



Bylaws of the Alabama Counseling Association

A Non-Profit Association 501(c) (3)

(Approved by Membership, November 22, 2019)

ARTICLE I. NAME AND MISSION

Section 1. Name

The name of this Association shall be the Alabama Counseling Association, herein after referred to as the Association, ALCA, or the Alabama Counseling Association. The name of the Association as well as those of each of its Chapters, Divisions, Affiliates, and Interest Sections shall remain solely the property of ALCA and shall remain with ALCA in the event of a Chapter, Division, Affiliate, or Interest Section leaving the Association.

Section 2. Mission

This Association is a branch of the American Counseling Association. It seeks to implement through its activities the enhancement of individual human development throughout the life span and to promote the counseling profession.

ARTICLE II. MEMBERSHIP

Section 1. Types of Membership

Professional Members shall hold a master's degree or higher in counseling or a closely related field from a college or university that was accredited when the degree was awarded by one of the regional accrediting bodies recognized by the Council for Higher Education Accreditation. Professional Members must present proof of academic credentials upon request.

Regular Members shall include persons whose interests and activities are consistent with those of the Association, but who are not qualified for Professional Membership. All rights and privileges of Professional Membership shall be extended to Regular Members.

Student Members shall be graduate students who are not employed full-time in a counseling-related position and who are actively engaged in a program of study in counseling. Student members shall pay one-half (½) of regular state dues and one-half (½) of Division or Affiliate dues. All rights and privileges of Professional Membership shall be extended to Student Members.

Retired Members shall be former Professional or Regular Members who have retired. Retired Members shall pay one-half (½) of the regular State dues and one-half (½) of Division and/or Affiliate dues. All rights and privileges of Professional Membership shall be extended to Retired Members.

Life Members shall be those persons who have served the Association (including its antecedent organizations: Alabama Guidance Association, Alabama Guidance and Personnel Association, Alabama Association for Counseling and Development) as President. Life Membership shall include Membership in the Association, one (1) Chapter and two (2) Divisions and/or Affiliates. Presidents are given a Past-President's Award which includes Life Membership, at the conclusion of their term. All rights and privileges of Professional Membership shall be extended to Life Members.

Emeritus Membership may be granted by a majority vote of the Executive Council to members who have reached the age of sixty-five (65) years. Emeritus Members shall be exempt from the payment of dues to the Association; but shall retain all rights and privileges of Professional Membership.

Special Membership criteria may be prescribed and established by the Executive Council in accordance with the Bylaws of this Association.

Section 2. Application for Membership

Persons desiring to become members of the Association must make application to the Association during the dues-paying period of May 1 through April 30. Membership in the Association requires membership in one (1) Chapter and in at least one (1) Division or Affiliate. Membership becomes effective upon approval of the application and the payment of due.

Section 3. Dues

Association Membership dues are paid annually for the fiscal year May 1 to April 30.

The dues of this Association shall be established by a two-thirds (2/3) vote of the Executive Council and shall be unified. The Executive Council shall adopt a dues amount at its Annual Spring Planning Retreat for the next year. The new dues will be effective at the beginning of the next Membership dues - paying period.

A Chapter, Division, Affiliate, or Interest Section desiring to change its membership dues shall have its Membership's approval of the dues change and shall present its request for approval of a dues change not later than the Annual Winter Meeting of the ALCA Executive Council. The new dues will be in effect as of the beginning of the next Membership dues-paying period.

All monies collected by the Association in its unified dues of both the Association and for each Chapter, Division, Affiliate, and Interest Section will become the sole property of the Association in the event of a Chapter, Division, Affiliate, or Interest Section leaving the Association.

Section 4. Voting

Voting membership shall be either (1) type-active Professional or Regular Membership or those afforded those rights.

Section 5. Severance of Membership

A member may be dropped from membership for any conduct that tends to injure the Association or to affect adversely its reputation, or that is contrary to or destructive of its mission according to the Bylaws of the Association and/or the American Counseling Association Code of Ethics.

A member shall be dropped from membership for the nonpayment of dues.

ARTICLE III. OFFICERS

Section 1. Officers and Terms of Office

The officers of this Association shall be:

1. President
2. President-elect
3. Immediate Past President
4. Secretary
5. Treasurer
6. Historian

Section 2. Nomination and Election of Officers.

The Nomination and Elections Committee shall conduct the annual election of officers by ballot, provided electronically to the voting members of the Association by the first week of January. The ballots shall be counted, and the Nominations and Elections Committee shall announce the officers' names by the first week of February.

