

The Nevada Counseling Association Bylaws
A Branch of the American Counseling Association
Revised 2003
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Article I
Name, Mission, and Purpose

Section 1. Name

The Name of this Association shall be the Nevada Counseling Association (NCA). NCA is recognized as the Nevada Branch of the American Counseling Association.

Section 2. Mission

The mission of the Nevada Counseling Association (NCA) is to enhance the quality of life by promoting the development of professional counselors, use the practice of counseling to provide effective interventions that meet the needs of the community in which it serves, and promote respect for human dignity and diversity.

Section 3. Purpose

- A. The NCA is a partnership organization representing professional counselors who serve as advocates for:
professional counseling, the provision of services that address the physical, psychological, social, ethical, and spiritual needs of the community, and the enhancement of human potential. In addition, NCA serves to promote intercommunication between other organizations in Nevada, to represent the state in national, regional, and local forums.
- B. The Purposes of NCA shall be initiated and maintained by the following:
 1. Promoting and conducting programs of research and education in the field of professional counseling
 2. Enhancing high standards of professional preparation, performance, and conduct
 3. Conducting professional meetings and conferences
 4. Uniting persons and groups engaged in the application of mental health, psychological, or human development

principles, through cognitive, affective, behavioral, or systematic intervention strategies that address the wellness, personal growth, or career development

5. Developing and promoting legislative measures to improve the standards and support of professional counseling
6. Building trust and confidence in the identity and resourcefulness of the human development professions by informing the general public through a variety of media venues

Article II Membership

Section 1. Classes of Membership

- A. Membership shall be individual.
- B. Eligibility
 1. Any person whose primary responsibilities or interests are in the area of human development – specifically professional counseling, others with similar interests and responsibilities such as community agency workers, social workers, psychologists, marriage and family therapists, vocational and career counselors, rehabilitation counselors, life coaches, psychiatrists, paraprofessionals in counseling shall be eligible for membership.
 2. Every member of NCA shall be encouraged to join the American Counseling Association.
- C. Obligations and Responsibilities
 1. A member must pay annual dues.
 2. A member in good standing shall be entitled to one vote, to attend meetings of NCA, and within the guidelines, set forth in the Bylaws of the American Counseling Association, shall be eligible to hold office in NCA.

Section 2. Types of Membership

- A. Professional Members

Professional Members shall be individuals who hold a masters degree or higher in counseling or a closely related field from a college or university accredited by the Council of Higher Education Accreditation. Professional members must present proof of academic credentials upon request.

- B. Regular Members
Regular members shall be individuals whose interests and activities are consistent with those of the American Counseling Association and NCA, but do not qualify for professional membership.
- C. Student Membership
Any student at the college level having interests in the area of human services shall be eligible to become a student member of NCA with all the privileges of individual membership for a period not to exceed four (4) years. Student status must be verified by a professor in counseling and may be maintained longer than four (4) years upon annual verification by a professor in counseling.
- D. Retired Members
Members in retirement shall be entitled to a reduced annual dues rate and shall maintain all the privileges of individual membership.

Section 3. Dues

- A. Dues for membership in the NCA shall be established by the action of the Executive Board.
- B. Dues shall be paid to the treasurer at the beginning of each year according to the members' anniversary renewal date.

Section 4. Severance of Membership

- A. A member may be dropped from membership for any conduct that lends itself to injure NCA, to affect adversely or is contrary to or destructive of its objectives and/or purposes according to the Bylaws and Code of Ethics established by the American Counseling Association. Any member charged with engaging in any such conduct shall be given a written notice of the precise nature of the charge, shall be given an opportunity to confront witnesses, and shall have the right to a hearing before the Ethics Committee. The Ethics Committee shall consider any charges made and shall have the power to determine whether the charges shall be dropped, whether the accused member shall be reprimanded, placed on probation, or expelled or suspended from membership. An accused member or an accuser may appeal a final decision of the Ethics Committee to the Governing Board, which shall rule on the findings of the Ethics Committee. Further action shall be

consistent with the Bylaws of the American Counseling Association.

- B. A member may be dropped from membership for the nonpayment of dues.

Article III State Divisions

Section 1 State Division Structure

- A. The Executive Board shall have the power to grant charters to state divisions. The policies governing the formation of new state divisions shall be established by a 2/3-majority vote of the Executive Board.
- B. A state division shall consist of persons who organize in accordance with the Bylaws of the national division, the American Counseling Association, and NCA. The Executive Board may make exceptions to the above for potential divisions, which are not directly comparable to national divisions.

Section 2 State Division Accountability

- A. Autonomy of State Division

A state division of the NCA shall be autonomous in the conducting of the organization's affairs, which includes the dues structure, consistent with the Bylaws of the NCA. However, as a chartered organization of NCA, the division shall be included in accounting system for annual audits and tax accountability.

- B. Amendments to Basic Documents

Amendments to any state division's basic documents shall be reported, in writing, to the Executive Board of NCA for approval within thirty (30) days prior to the effective date of their adoption.

- C. Reports

Each division shall transmit to the Executive Board of NCA the names of the officers upon election or appointment. Each state division, at least thirty (30) days prior to the end of the fiscal year, shall transmit a written annual report to the President of NCA, who shall report salient developments to the respective membership.

D. Involuntary Revocation of a Charter

The Executive Board shall have the power to revoke the charter of a state division when it is deemed in the best interest of NCA to do so.

- 1) Before final action can be taken with respect to the revocation of the charter of a division, a notice of intent to revoke must be passed by a majority of the voting Executive Board members who are present. The division in question shall be advised in writing of the reasons for the proposed action and the procedures necessary to rectify the problems. The division shall have twelve (12) months to effect remedial measures.
- 2) A two-thirds vote of the Executive Board shall be necessary to revoke the charter of the state division.

E. Voluntary Withdrawal of a Division

A division may be withdrawn from NCA only in compliance with policies adopted by the Executive Board.

Article IV The Executive Board

Section 1. Composition

- A. The Executive Board of NCA shall be composed of the following members:
 - 1) The President, President-elect, Past President, Secretary, and Treasurer

2) The President of each state division

B. The Executive Board shall be elected by the membership.

Section 2. Powers and Functions of the Executive Board

A. The responsibilities of the Executive Board shall be as follows:

- 1) Establish policies that govern the affairs of NCA
- 2) Formulate operational policies appropriate for the action by the President
- 3) Grant, deny, or revoke the charters of the state divisions
- 4) Be responsible for identifying issues and establishing priorities for professional emphasis, relating to matters of human development important to the mission and goals of the NCA
- 5) Develop and maintain a communication network with NCA members, various organizations with common pursuits, and the public
- 6) Formulate and adopt a budget for NCA's fiscal year
- 7) Exercise such other powers and functions as may be necessary or desirable in the best interest of NCA
- 8) Determine the date, time, and place of general NCA membership meetings

B. Meetings of the Executive Board

The NCA and Executive Board shall hold meetings at a time and place fixed by the Executive Board and shall be called by the President. Quarterly meetings during the year are optimum. Accommodations shall be made to connect membership from all areas of the state. The NCA may hold other meetings at a time and place fixed by the Executive Board, which shall give reasonable notice to the membership. Any member of the Executive Board or NCA may present a business item for consideration.

- 1) The Executive Board shall hold an annual meeting twice a year at the time and place agreed upon by the Board.
- 2) A quorum shall consist of members in good standing in attendance of the meeting duly called by the President.
- 3) The President shall give a fourteen (14) days written

notice of the upcoming meeting.

Section 3. Indemnification

- A. NCA shall indemnify each member of the Executive Board as described in Article IV and Article V for the defense of civil or criminal actions or proceedings as hereinafter provided and, notwithstanding any provision in the NCA Bylaws, in a manner and to the extent permitted by applicable law.
- B. Indemnification of each Executive Board member shall be from and against any and all judgments, fines, amounts paid in settlement, and reasonable expenses, including attorney fees, actually and necessarily incurred or imposed as a result of such action or proceedings, or any appeal therein, imposed upon or asserted against him or her by reason of being or having been such an officer and acting in the scope of the official duties provided that he or she acted in good faith or for the purpose which was determined to be in the best interest of NCA, and, in the case of criminal action or proceeding, in addition had no reasonable cause to believe that his or her conduct was unlawful. This indemnification shall be made only if the NCA Executive Board acts according to (1) a quorum consisting of the NCA Executive Board members who are not parties to such action or proceedings upon a finding that, or (2) if a quorum under (1) is not obtainable with due diligence, upon the opinion in writing of independent legal counsel, the Executive Board member has met the foregoing applicable standard of conduct. If the foregoing determination is to be made by the Executive Board, it may rely, as to all questions of law, on the advice of independent legal counsel.

Article V Officers of the Association

Section 1. Officers and Terms of Office

- A. The officers of the NCA shall be the President, President-elect, the Secretary, and the Treasurer. All candidates for office shall be members of NCA and the American Counseling Association in good standing.
- B. The Secretary and the Treasurer shall be elected from the

membership at large and shall serve for two-year terms.

- C. The office of the President shall be for a one-year term. The President-elect shall be elected from the membership at large and shall automatically become President of the Association one year after the commencement of the term of office as President-elect or upon the death or resignation of the President.
- D. In the event there is no candidate for President, creating a vacancy in the position, the Executive Board shall appoint a Past President or other designee to serve as "Interim President" until such time as a candidate is elected to serve as President of the NCA
- E. The term of office of any elected official of NCA shall begin on July 1.
- F. Unexpired terms shall be filled by appointment by the President, subject to confirmation by the Executive Board.

Section 2. Nominations and Elections of Officers

- A. The President shall appoint, with the approval of the Executive Board, a Nominations and Elections Committee consisting of the Past President and three members in good standing of NCA. This Committee will submit a timeline and description of procedures to the Executive Board for approval, seek nominations, and conduct the election.
- B. Each division and other organizations of common pursuit having membership in the Association shall have the right to submit to the Nominations and Elections Committee the name of no more than one candidate to be placed on the ballot for President-elect. The candidate shall be an Association member in good standing.
- C. The Chairperson of the Nominations and Elections Committee Shall report the names of the newly elected officers to the President and Executive Board. The candidate for an office receiving the greatest number of votes shall be declared elected to that office and shall be announced to the membership through the available media source.
- D. The President shall notify each candidate of the election results

within ten (10) days after said election.

Section 3. Duties of the Officers

- A. The President shall be the chief elected officer of the Association, shall preside at all statewide meetings of the Association, and shall be the chair of and preside at meetings of the Executive Board. The President, subject to the approval of the Executive Board, shall appoint all committees. The President shall perform the duties customary to the office and such additional duties as directed by the Executive Board. These responsibilities include appointing an ad hoc committee to complete the annual audit prior to the June Board meeting. The President shall serve as an ex officio member without vote on all committees. The President has primary responsibility to uphold the rules and regulations of the administration of NCA and to promote a program of activities.
- B. The President-elect shall perform the duties of the President in the absence or incapacity of the President and shall perform other duties as assigned by the President. The President-elect shall assume the presidency of NCA upon death or resignation of the President. The President-elect shall serve on the Conference Committee.
- C. The Past President shall chair the Nominations and Elections and Ethical Standards Committees and shall be the liaison between NCA and the American Counseling Association.
- D. The Secretary shall record all the proceedings of the meetings of the Association and the Executive Board. The Secretary shall perform such duties as are customary to the office such as conducting correspondence, or as delegated by the Executive Board or the President. The Secretary shall keep a file of all correspondence and minutes.
- E. The Treasurer shall represent the Association in assuring that the receipts and expenditures of funds, in accordance with the directives established by the Executive Board, report the condition of the treasury at the meetings of the Executive Board and the general membership. The Treasurer shall chair the meetings of the finance committee in preparation of the report at meetings and the crafting of the annual budget.

Section 4. Recall of Officers

An officer who fails to maintain the requirements of the office, the policies of the Association, or the policies established by the ACA Code of Ethics may be recalled from office. A petition for recall must contain signatures of twenty (20) Association members in good standing, the reasons for the recall, and must be filed with the Executive Board. A two-thirds vote of the Executive Board shall be necessary to submit the recall to the membership. Two-thirds of the ballots returned by the members must favor the recall in order for it to take effect. A vacancy created by recall shall be filled by the Executive Board.

Section 5. Vacancies

The President, subject to approval by the Executive Board, shall fill vacancies that occur in the offices of Secretary and Treasurer through appointment. Such appointments shall terminate when the office is filled at the next election of the Association. The President-elect shall fill the vacancy for the office of the President. Vacancy in the office of the President-elect shall be filled by a special election, subject to the approval of the Executive Board.

Article VI Meetings of the Membership

Section 1. Annual Conference

The NCA shall promote and sponsor at least one conference/professional development event each year for its membership. The date, time, and place shall be determined by the Conference Committee.

Section 2. General Meetings

The NCA shall encourage meetings for its membership during the year as Stated in Article IV, Section 2B.

Article VII Business Affairs of NCA

Section 1. Appropriation of NCA Funds

- A. The Executive Board shall adopt an annual budget.
- B. No appropriation of funds shall be made except to those pursuant to the authority of the Executive Board.
- C. