoke division and State Branch charters.

### **Section 3. Meetings**

- A. The Governing Council shall convene at and during state meetings of the Association and shall also meet during the month of March to consider and adopt an Association budget for the ensuing year and conduct such other Association business as is appropriate. The Governing Council typically meets during the following months to conduct association business: September, November, January, March and May. Additional meetings of the Governing Council may be called by a majority vote. Notice thereof shall be given to all members of the Governing Council at least fifteen (15) days prior to any such additional meetings.
- B. The President of the Association shall preside at meetings of the Governing Council, and in the President's absence, the President-Elect shall preside.
- C. Each member of the Governing council shall have one (1) vote, and a majority of the members of the Governing Council shall constitute a quorum.
- D. Any member of the Governing Council may present business for consideration.
- E. Any one or more members of the Governing Council or a committee may participate in a meeting of the Council or committee by means of conference telephone or other telecommunications device or arrangement that allows all persons participating in the meeting to hear each other and to be able to have their views heard. Such participation in a meeting shall be deemed presence in person at such a meeting.
- F. The Governing Council shall be empowered to conduct and participate in meetings by electronic communications in which the words are transmitted to participants

### **Section 6. Removal of Governing Council Members**

Any elected Governing Council member may be removed from office, with or without cause, upon a vote of a majority of the Governing Council then in office to remove him or her from the position, whenever in the Governing Councilors' judgment the best interest of the Association would be served thereby provided that all the Governing Council members have at least ten days' notice of the proposed removal and the Governing Council Member at issue has an opportunity personally to address the Council prior to the removal vote. Governing Council members appointed by the President, if any, may be removed by the President.

## **ARTICLE VII : COMMITTEES**

### **Section 1. Standing Committees**

The standing committees of the Association shall be: Awards Committee, By-Laws Committee, Ethics Committee, Public Policy and Legislation Committee, Long Range Planning Committee, Technology Committee, Nominations and Elections Committee, Financial Affairs Committee, Screening Committee for Replacements to the Board of Examiners in Counseling, Conference Committee, Membership Committee.

- A. Appointment of Standing Committees. The president in consultation with the Governing Council shall be responsible for appointing standing committees unless otherwise specified. The president in conjunction with the Governing Council may make interim appointments to fill vacated positions and replace non-participating members.
- a. The Conference committee shall assume responsibility for the planning and execution of the annual state conference. Membership shall consist of the Governing Council, an ex-officio representative from the Guidance Services Division of the State Department of Education and such other members as deemed appropriate by the Governing Council. The President-Elect shall serve as chairperson of the Conference Committee.

## **Section 2. Composition and Function of Standing Committees**

### **A. Awards Committee**

- a. The Awards Committee shall review for possible continuation any previous awards, solicit and consider new awards, and prepare and revise, when appropriate, guidelines for each award, consider the nature of each award, and submit this information to the Board of Directors for their action. In accordance with the guidelines established for each award, the Awards Committee shall solicit nominees; collect supporting materials concerning nominees, and select recipients.
- b. The Awards Committee shall consist of the division presidents and the President-Elect-Elect. President Elect-Elect shall serve as the committee chair.

### **B. By-Laws Committee**

- a. The By-Laws Committee shall receive proposals for amending the By-Laws and shall present proposed amendments to the Governing Council .
- b. The committee is responsible for being familiar with the By-Laws in order to respond to questions that come up concerning them.
- c. They are also responsible for comparing ArCA By-Laws with those of the American Counseling Association to ensure that the terminology of ArCA is consistent with the terminology used by ArCA.
- d. This committee is also responsible for reviewing the by-laws of each ArCA division for consistency with ArCA/ACA language. When finding discrepancies, the By-Laws committee is responsible for making recommendations for revisions to the ArCA Governing Council.
- e. If there is a revision of the By-Laws, the Committee is responsible for the complete revision and distribution to membership.

### **C. Ethics Committee.**

- a. The Ethics Committee shall be responsible for educating the membership concerning the ethical standards

### **D. Public Policy and Legislation Committee (PP&L)**

- a. The Public Policy and Legislation Committee shall be concerned with matters of government activities at all levels.

- b. The Public Policy and Legislation Committee shall consist of one (1) member from each division.
- E. Long Range Planning Committee**
- a. The Long Range Planning Committee shall establish a three-year plan covering all aspects of ArCA.
  - b. The Long Range Planning Committee shall receive and solicit resolutions.
- F. Technology Committee.**
- a. The Technology Committee shall advise the Governing Council on such matters as technology policy, planning, development, and management.
- G. Nominations and Elections Committee.**
- a. The Nominations and Elections Committee shall conduct the nominations and elections of this Association and review and recommend procedures for carrying out the annual election in accordance with the nominations and elections policies as adopted by the Governing Council.
  - b. No two members of the committee shall hold primary affiliation in the same division with the exception of the chairperson.
  - c. The chairperson shall be the immediate Past-President of the Association.
  - d. The committee will consist of chair, President-Elect-Elect and Secretary.
- H. Financial Affairs Committee.**
- a. The Financial Affairs committee shall advise the Governing Council on such matters as budget planning and financial management.
  - b. This committee shall consist of the President, President-Elect, President-Elect-Elect, Treasurer, and Secretary. The Treasurer chairs the committee. The Executive Director is an ex-officio member of the committee.
- I. Screening Committee for Replacements to the Board of Examiners in Counseling.**
- a. This Screening Committee shall receive applications for BOEC replacements and screen and interview applicants at a time before the September meeting of the Governing Council. This committee will verify with the Board of Examiners in Counseling pertinent information regarding each candidate. At the September meeting of the Governing Council this committee will present names of qualified candidates for a vote to be placed on the ArCA approved list.
  - b. This committee shall consist of the ArCA Executive Committee, and ArACES President. The chairperson shall be the ArACES President or his/her designee.
  - c. No two members of the committee shall hold primary affiliation in the same division with the exception of the chairperson.

### **Section 3. Special Committees**

The President, Governing Council, and/or Board of Directors may appoint special committees as necessary.

#### **Section 4. Reports**

Each Committee shall transmit an annual written report to the President of the Association who shall report salient developments to the Board of Directors and the Governing Council.

### **ARTICLE VIII : AFFILIATIONS**

The Governing Council shall be responsible for developing, promoting, and executing such plans as shall have the approval of the Association and for promoting the cooperation and/or affiliation of this group with other organizations having interests and objectives similar or supplemental to those of this Association -- provided such cooperation and/or affiliation shall not weaken or destroy the autonomous existence of this Association.

### **ARTICLE IX : MEETINGS**

#### **Section 1. Minimum Meetings per Year**

There shall be a minimum of one annual meeting of the Association at which time a business meeting shall be conducted, the time and place of the meeting to be determined by the Governing Council

#### **Section 2. Special Meetings**

Special meetings shall be called at any time by the President, with the approval of a majority of the Governing Council.

#### **Section 3. Notices**

Notices of meetings shall be sent to members at least fifteen days prior to the date of such meeting for meetings which must be held in person.

#### **Section 4. Quorum**

The active members present at any Association meeting of which written notice has been duly given shall constitute a quorum.

### **ARTICLE X : RULES OF ORDER**

#### **Section 1. Parliamentary Authority**

The current edition of Robert's Rules of Order, Newly Revised, (edited by Henry M. Robert III and WilliamJ. Evans, and published by Perseus-HarperCollins) shall govern the proceedings of all bodies of the Association except where otherwise specified in these Bylaws.

#### **Section 2. Parliamentarian**

The Parliamentarian shall without vote advise the President and the Governing Council regarding parliamentary law and parliamentary procedure.

## **ARTICLE XI : AMENDMENTS**

### **Section 1. Revisions**

Except as provided in Section 2 below, amendments to the By-Laws may be acted upon only at annual business meetings of the Association. If presented in writing to all members of the Association at least fifteen (15) days before an annual meeting at which the proposed change is to be considered, such amendment may be adopted by a two-thirds vote of the members present. Any amendments to such proposed amendments or any amendments not presented in writing to all members of the Association fifteen (15) days in advance of an annual meeting may be adopted by at least four-fifths vote of the members present.

### **Section 2. Voting**

If, in the judgment of the Governing Council, action upon a proposed amendment is desirable before the next annual meeting, it may be taken through a mail or electronic ballot following presentation of the amendment in writing to all members of the Association. If fifty-one (51) percent of the membership votes affirmatively within fifteen (15) days, the amendment shall be adopted.

# ARKANSAS ASSOCIATION FOR LESBIAN, GAY, BISEXUAL, AND TRANSGENDER ISSUES IN COUNSELING

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By-laws  
Adopted May 5, 2012

## **ARTICLE I : NAME, AFFILIATION AND MISSION**

### **Section 1. Name**

The name of this association shall be the Arkansas Association for Lesbian, Gay, Bisexual & Transgender Issues in Counseling, hereinafter referred to as ArALGBTIC.

### **Section 2. Affiliation**

ArALGBTIC is a division of the Arkansas Counseling Association, hereinafter referred to as ArCA, and shall be subject to those provisions of its bylaws that apply to divisions.

### **Section 3. Mission**

The mission of ArALGBTIC is:

- to promote greater awareness and understanding of lesbian, gay, bisexual, and transgender (LGBT) issues among members of the counseling profession and related helping occupations
- to provide support to LGBT youth and allies in schools as well as community agencies
- to improve standards and delivery of counseling services provided to LGBT clients and communities
- to identify conditions which create barriers to the human growth and development of LGBTQT clients and communities; and use counseling skills, programs, and efforts to preserve, protect, and promote such development
- to develop, implement and foster interest in charitable, scientific and educational programs designed to further the human growth and development of lesbian, gay, bisexual and transgender (LGBT) clients and communities.
- to secure equality of treatment, advancement, qualifications, and status of LGBT members of the counseling profession and related helping occupations.
- to protect from harm LGBT individuals by language, stereotypes, myths, misinformation, threats of expulsion from social and institutional structures and other entities, and from beliefs contrary to their identity.
- to provide educational programs and resources to raise the standard of practice for all counselors who serve LGBT clients and communities.

## **ARTICLE II : MEMBERSHIP**

**Section 1.** Membership is open to all members in good standing of the Arkansas Counseling Association (ArCA).

**Section 2.** Persons desiring to become members of this division must select the division on the ArCA membership application and submit payment for the appropriate amount for division dues.

**Section 3.** A member may be dropped from membership for conduct that tends to injure the division or to adversely affect its reputation, or that is contrary to the Bylaws of the division, the state association, the national division or national association, as well as the code of ethics.

**Section 4.** A member shall be dropped for nonpayment of dues

### **ARTICLE III : DUES**

**Section 1.** The executive board of the division in accordance with the ArCA bylaws shall set dues.

**Section 2.** Annual ArALGBTIC dues for membership shall be established by action of the ArALGBTIC Executive Board, hereinafter referred to as the Board. The Board may authorize reduced dues or dues waivers for special categories of members in accordance with policies and procedures established by the Board.

### **ARTICLE IV : MEETINGS OF THE MEMBERSHIP**

**Section 1.** An annual meeting of the membership will be held during the fall conference of ArCA to conduct the general business of the division.

**Section 2.** The executive board may schedule other meetings of the membership by giving reasonable notice of time and place to the membership.

### **ARTICLE V : OFFICERS AND DUTIES**

**Section 1:** The officers of the division shall be: President, President-elect, Past President, Regional Outreach, Secretary and Treasurer, hereinafter called the Executive Board or Board.

**Section 2.** All officers shall be elected by a quorum of the members of the division, and shall serve one-year terms except for the Secretary and Treasurer. The Secretary shall be elected in an odd-numbered year to serve for a two year term or until a successor is elected. The Treasurer shall be elected in an even-numbered year to serve for a two year term or until a successor is elected.

**Section 3.** Upon ArCA approval of division status, the initial slate of officers shall be appointed by the Board of Trustees that precedes this division. These appointed officers shall complete any partial year term and then serve a full term of office. The President of the division will appoint a member in good standing of the division to fill any vacancies that occur during her/his term of office.

Revised and edited November 2020

#### **Section 4. Duties**

A: The President shall preside at all meeting of the division, and shall chair and preside at all meetings of the executive board. The President shall perform the duties customary to that office and such additional duties as directed by the executive board. The President is the voting member of the ArCA Governing Council. The President shall be an ex officio member without vote on all committees with the exception of the Nominations for Awards and Elections Committees. The President shall perform the duties customary to that office and such additional duties as directed by the Board. The President shall be a member of the national ALGBTIC organization and represent ArALGBTIC at national meetings.

B: The President-elect shall perform all duties of the President in the absence or incapacity of the President as determined by the Board. The President-elect is responsible for activities associated with the ArCA annual conference, including program proposal submissions, social events, and other activities as designated by the Board. If a committee or committees are formed to do these functions, the President-elect shall chair such committee(s).

C: The Immediate Past President shall perform the duties of the President in the absence of both the President and President-elect. The immediate past president shall chair the nominations and elections committee, as well as the strategic planning committee of the division. The IPP shall perform such additional duties as directed by the Board.

D: The Secretary shall keep records of all general meetings of the division as well as all meetings of the Board. The secretary shall also serve as historian of the division, and shall maintain the historical records and archives of the division.

E: The Treasurer shall represent the general membership in ensuring that the receipt and expenditures of funds are in accordance with the directives of the Board and the division bylaws as well as in accordance with the policy and procedures of ArCA.

### **ARTICLE VI : EXECUTIVE BOARD**

**Section 1.** The officers of the division shall form the executive board. The executive board must hold at least one meeting annually. At times other than the general membership meeting of the division, the executive board will make all decisions for the membership.

**Section 2.** The board shall:

- establish policies to govern the affairs of ArALGBTIC
- act on reports of the committees of the division
- serve as the decision making body
- establish a strategic plan for the division
- establish policies and procedures to carry on the educational mission of the division

**Section 3.** In an emergency situation, as determined by the President, an electronic executive board meeting (conference call or computer chat) may be held, so long as a majority of its members can participate.



## **ARTICLE VII : COMMITTEES**

### **Section 1. Standing Committees**

- A. Nominations and Elections – will conduct the nomination process to present a slate of candidates to the general membership for election. Consideration will be given to geographic region as well as diversity in selecting the slate of candidates. The committee will conduct the election of candidates and announce the results. No member of the committee may be a candidate for an elective office. The committee will also review and recommend procedures for carrying out the annual election of officers.
- B. Strategic Planning – will initially develop a three-year plan to obtain the goals of the division. Each year thereafter, it shall review the plan and make modifications to insure the plan remains current, and is always a three-year projection. The committee shall monitor the implementation of the plan and report the results to the executive board.
- C. Publicity (Website/Newsletters/Brochures/Press Releases) – will work to make the membership, ArCA and the general public aware of the activities of the division. Of prime importance will be the establishment and maintenance of the division website.
- D. Membership – shall promote interest in the division among all eligible persons in this State, and shall be responsible for membership activities of the division.
- E. Bylaws/Policy & Procedures – shall supply the membership with accurate copies of the bylaws and shall propose amendments to them when deemed appropriate. The chair shall serve as Parliamentarian of the division. At such time as the executive board establishes policies and procedures for the division, the bylaws committee will annually review to insure accuracy as well as conformity to the bylaws. All bylaw revisions must be approved by the Executive Board before being presented to the membership for voting.
- F. Regional Network – shall serve as a means for the membership to gather information and resources regarding LGBT interests and activities in the State. The goal of this committee shall be to have at least one member from each chapter of ArCA.
- G. Educational Tools/Resources – shall serve as a clearinghouse of information and resources for the division to be used by members of ArCA in dealing with the LGBT population in this state. This clearinghouse shall include bibliography, journals and a speaker's bureau information. This committee will also create and execute trainings on a regional and state level. They will assist the President Elect with conference proposals and planning.
- H. Awards and Resolutions- shall serve to recognize the accomplishments and achievements of the division within ArCA as well as the accomplishments and achievements of individual members.

**Section 2.** Unless otherwise stated in the bylaws, the President of the division will appoint chairs of the standing committees, who will serve one-year terms. Should the President fail to appoint a chair for a standing committee, then those duties become the responsibility of the executive board.

**Section 3.** Each standing committee shall submit an annual written summary of activities to the executive board prior to the end of the appointment.

**Section 4.** The President, with approval of the executive board shall appoint special committees or task forces with temporary assignments to accomplish a project or task outside of the scope of the standing committees. At the conclusion of the term, project or task, the committee chair will make a report to the President of accomplishments and activities of the committee or task force. The President will then report the activities to the executive board.

## **ARTICLE VIII : BUSINESS AFFAIRS OF THE DIVISION**

**Section 1.** The fiscal and governance year of the division shall be July 1-June 30, or the same as established by ArCA.

**Section 2.** The executive board shall adopt an annual budget.

**Section 3.** No member shall have any severable or transferable interest in the property of the division. All property of the division shall be subject to the control and management of the executive board.

**Section 4.** In the event of dissolution of the division, all interests, property, and funds are given to the ArCA.

**Section 5.** Through membership and participation in the division activities, members do acknowledge the good intentions of the division and its officers and agents and do agree to hold harmless the division and its officers and agents unless such actions are caused by the gross negligence or willful misconduct of the division, its officers or agents.

**Section 6.** No appropriations of ArALGBTIC funds shall be made except pursuant to the authority of the Board.

**Section 7.** Board members will be reimbursed for travel expenses at the IRS recommended rate. The division will pay for travel expenses, meals, mileage, etc. to the national ALGBTIC conference for the President.

## **ARTICLE IX : NONDISCRIMINATION**

There shall be no discrimination against any individual on the basis of ethnic group, color, creed, gender, gender identity, sexual orientation, age, and/or disability.

## **ARTICLE X : RULES OF ORDER**

Robert's Rules of Order, Newly revised, and from time to time amended shall serve as the guide for the proceedings of the meetings of the division, except where otherwise specified in these bylaws.

## **ARTICLE XI : AMENDMENTS/VOTING**

**Section 1.** These bylaws may be amended at any regular meeting of the division membership provided the proposed amendment has been sent to the bylaws committee for review and distributed to the membership at least fifteen (15) days prior to the meeting.

**Section 2.** If, in the judgment of the Executive Board, action upon a proposed amendment is desirable before the next meeting, it may be taken through a mail or electronic ballot following presentation of the amendment in writing to all members of the division. If fifty-one (51) percent of the membership votes affirmatively within fifteen (15) days, the amendment shall be adopted.

**Section 3.** Majority is defined as half plus one of the membership or board. A majority of the members of the Executive Board shall constitute a quorum.

**Section 4.** All active members of the division have the right to vote on proposed amendments to the By-Laws during the annual meeting held during the ArCA fall conference. All members of the Executive Board have the right to vote on business of the division. The President will act as the tie breaker vote.

## **ARTICLE XII : RESPONSIBILITIES TO ARCA**

**Section 1.** Report all amendments of the divisions' constitutions and/or by-laws or other basic documents. These shall be reported in writing to the President of the ArCA for approval by the Governing Council at least thirty days prior to the effective date of their adoption.

**Section 2.** Attend all ArCA meetings via in person, conference call or WebEx.

**Section 3.** Submit a monthly report to the ArCA Governing Council as to the activities of the division.

# ARKANSAS ASSOCIATION FOR COUNSELOR EDUCATION AND SUPERVISION

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Revised 1985, 1992, 1997

## **ARTICLE I : NAME, AFFILIATION, AND PURPOSE**

### **Section 1. Name**

The name of the organization shall be the Arkansas Association for Counselor Education and Supervision.

### **Section 2. Affiliation**

This Association is organized and governed in accordance with the bylaws of the Arkansas Counseling Association (ACA), the Southern Association for Counselor Education and Supervision (SACES), and the National Association for Counselor Education and Supervision (ACES).

### **Section 3. Purpose**

The general purpose of the Association shall be to facilitate interaction and interrelationships among counselor educators and supervisors to improve the quality of preparation, placement, supervision, and professional development of counselors at the local, state, and national levels, and will include working with other disciplines and organizations whose purpose coincide with those of this Association.

## **ARTICLE II : MEMBERSHIP**

### **Section 1. Types of Membership.**

This Association shall consist of regular, emeritus, associate and student memberships. Special memberships may be established by vote of the Association upon recommendation of the Executive Committee.

### **Section 2. Privileges of Membership.**

- A. Emeritus members shall be entitled to all privileges of regular members, but shall be exempt from payment of dues and assessments in accordance with ACA and ACES bylaws.
- B. Regular members shall have all the rights and privileges normally accorded members of a scientific, educational and professional association including the right to vote and hold elective office.
- C. Associate and student members will have these same rights and privileges except they may not vote, hold elective office, nor initiate action in meetings of the Association.

### **Section 3. Requirements for Membership.**

- A. To be eligible for membership, a person must be a member of ACA and/or national ACES.

- B. A regular member who has been a member of this Association and meets the requirements for emeritus membership in ACA and/or ACES may be accorded emeritus membership in the Association upon vote of the Executive Committee.
- C. To be eligible for regular membership, a person must meet the requirements of sub-section (D) and:
  - a. be on the faculty of or affiliated with a college or university and regularly engaged in the professional preparation of counselors or student personnel workers; or
  - b. be regularly engaged in performing the duties of supervisor of counselors or personnel services; or
  - c. be otherwise regularly engaged in the professional leadership, direction, coordination or supervision of counselors or other qualified professional guidance or student personnel workers; the term regularly engaged” shall mean that the specified professional activity constitutes a significant and continuing aspect of the individual’s professional work in accordance with criteria approved by the Executive Committee.
- D. In addition to meeting the requirements of sub-section of this Section, a person to be eligible for regular membership must be a recipient of a graduate degree conferred by a graduate school of recognized standing based in part upon course work providing preparation for performing the duties in sub-section (c) of this Section.
- E. A person who is a member of another division of ArCA who does not meet the requirements of sub-section (C) and (D) of this Section, but who expresses an interest in promoting the purposes and activities of this Association may be eligible for membership as an associate member.
- F. To be eligible for student membership a person shall be actively enrolled in a graduate program leading to a graduate degree as described in (d) of this Section.
- G. Regular member may retain this status as long as he maintains continuous membership in the Association. Any regular member whose membership is severed in accordance with
- H. Section 5 of this article and who applies for reinstatement as a regular member shall be required to meet, at the time of his reinstatement, the then existing requirements.

#### **Section 4. Membership Procedures.**

The Executive Committee shall prescribe the forms and procedures to be used in approving applications for membership.

#### **Section 5. Severance of Membership.**

- A. Failure to pay dues as prescribed by the Association shall be interpreted as withdrawal from membership. Reinstatement shall be by renewed application, as in Section 3 of this Article.
- B. A member may be dropped from membership for any conduct that tends to injure the
- C. Association or to adversely affect its reputation, or that is contrary to or destructive of its objectives according to the Bylaws and Code of Ethics of the Association. Complaints brought against members shall be processed according to the ArCA

Bylaws and the ACA Ethics Committee Policy and Procedure for processing complaints of Ethical Violations.

### **ARTICLE III : MEETINGS OF THE ASSOCIATION**

**Section 1.** The official business year of the Association shall extend from July 1 through June 30 in accordance with ACA and ACES Bylaws.

**Section 2.** Annual meetings of the Association shall be held at time and place to be determined by the Executive Committee.

**Section 3.** The President may with the approval of the Executive Committee call additional meetings of the Association when necessary.

### **ARTICLE IV : OFFICERS**

**Section 1.** The officers of the Association shall be a President, a President-Elect, a President-Elect-Elect, a Secretary, a Treasurer, and the immediate Past-President. These officers shall constitute the Executive Committee.

**Section 2.** The President-Elect, President-Elect-Elect, Secretary and Treasurer shall be elected from the voting members of the Association. The term of office shall begin on July 1 and shall be for a period of two years or until a successor takes office.

**Section 3.** The President shall be chief executive office of the Association, chairperson of the Executive Committee, and shall preside at all general meetings of the Association. The President shall appoint chairpersons and members of all committees unless otherwise specified, and shall hold ex-officio membership on all committees. The President shall serve as a voting delegate to the Southern Association for Counselor Education and Supervision (SACES) and to the national Association for Counselor Education and Supervision (ACES) Delegate Assemblies unless the President elects to appoint another member to represent the State Division.

**Section 4.** The President-Elect shall act in place of the President at all Association or Executive Committee meetings in the absence of the President, and shall serve as chairperson of the Program Committee. The President-Elect shall succeed to the presidency at the expiration of the term as President-Elect.

**Section 5.** The President-Elect-Elect shall serve as the chairperson of the Membership Committee and shall succeed to President-Elect at the expiration of the term of President-Elect-Elect.

**Section 6.** The Secretary shall keep the records of current activities of the Association and its Executive Committee. The Secretary shall keep the membership of the Association informed of association activities, projects and plans.

Revised and edited November 2020

**Section 7.** The Treasurer shall perform the duties customary to the office, serve on the Membership Committee and such additional duties as may be directed by the Executive Committee. The Treasurer shall collect and disburse the funds of the Association subject to the approval of the President and shall make a financial report to the Association at its annual business meeting. The treasurer and the President shall be cosigners of the Association's bank accounts.

**Section 8.** The immediate Past-President shall serve as chairperson of the Nominations and Elections Committee and as advisor to the President.

## **ARTICLE V : COMMITTEES**

**Section 1.** There shall be standing committees of the Association as follows: Executive Committee, Nominations and Election Committee, Program Committee, Resolutions Committee, Membership Committee, Bylaws Committee, and Supervision Training Oversight Committee.

**Section 2.** The function of the standing committees shall be as follows:

- A. The Executive Committee shall be the agency through which the general administrative and executive functions of the Association shall be carried out. It shall conduct, manage and control the Association. The executive Committee shall select the second delegate to SACES and ACES Delegate Assemblies each year.
- B. The Nominations and Elections Committee shall be responsible for carrying out nominations and elections procedures.
- C. The Program Committee shall be responsible for the program arrangements for the regularly scheduled and called meetings of the Association.
- D. The Resolutions Committee shall be responsible for writing, reviewing, editing and rewriting all resolutions proposed for action at the business sessions of the Association.
- E. Resolutions not accepted by this Committee may be introduced at the appropriate place in the order of business by those wishing to seek action on such resolutions.
- F. The Membership Committee shall actively promote membership in the Association. The Committee shall review applications for membership in the Association and determine the acceptability of such applications.
- G. The Bylaws Committee shall receive and review proposal for amending the Bylaws. The Committee shall present proposed amendments in accordance with Article XI to the Executive Committee for action.
- H. The Supervision Training Oversight Committee shall:
  - a. Approve the detailed content of the intensive weekend workshops in light of current and evolving knowledge of counselor supervision.
  - b. Establish who are qualified presenters of content training workshops and providing a list of approved presenters to the BOEC.
  - c. Verify with the BOEC individuals who are LPCs eligible for participation in supervision training.
  - d. Approve the comprehensive exam over the core supervision curriculum.

- e. Review credentials of individuals seeking to become supervisors of supervision and providing a list of those who are approved to the BOEC.
- f. Communicate to the BOEC the names of trainees who have successfully completed the content training workshops and have been approved to begin supervised supervision.
- g. Receive information from supervisors of supervision to document the supervised experience.
- h. Certify to the BOEC the names of trainees who have successfully completed the entire supervision training sequence to be eligible to be considered for the Supervision Specialization License.

**Section 3.** Special committees may be authorized by the Association or by the Executive Committee. Such committees shall continue for not more than two years unless otherwise specified in the motions establishing such committees.

## **ARTICLE VI : DUES**

Members of this Association may be assessed annual dues as voted by the majority of the membership voting.

## **ARTICLE VII : ELECTION OF OFFICERS**

**Section 1.** The Nominations and Election Committee shall prepare an official slate of nominees for the positions of Treasurer, Secretary, President-Elect-Elect, and for the President-Elect when necessary. This Committee shall secure the individual's consent of each suggested person before submitting his name in nomination.

**Section 2.** The slate of offices prepared by this Committee shall be presented to the membership for voting in a manner prescribed by the Executive Committee with a resume accompanying each person slated.

**Section 3.** In case of a vacancy in the office of President, the President Elect shall succeed to the President's unexpired term and continue through the term for which elected. In case of a vacancy in any of the other offices the Executive Committee shall have the power to fill the vacancy until the next regular election.

## **ARTICLE VIII : CONDUCT OF BUSINESS**

**Section 1.** The Bylaws of the Association for Counselor Education and Supervision shall govern the proceedings of the Association not otherwise specified in these Bylaws.

**Section 2.** A quorum for conducting business at scheduled business meetings of the Association shall be ten percent of the regular membership.



**Section 3.** A quorum for conducting business of the Executive Committee shall be a majority of the Authorized membership of the Committee.

## **ARTICLE IX : AMENDMENTS TO THESE BYLAWS**

**Section 1.** Amendments to these Bylaws may be made at an annual meeting by a two-thirds affirmative vote of the membership voting. Proposals to amend must be submitted in writing to the President of the Association and read at a regular business session of the Association at least twenty-four hours before a vote is taken or alternatively mailed to the membership ten days prior to the meeting at which the vote is to be taken.

**Section 2.** In case of an emergency the Executive Committee may submit a proposed amendment to the membership for a mail vote. Twenty days after the mailing of the proposed amendment, the polls shall be closed and the votes counted by the Executive Committee or tellers designated by the Executive Committee. If passed by two-thirds of the members voting, the amendment shall go into effect.

## **ARTICLE X: CODE OF ETHICS**

The Arkansas Association for Counselor Education and Supervision shall abide by the Code of Ethics of the Arkansas Counseling Association and/or the national Association for Counselor Education and Supervision.

## **ARTICLE XI : EFFECTIVE DATE**

These Bylaws shall become effective immediately following their adoption.

# THE ARKANSAS LICENSED COUNSELORS ASSOCIATION BYLAWS

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adopted 2005

## ARTICLE I : NAME, AFFILIATION, AND PURPOSE

### Section 1. Name

The name of this association shall be The Arkansas Licensed Counselors Association hereafter after referred to as (ArLCA)

### Section 2. Affiliation

ArLCA is a division of the The Arkansas Counseling Association (ArCA)

### Section 3. Purpose

The purpose of ArLCA shall be to recruit, unify, and organize the practice of mental health counseling so as to form a unified voice to advocate and advance the profession of mental health counseling.

## ARTICLE II : ETHICS

The Arkansas Licensed Counselors Association endorses the code of ethics of the American Counseling Association (latest revision) and requires adherence to this code by its membership.

## ARTICLE III : MEMBERSHIP

### Section 1. Types of Membership

There shall be five types of membership: professional, special, retired, student, and associate.

### Section 2. Requirements of Membership

#### A. Professional Member

- a. Eligibility. Applicants for professional membership must certify that they meet the standards for entry level professional recognition as a mental health counselor; i.e. a master's degree from an accredited institution of higher learning in counseling and state licensure as a mental health professional.
- b. Procedure. Any person desiring to become a member of ArLCA shall make an application and shall become a member of ArLCA upon certifying that the required professional standards have been met. Approval of their implementing this section shall be specified in policy adopted by the Board of Directors.

- c. Obligations and Privileges. A professional member must pay annual dues. A professional member in good standing shall be entitled to vote, to attend meetings of ArLCA, and shall be eligible to hold office in ArLCA.
- d. Retained Privileges. At the inception of professional standards for membership, no individual shall be deprived of any privileges heretofore granted by reason of membership in ArLCA. Such privileges shall continue as long as the member remains in good standing. Re-application for membership after relinquishing it for whatever reason shall be based on the new membership criteria.

**B. Special Members**

- a. Eligibility. The Board of Directors may prescribe and establish criteria for special membership in ArLCA, consistent with the Bylaws of ArLCA provided, however, that no person shall be deprived of any privileges heretofore granted.
- b. Procedure. Any person wishing to make an application for membership as a special member shall submit their application directly to the Board of Directors, detailing their special circumstances, for consideration.
- c. Obligations and Privileges. A special member must pay annual dues. Special members may attend meetings but are entitled to vote or hold office.

**C. Retired Members**

- a. Eligibility. Professional members in retirement shall be entitled to a change in their membership status.
- b. Procedure. Retired members wishing to apply for retired status shall indicate this request on their membership application/renewal and certify that they are no longer practicing mental health counseling.
- c. Obligations and Privileges. A retired member must pay annual dues. Retired members shall be entitled to reduced annual dues as determined by the Board of Directors and shall maintain all the privileges of professional membership.

**D. Student Members**

- a. Eligibility. Any student enrolled in a graduate program in the areas of mental health counseling shall be eligible to become a student member of ArCLA
- b. Procedure. Students must have their status verified by the student's major advisor. Exemptions to the graduate student category's three year time limit can be made upon receipt of additional verification from the student's major advisor and approval by the Board of Directors.
- c. Obligations and Privileges. A student member must pay annual dues. Student members shall be entitled to reduced annual dues as determined by the Board of Directors. Student members shall be entitled to attend all meetings of ArLCA They shall be entitled to vote after six (6) months membership. Student members are not eligible to hold office.

**E. Associate Membership**

- a. Eligibility. Any person whose primary work-related responsibilities are in the area of human development shall be eligible for associate membership in ArLCA

- b. Procedure. Applicants for membership must certify their primary work related responsibilities are in the area of human development.
- c. Obligations and Privileges. An associate member must pay annual dues. Associate members may attend meetings of ArLCA but shall not be entitled to vote and shall not be eligible to hold office.

### **Section 3. Dues**

Annual ArLCA dues shall be established by action of the Board of Directors.

### **Section 4. Severance of Membership**

- A. A member shall be dropped from membership for any conduct that tends to injure ArLCA or to adversely affect the Bylaws and the Code of Ethics. Members charged with engaging in such conduct shall be given notice of the precise nature of the charge, shall be given the opportunity to have a hearing and present evidence in their behalf through witnesses or otherwise, and shall be given the opportunity to confront witnesses against them. The Professional Ethics Committee, under the authority of the Board of Directors shall consider any charges made over the signature of two State Division members in good standing. Decisions of the Professional Ethics Committee may be appealed to the entire Board of Directors, whose decision is final.
- B. A member may also be dropped from membership for the nonpayment of dues.

## **ARTICLE IV : REGIONAL ASSOCIATIONS**

### **Section 1. Organization**

Any group of ArLCA members residing or working within a region may organize a regional association with approval of the Board of Directors.

### **Section 2. Requirements**

- A. Each regional association shall file a copy of their constitution and/or Bylaws with ArLCA, consistent with ArLCA Bylaws.
- B. Each regional association shall file a list of officers, members, and an annual financial report with ArLCA. Officers and membership list shall be filed 30 days prior to the close of the fiscal year. Annual financial reports shall be filed within 30 days after the close of the fiscal year.
- C. All officers of regional associations must be members of The Arkansas Licensed Counselors Association.
- D. The fiscal year of the regional association shall correspond to the fiscal year of ArLCA.

## **ARTICLE V : MEETINGS**

### **Section 1. Annual Meeting**

An annual meeting of ArLCA shall be held. The agenda for this meeting shall be determined by the President of consultation with the Board of Directors.

### **Section 2. Special Meetings**

The President may, with the approval of the Executive Council, call additional meetings of ArLCA when necessary or desirable.

## **ARTICLE VI : OFFICERS/BOARD OF DIRECTORS**

### **Section 1. Officers**

The officers of ArLCA shall be President, President Elect, Past President, Secretary, and Treasurer. These officers shall comprise the Executive Council of ArLCA. All officers must be members in good standing of The Arkansas Counseling Association and the Arkansas Licensed Counselors Association.

### **Section 2. Procedure**

The procedure for elections shall be set by the Board of Directors. All officers shall assume their respective offices on July 1 following their election.

- A. The President Elect shall be elected each year and serve a three (3) year term, through the offices of President and Past President respectively.
- B. The Secretary and Treasurer will be elected for a two (2) year term. The explanation of these terms shall fall on alternate years.

### **Section 3. Nominations of the Officers**

Any member may nominate a professional or retired member for office. However, the Nominations, Elections, and Awards Committee shall prepare a slate of officers.

### **Section 4. Contesting Elections**

Should a member of ArLCA find cause to contest the eligibility of any nominee, a written notice shall be given to the Chairperson of the Nominations, Elections, and Awards Committee within thirty (30) days after publication of the slate of candidates in ArLCA's official publication, after which time the slate becomes incontestable.

### **Section 5. Vacancies**

Vacancies occurring on the Board of Directors during the terms of office of the respective members shall be filled by the Board in a manner to be determined by policy. In the event of the resignation, incapacitation, or death of the President, either the President Elect or the Past President shall assume the remainder of the President's term, to be determined by the Board of Directors.

## **Section 6. Powers and Duties of Officers**

- A. The President shall serve as presiding officer of ArLCA and chairperson of the Board of Directors. The President shall, in collaboration with the Executive Council, appoint all chairpersons of standing committees, special committees and task forces. He/She shall see to the submission of all required reports and serve as chief liaison with The Arkansas Counseling Association. "
- B. The President Elect shall serve as a member of the Executive Council and shall perform the duties of the President in his/her absence.
- C. The Past President shall serve as a member of the Executive Council. He/she shall serve as chair of the Nominations, Elections, and Awards Committee and shall perform such duties as may be directed by the Executive Council and/or by policy.
- D. The Treasurer will be responsible for maintaining a balanced budget. Deficit spending is prohibited. A fund balance will be maintained and deposited in an account which earns interest and/or charges no maintenance fees, if available. The Treasurer shall submit an Annual Budget to the Board of Directors for approval. The Treasurer shall expend funds only in accordance with this budget, unless two thirds of the Board of Directors present and voting shall approve a special expenditure. The Treasurer shall submit to the Board of Directors a report on income and expenditures at each board meeting. He/she shall also submit an Annual Report for each fiscal year.
- E. The Secretary shall be responsible for the recording of minutes at all official meetings at which ArLCA officers preside and conducts the correspondence for ArLCA.

## **Section 7. Board of Directors**

The Board of Directors shall consist of the Elected Officers, Regional Presidents, and the Committee Chairpersons. The Board shall be responsible for developing and implementing all policies pursuant to these by laws.

- A. The Board of Directors shall conduct, manage and control the business of ArLCA.

## **Section 8. Meetings**

The Board of Directors shall meet at least quarterly at a time and place designated by the President. Meetings at other specified times may be designated by either the President or a majority of the Board of Directors.

- A. Members of the Board of Directors must be notified at least 48 hours prior to meetings. Board members present for the meeting constitute a quorum for conducting business of the Board, provided this includes at least three of the five Executive Council members.

## **Section 9. Removal from Office**

- A. An elected officer may be removed from office by a 2/3 majority of the Board of Directors.
  - a. Violation of the Ethical Code of ACA.
  - b. Failure to carry out duties/responsibilities of the office.

- B. The process of removal from office must be initiated in writing by a member of ArLCA. Two additional letters from members supporting removal from office must accompany the initial charge. Ethical violation must be dealt with according to procedures detailed in policy relating such matters. The following steps will apply in sequence when the charge relates to failure to carry out the duties or responsibilities of one's office.
- C. Written documentation of charges must be presented to the ArLCA President. In cases where the President is being charged, the Past President shall receive the written documentation of the charges.
- D. Notification of the charges must be provided to the officer in question and to the ArLCA Board of Directors.
- E. Consideration of this issue shall be in closed executive session by the ArLCA Board of Directors.
- F. Attempts will be made to resolve the issues through appropriate communication channels with the intent of keeping the person in office, if possible.
- G. There will be an opportunity for the accused to respond to charges, either in person or in written form to the Board of Directors.
- H. Removal from office will not be official until ninety (90) days from the date of action taken regarding charges by the ArLCA Board of Directors.
- I. An appeal process will be available within ninety (90) days from the date of action taken regarding charges by the ArLCA Board of Directors.
- J. The accused member of the Board of Directors will be required to abstain from voting on the issue; the accused officer may also be asked to leave the session in which the issue is considered by the remainder of the Board of Directors.
- K. If removal from office results, written notice to this effect will be provided to the person charged by the ArLCA President; removal will also be duly recorded in minutes of the next Board of Directors meeting, along with the effective date of removal.

## **ARTICLE VII : COMMITTEES**

### **Section 1. Standing Committees**

- A. The Executive Council shall be composed of the Constitutional Officers as named in Article VI, Section 1, Subsection A. This Council acts during the interim when the Board of Directors is not in session. All actions of the Executive Council are subject to the approval of the Board of Directors.
- B. The Membership Committee is responsible for the encouragement of membership in state, regional, and/or national organizations and in making membership analysis as directed by the Executive Council.
- C. The Publications Committee publicizes activities and the progress of ArLCA through various writing media.
- D. The Nominations, Elections, and Awards Committee conducts impartial nomination and election procedures for the election of officers of ArLCA. This committee shall be responsible for soliciting nominations for statewide awards to be presented to the Board of Directors for selection. The Chairperson of this committee shall be the Past President.

- E. The Program Committee sets the theme, establishes the program, and carries out the theme through meetings, conferences, workshops, and seminars.
- F. The Professional Ethics Committee shall educate members of ArLCA on matters of ethics and shall refer cases of ethical violations to ArLCA, ArCA., (if applicable) and the appropriate licensing board.
- G. The Public Policy and Legislation Committee studies legislation affecting mental health, recommends procedures for action, influences the direction of local and state legislation in the field of mental health and apprises ArLCA about local legislation efforts and problems.

**Section 2. Special Committees**

Special Committees may be authorized by the President subject to approval of the Board of Directors. Such committees shall continue for two years unless extended or dissolved by the action of the Board of Directors.

**Section 3. Committee Recruitment**

The Chairperson of each committee may recruit committee members from the membership.

**ARTICLE VII : BUSINESS AFFAIRS OF THE ASSOCIATION**

**Section 1. Fiscal year**

**Section 2.** The Bylaws of the Arkansas Licensed Counselors Association shall govern all proceedings.

**Section 3.**

Except provided below, amendments to these Bylaws may only be made at the Annual Meeting. If presented in writing to all members of ArLCA thirty (30) days before the annual meeting at which the proposed change is to be considered, such amendments may be approved by two-thirds of the members present and voting. Any amendments to such proposed amendments of any amendments not presented in writing to all members of ArLCA thirty (30) days in advance of the annual meeting may be adopted by at least four-fifths vote of the members present. If, in the judgment of the Board of Directors, action upon a proposed amendment is desirable before the next annual meeting, it may be taken through a mail ballot following presentation of the amendment in writing to all members of ArLCA. If fifty-one (51) percent of the membership votes affirmatively within thirty (30) days, the amendment shall be adopted.

**ARTICLE IX: PARLIAMENTARY LAW**

All meetings and procedures of the Board of Directors shall be conducted and in accordance with Robert's Rules of Order, most current edition.



# ARKANSAS ASSOCIATION FOR MULTICULTURAL COUNSELING & DEVELOPMENT

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adopted 1979, 1991, 1998

## ARTICLE I : NAME, AFFILIATION, & PURPOSE

### Section 1. Name

The name of the Association shall be the Arkansas Association for Multicultural Counseling & Development (ArAMCD).

### Section 2. Affiliation.

- A. The Association shall be a division of the Arkansas Counseling Association (ArCA) and a state branch of the Association for Multicultural Counseling & Development (AMCD), a division of the American Counseling Association (National ACA).
- B. The By-Laws of the Association shall derive its authority from, and not be in contradiction to, the Constitution and By-Laws of the Association for Multi-Cultural Counseling & Development.

### Section 3. Purpose

The purpose of the Arkansas Association for Multicultural Counseling & Development shall be the further cultural development and the expounding of ideas related to non- white interests and experiences in the areas of counseling, psychology, guidance, and personnel in all levels of education, in social services, and in community agencies.

## ARTICLE II : MEMBERSHIP

### Section 1. Types of Members.

The Association shall have four types of membership: regular, association, emeritus, and student.

- A. Regular member. A regular members is one who is presently engaged in full or part time school guidance and counseling, counselor education, social services, community agencies, and in all levels of education, and is current in his/her dues.
- B. Associate member. An associate member is one who is interested in the promotion of non-white concerns and who may or may not fit the categories listed in (A) above.
- C. Emeritus member. An emeritus member is one who is no longer actively engaged in non-white concerns, but has continued interest by maintaining membership
- D. Student member. A student member is one who is engaged in a planned program of counselors education designed to result in a degree or certification as a counselor, and carries a minimum of nine (9) graduate hours.

## **Section 2. Rights and Privileges.**

Only regular members shall be eligible to vote, initiate motions at formal meetings, and hold office.

## **ARTICLE III : OFFICERS**

The officers of the Association shall be President, President-Elect, Immediate Past President, four Vice-Presidents, Secretary, Treasurer, and Parliamentarian. All officers of the Association except the Secretary shall be elected at large from among Regular members of the Association. All Counseling & Development of the American Counseling Association, Arkansas Counseling Association, Arkansas Association for Multicultural Counseling & Development, and respective regional associations concurrent with their term of office and the time of filing for candidacy for office.

- A. President. The President shall serve the Association for two years.
- B. President-Elect. The President-Elect shall automatically become President of the Association two years after the commencement of the term of office as the President- Elect, or upon the death or resignation of the President.
- C. Immediate Past President. The Immediate Past President shall serve for two years following the expiration of the term as President.
- D. Secretary. The Secretary shall be appointed by the President with the approval of the Board of Directors, and shall serve at its pleasure. The term of office shall be concurrent with that of President.
- E. Treasurer. The Treasurer shall be responsible for the accounting for all monies received or expended by the Association. Treasury records shall be audited annually by a CPA selected by the Board of Directors. The treasurer shall serve for a period of two years.
- F. Vice-President. There shall be four Vice-Presidents elected at large. A person to position as Vice-President shall be employed in the work setting to be represented: counseling at elementary/junior high school levels, counseling at high school levels, counselor educator/post-secondary counseling, and social services/community agencies. Vice-President's and Social Services/Community Agencies Vice-President's and High School Counselors Vice-President's terms end on even number years.
- G. Parliamentarian. The Parliamentarian shall be elected, and shall be present at all meetings of the Association and the Board of Directors. The parliamentary authority for the meetings will be Robert's Rules of Order, as time to amend. The term of office shall be two years.
- H. Vacancy in Office. Any vacancy in office shall be filled by the Board of
  - a. Directors and the person chosen shall serve until the end of the unexpired term.

## **Section 2. Nominations and Election of Officers.**

- A. Officers. The President-Elect and four Vice-Presidents shall be elected every two years by ballot.
- B. Voting. A majority of members voting shall carry the election.

## **Section 3. Duties of Officers.**

- A. President. The President shall plan and preside over all meetings except committee

meetings held during his/her term of office. The President shall direct the correspondence necessary to transact the business of the Association and shall represent the Arkansas Association of Multicultural Counseling & Development at the Arkansas Counseling Association's board meetings.

- B. President-Elect. The President-Elect shall perform such duties as may be directed by the President, Board of Directors, and shall serve as Conference Coordinator of the annual meeting of the Association and Chairperson of the Awards, Professional Service, and Recognition Committee.
- C. Immediate Past President. The Immediate Past President shall perform such duties as may be directed the President, Board of Directors, and shall be the Chairperson of the Nominations and Elections Committee.
- D. Vice-Presidents. The Vice-Presidents shall be responsible for generating interest and activities within the work setting they represent. They shall serve as chairpersons for the following committees:
  - a. High School Counselors-membership.
  - b. Counselor Educators/post-Secondary Counselors-By-Laws.
- E. Secretary. The Secretary shall keep the records of all meetings, and shall perform such other duties incidental to this office as may be directed by the President or the Board of Directors.
- F. Treasurer. The Treasurer shall keep an accurate record of all dues collected, shall disburse the funds as authorized, and shall perform such other duties as are directed by the Association through the Board of Directors. A financial report shall be made at the annual meeting and the records shall be subject to audit at the close of term in office.
- G. Parliamentarian. The Parliamentarian shall interpret Robert's Rule of Order to the body.

#### **Section 4. Reelection of Officers**

An elected officer shall not serve a second term in office except that the President-Elect shall serve the full two years in addition to serving the unexpired term of the President should the office become vacant.

#### **Section 5. Compensation and Expenses of Officers.**

As funds are available, elected officers of the Association shall be paid necessary expenses as provided by the Board of Directors.

#### **Section 6. Delegates.**

The directors shall select Delegate(s)

- A. The President shall be the official Delegate of the organization.
- B. The President-Elect shall be the first alternate Delegate of the organization.
- C. The Immediate Past President shall serve as second Alternate Delegate.
- D. In the event that the above officers cannot fulfill the duty of Delegate, the Board of

#### **Section 7. Removal from Office**

An elected officer, through due process, may be removed from office by a two-thirds majority vote of the Association's Membership.

Revised and edited November 2020

## **ARTICLE IV : BOARD OF DIRECTORS**

### **Section 1. Composition of Board**

The Board of Directors shall consist of the elected officers of the Association and make any decisions necessary for the Association between regular meetings provided two- thirds of the Board members in attendance concur.

### **Section 2. Scheduled Meetings**

The Board shall meet during the annual meeting of the Association and at such other times as directed.

### **Section 3. Voting Members.**

Only elected members of the Board of Directors may vote.

## **ARTICLE V : COMMITTEES**

### **Section 1. Standing and/or Special Committees**

The Standing and Special Committees of the Association shall be appointed by the President with the approval of the Board of Directors. Committee Chairpersons of Standing Committees shall be specified in Article III, Section 3B, C, and D. The President shall be and ex-officio member of all committees.

- A. Committee Appointments. All committee appointments will terminate at the end of the election year.
- B. Standing Committees. The Standing Committees shall be:
  - a. By-Laws. Committee shall review the By-laws of the Association annually, and make recommendations concerning revisions to the Board of Directors.
  - b. Membership. Committee shall organize and implement methods and techniques to increase the membership of the Association by such legitimate means as the Board of Directors deems proper.
  - c. Nominations and Elections. Committee shall receive, compile, and screen for eligibility, nominees for each elective office.
  - d. Awards, Professional Service, and Recognition, Committee shall plan and coordinate the activities of the Association including such things as awards, projects, scholarships, and public relations.
  - e. Resolutions. Committee shall establish standards for presentation of resolutions, and recommend resolutions to the Board of Directors for consideration.
  - f. Planning and Evaluation. Committee shall plan and coordinate long-rang goals for the Association, and evaluate effectiveness of activities.
- C. Standing Committee Reports. Standing Committee Chairpersons shall submit a written report within thirty days following the end of the election year to the Board of Directors.

## **ARTICLE VI : BUSINESS AFFAIRS**

### **Section 1. Election Year**

The Election Year shall coincide with that of the American Counseling Association whenever feasible.

### **Section 2. Property of the Association**

In the event the Association should be dissolved, none of its property shall be distributed to any of the members. Instead, all of its property shall be transferred to such organization(s) as the Board of Directors shall determine to have purposes and activities most nearly consistent with those of the Association, provided, however, that such organization(s) shall be exempt under Section 501 (c) (3) of the Internal Revenue Code or corresponding provisions of the Internal Revenue Laws.

### **Section 3. Dues**

The annual dues of the Association shall be set by the Board of Directors with approval of a simple majority of the voting members and payment shall coincide with the election year.

### **Section 4. Meetings**

There shall be at least one annual meeting of the Association each year, set by the Board of Directors.

## **ARTICLE VII : AMENDMENTS**

The By-Laws of the Association may be amended by a majority of voting members at the annual meeting, if notice of proposed changes has been circulated to the membership one month in advance.

## **ARTICLE VIII : DATE OF EFFECT**

This constitution, inclusive of these modifications, shall take effect on July 1, 1998.