Nominations for the Association offices shall be made by Chapters, Divisions, and Affiliates. Each Chapter, Division, or Affiliate shall have the right to submit to the Nominations and Elections Committee the name of no more than one (1) candidate to be placed on the ballot for each office. Each candidate shall be a member in good standing of either the American Counseling Association, American Mental Health Counselors Association, or American School Counselor Association.

The selection of candidates by the Nominations and Elections Committee shall be from among the individual members of the Association and shall take place during the Annual Conference and Fall Workshop. Candidates shall be announced and presented at the business session of the membership at the Annual Conference. All elective officers, with the exception of the Treasurer, shall serve for one year, beginning May 1 and ending April 30. The Treasurer shall serve for two years.

The President-elect shall assume the office of President at the completion of the one-year term as President-Elect.

Section 3. Duties of Officers

The President shall preside at all business meetings of the Association and shall be the Chair of the Executive Council. The President shall be an ex-officio member of all Standing and Special Committees. The President shall appoint a Parliamentarian who will serve as Chair of the Bylaws Committee. The President shall be covered by Security Bond.

The President-Elect shall be the Chair of the Program Committee and shall assist the President in the absence or incapacity of the President as determined by the Executive Council.

The Immediate Past President's duties shall include, but are not limited to, serving as Chair of the Nominations and Elections Committee, Chair of the Publications Committee, and Chair of the Strategic Planning Committee.

The Secretary shall keep accurate minutes of all meetings of the Association and the Executive Council. The secretary shall provide copies of the minutes for all members of the Executive Council.

The Treasurer shall administer the receipt and disbursement of all funds with the approval of the President in accordance with the policies and provisions of the Association and its Bylaws. The Treasurer shall serve as the Chair of the Budget and Finance Committee. The Treasurer shall be covered by Security Bond.

The Historian will collect all materials which are to be submitted to the Executive Director by June 1 of each year. These materials shall include; but are not limited to official minutes of each Executive Council meeting, official publications of the Association, membership rosters, amended bylaws, official correspondence, and any other historically significant materials. The Historian shall serve as Chair of the Publicity Committee.

ARTICLE IV. EXECUTIVE DIRECTOR

Section 1. Term of Position

The Executive Director shall be appointed by the Executive Council and shall serve at its pleasure.

Section 2. Selection Process

The President, serving as Chair, shall appoint a committee from among the Executive Council, to seek applicants for the Executive Director position. This committee shall review the applicants' qualifications and recommend a qualified applicant to the Executive Council for its approval.

Section 3. Duties

The duties of the Executive Director shall be determined by the Executive Council and shall be reviewed on an annual basis. The Executive Director shall be covered by Security Bond.

ARTICLE V. EXECUTIVE COUNCIL

Section 1. Composition

Voting members of the Executive Council shall be the elective officers, Immediate Past- President, Chair of all Standing Committees, and one (1) representative from each chartered Chapter, Division, Affiliate, and Interest Section of the Association. The Executive Council representative from each Chapter, Division, Affiliate, or Interest Section shall be the President or Chair of the Chapter, Division, Affiliate, Interest Section or Standing Committee of his/her designee, or a person designated by the President. Non-voting members of the Executive Council shall include the Editor of the Association's Journal, the Chair of Special Committees and the Presidents-Elect of the Chapters, Divisions, Affiliates or Interest Section of the Association.

No voting member shall have more than one (1) vote unless he/she is the official designate for another voting member.

Section 2. Powers and Functions of the Executive Council

The Executive Council shall have the power to act for the Association in the interim between meetings of the Association in accordance with the policies of the Association established at regular meetings. A majority of all voting members of the Executive Council shall be required to transact business.

The Executive Council shall have the power to fill vacancies in its offices occurring between regular meetings of the Association except in the office of the President. If the President should be unable to complete a full term, he/she shall be immediately succeeded by the President-Elect, who shall complete the term of the President and the term to which he/she was elected. In the event that the President and the President-Elect are both unable to complete a full term, the Executive Council shall appoint an Interim President who shall serve until the next regularly scheduled election, at which time a President shall be elected in addition to the regularly elected officers.

The Executive Council shall hold quarterly meetings to conduct the business of the Association.

ARTICLE VI. COMMITTEES

Section 1. Standing Committees

The Standing Committees of this Association shall be: Awards and Resolutions Committee, Budget and Finance Committee, Bylaws Committee, Government and Professional Relations Committee, Membership Committee, Nominations and Elections Committee, Professional Standards Committee, Program Committee, Publications Committee, Publicity Committee, Ethics Committee, and Strategic Planning Committee. The Chair of each respective committee will serve one year.

Section 2. Composition and Functions of Standing Committees

The *Awards and Resolutions Committee* shall facilitate the services of the Association to its membership by reviewing for possible continuation of previous awards, soliciting and considering new awards, preparing and revising guidelines for each award, and submitting information to the Executive Council for action. The committee shall be composed of one (1) representative from each Chapter,

Division, and Affiliate. The Chair shall be appointed by the President with the approval of the Executive Council.

The *Budget and Finance Committee* shall maintain financial records of the Association and shall recommend to the Executive Council a proposed budget for the annual operation of the Association. The committee shall be composed of the President, President-Elect, Immediate Past-President, a Past Treasurer, and the Treasurer, who shall serve as Chair.

The *Bylaws Committee* shall supply the membership with accurate copies of the Bylaws and shall propose amendments to them when deemed appropriate. The Chair shall be the Parliamentarian.

The *Government and Professional Relations Committee* shall serve as the official liaison between this Association and the State Department of Education, the State Department of Mental Health, the American Counseling Association, Government Relations Committee; national, state, and local elected officials; and other agencies. The committee shall actively pursue liaison and support legislation which reflects the mission of this Association. Each Division and Affiliate may select one (1) representative to this Committee. The Chair shall be a member of the Executive Council appointed by the President with the approval of the Executive Council.

The *Membership Committee* shall promote interest in membership in this Association among all eligible persons in this State; and shall be responsible for the coordination of membership activities of the Association. The Chair shall be a member of the Executive Council appointed by the President with the approval of the Executive Council.

The *Nominations and Elections Committee* shall conduct the nominations and elections of the Association, and review and recommend procedures for carrying out the annual election in accordance with the nominations and elections policies as adopted by the Executive Council.

The Nominations and Elections Committee shall consist of six (6) members including the Chair.

The Immediate Past-President of the Association shall serve as Chair. The other members shall be a Past-President of the Association appointed by the President and subject to confirmation by the Executive Council, two (2) members elected by the Chapter Representatives to the Executive Council, and two (2) members elected by the Division and Affiliate Representatives to the Executive Council. These Chapter, Division and Affiliate Representatives are to be elected at the first meeting of the Executive Council in the fiscal year.

The term of office for members of the Nominations and Elections Committee is one (1) year. Members may not serve consecutive terms, nor may any member be a candidate for an elective office of the Association while a member of the Nominations and Elections Committee.

The *Professional Standards Committee* shall promote the Association's concerns for professionally trained and/or certified counselors filling positions in public and private settings within the State. With the approval of the Executive Council, this committee shall represent the Association's views regarding certification and licensure of professional counselors within the State. This Committee shall select nominees, subject to Executive Council approval, for submission to the Governor of Alabama for appointment to the Alabama Board of Examiners in Counseling. This action shall be taken by the Committee in accordance with the Code of Alabama, 34-8A-4.

Recommendations for nominees will be solicited broadly from all Association members and Licensed Professional Counselors and from all readily identifiable organizations and associations affected directly by the activities of the Alabama Board of Examiners in Counseling.

Each Division and Affiliate may select one (1) member for representation on this committee. The Chair shall be a member of the Executive Council appointed by the President with the approval of the Executive Council.

The *Program Committee* shall plan all official programs of the Association. The Chair shall be the President-Elect.

The *Publications Committee* shall establish publications policy and shall nominate a person at the appropriate time to serve as Editor of the official publication of the Association and to serve on the Editorial Board of this publication. The committee shall be composed of the Editor, the three (3) Past Presidents, with the Immediate Past- President serving as the Chair.

The *Publicity Committee* shall publicize the activities of the Association through the news media, and shall keep records and other material of historical significance to the Association. The Chair shall be the Historian.

The *Ethics Committee* of the Association is responsible for educating the membership as to the Association's ethical standards and for keeping the membership informed of any changes in the ethical standards and/or in the policy and procedures for handling complaints of ethical violations. The committee consists of seven (7) appointed members, representing school counselors, college/university professionals, private practitioners, agency counselors and two (2) members appointed by the ALCA President-Elect subject to confirmation by the Executive Council. The Chair shall be a member of the Executive Council appointed by the President with the approval of the Executive Council.

The *Strategic Planning Committee* shall annually recommend to the Executive Council a three-year strategic plan and shall monitor the implementation of the plan. The planning process shall be patterned after the American Counseling Association's strategic planning model.

The Committee shall meet at least twice annually (once prior to the Summer Executive Council Meeting and once prior to the Fall Executive Council Meeting). The Committee shall be composed of five (5) Past-Presidents, the President, the President-Elect, the Executive Director, two (2) Chapter Presidents, and two (2) Division and/or Affiliate Presidents.

Additional members may be appointed by the President with Executive Council approval. The Immediate Past-President shall serve as Chair.

Section 3. Standing Committees Co-Chairs

The President may appoint a Co-Chair for a Standing Committee. Both Chairs sit as members of the Executive Council with only one (1) designated vote.

Section 4. Special Committees

The President and/or the Executive Council may appoint Special Committees and their membership. The Chair of each Special Committee shall serve at the pleasure of the president and shall be a non-voting member of the Executive Council.

Section 5. Reports

Each committee shall transmit a written report at each Executive Council meeting.

ARTICLE VII. PUBLICATION

Section 1. Official Publication

The Alabama Counseling Association Journal shall be the official publication of the Association and shall be distributed without additional charge to all members of the Association in good standing.

Section 2. Editorial Board

The Editorial Board of the Journal shall consist of one (1) member from each of the Divisions and Affiliates of the Association.

The Publications Committee, working with Chapter, Division, and Affiliate Presidents, will recommend to the Executive Council candidates from each of the Chapters, Divisions and Affiliates who are qualified and willing to serve on the Editorial Board. The Executive Council shall retain authority of appointment of Editorial Board members, and authority to relieve an Editorial Board member of his/her duties upon the recommendation of the Publications Committee.

Members of the Editorial Board shall serve three (3) years rotating terms, beginning on May 1 of a given year and ending on April 30 three years later.

Section 3. Editor

The Editor must be a member of the Alabama Counseling Association.

Applications for the position of Editor of the Journal shall be received and reviewed by the Publications Committee, who shall make recommendation to the President and the Executive Council, who shall retain authority for appointment.

The Editor shall serve for three (3) year terms, which may be renewable one (1) time. Appointments to the position of Editor shall be made one (1) year before the beginning of the term in which the Editor is to serve.

The Editor of the Journal shall receive and evaluate all manuscripts proposed for publications in the Alabama Counseling Association Journal.

The Editor shall, with the assistance of the Editorial Board, be responsible for accomplishing the tasks and adhering to the policies as outlined in the Association's Publication Guidelines.

The Editor shall serve as a non-voting member of the Executive Council.

Section 4. Editor Designee

The Editor Designee shall be identified one (1) year prior to assuming the position of Editor. He/she shall serve as an apprentice during the final year of an Editor's term, supporting him/her in the accomplishment of the duties of the Editor.

ARTICLE VIII. MEETING

This Association shall have at least one (1) regular statewide meeting each year, at which time the business of the Association shall be conducted. This meeting shall be held at the ALCA Annual Conference. Other meetings may be held on the recommendation of the Executive Council with approval of the membership.

ARTICLE IX. QUORUM

Professional and Regular Members and those afforded that status present at any regular meeting of the Association shall constitute a quorum for the transactions of the business of the Association.

ARTICLE X. NATIONAL REPRESENTATION

The President of the Association shall be its official delegate to the Branch Assembly and its official representative to the American Counseling Association.

ARTICLE XI. CHAPTERS

Section 1:

A Chapter may be chartered by the State Association using geographical determinants in accordance with the purposes of the Association.

Section 2:

A Chapter must submit a constitution or a set of Bylaws with the officers for the Chapter to the Parliamentarian of the State Association for evaluation with the National and State Bylaws.

Section 3:

The Executive Council of the State Association shall have the power to charter Chapters based upon the foregoing procedures and documents.

Section 4:

Each chartered Chapter shall transmit a written report at each Executive Council meeting.

ARTICLE XII. DIVISIONS AND AFFILIATES

Section 1:

The Association shall include State Divisions and Affiliates representing specialized areas of interest in counseling.

Section 2:

A State Division or Affiliate must submit a constitution or a set of Bylaws with the officers for the Division or Affiliate to the Parliamentarian of the State Association for evaluation with the Bylaws of the American Counseling Association or an Affiliate's corresponding National Association, the National Division, and the ALCA Association.

Section 3:

A State Division shall be chartered by the corresponding American Counseling Association Division in accordance with the purposes and Bylaws of that National Division and consistent with the Bylaws of the American Counseling Association and the ALCA Association.

Section 4:

Each chartered State Division and Affiliate shall transmit a written report at each Executive Council meeting.

ARTICLE XIII. AFFILIATES

Section 1:

A State "Affiliate" refers to a former ALCA Division who is no longer with the American Counseling Association.

Section 2:

Two types of Affiliates are represented in ALCA:

- 1). Affiliate with a national association different from ACA and continuing to operate like other ALCA Divisions

- 2). Affiliate with a national association different from ACA and with own non-profit status

ARTICLE XIV. INTEREST SECTIONS

Section 1:

The Association may include one or more Interest Sections which are not qualified to be a Chapter, Division or Affiliate.

Section 2:

In order to become an Interest Section, a Professional Member must petition the Executive Council for Interest Section status. An Interest Section is a group of individual Members showing common interest not met by any current Chapter, Division or Affiliate. To receive initial Interest Section status, the petition must contain the names, addresses and signatures of fifty (50) ALCA Professional or Regular Members.

Section 3:

The purposes and activities of an Interest Section shall be in compliance with the Bylaws of the Association.

Section 4:

The Executive Council shall have the power to grant or revoke Interest Section status pursuant to the rules adopted for that purpose.

Section 5:

An Interest Section shall be free to conduct its affairs but shall do so in compliance with the Bylaws of the Association and the rules for Interest Sections. All members, directors and officers of an Interest Section must be Professional or Regular Members.

Section 6:

An Interest Section is entitled to ex officio, non-voting participation in Executive Council meetings. It may adopt its own name; but must be identified on all information sources as “An Interest Section of the Alabama Counseling Association.”

ARTICLE XV. BUSINESS AFFAIRS OF THE ASSOCIATION

Section 1: Association Year

The fiscal and governance year of the Association shall be May 1 - April 30.

Section 2: Annual Budget

The Executive Council shall adopt and implement an Annual Budget.

Section 3: Severable or Transferable Interest

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

Section 4: Control and Management

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

Section 5: Disposal upon Dissolution

Upon dissolution of the Association, none of its property shall be subject to any of the members and all of such property shall be transferred to such other organization(s) as the Executive Council shall determine to have purposes and activities most nearly consonant with those of the Association, provided that such organization(s) shall be kept under Section 501(c) (3) of the Internal Revenue Code or corresponding provision of the Internal Revenue laws.

Section 6: Appropriation of Association Funds

No appropriation of Association funds shall be made except pursuant to the authority of the Executive Council.

The Executive Council shall adopt an annual budget. (See Article XV, Section 2)

Section 7: Dissolution of a Chapter, Division or Organizational Affiliate

The ALCA Executive Council shall have the power to revoke the charter of a State Chapter, Division, Affiliate, or Interest Section when deemed in the best interest of the ALCA Association to do so.

Before any final action can be taken by the Executive Council, a notice of intent to dissolve must first be passed by a majority of the Executive Council. Officers of the Chapter, Division, Affiliate, or Interest Section will be notified in writing of the reasons for the proposed action. The Chapter, Division, Affiliate, or Interest Group will then have a minimum of six months to effect remedial measures or otherwise bring itself into compliance.

At the next Executive Council meeting following the six-month period, a majority vote of the Executive Council would then be required for dissolution of, or other action regarding the Chapter, Division, Affiliate, or Interest Section.

Should a Chapter, Division, Affiliate, or Interest Section wish to disband, a vote by the majority of its officers is required to petition the ALCA Executive Council. Once the ALCA President receives the petition, it must be passed by a majority of the Executive Council at its next meeting. For a merger, this same procedure should be followed for like groups. An endorsement by the accepting Chapter, Division, Affiliate, or Interest Section will also be required.

All property, assets and use of the name of a dissolved Chapter, Division, Affiliate, or Interest Section will revert back to the ALCA Association.

Section 8: Association Liability

Through Membership and participation in Association activities, Members do acknowledge the good intentions of the Association and its officers, directors and agents and do agree to hold harmless the Association and its officers, directors, and agents unless such actions are caused by the gross negligence or willful misconduct of the Association, its officers, directors or agents.

ARTICLE XVI. NONDISCRIMINATION

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

ARTICLE XVII. RULES OF ORDER

Robert's Rules of Order, Newly Revised, as from time to time amended, shall govern the proceedings of all bodies of the Association except where otherwise specified in these Bylaws.

ARTICLE XVIII. AMENDMENTS

These Bylaws may be amended at any regular meeting of the Association provided the proposed amendment has been distributed to the membership at least fifteen (15) days prior to the meeting.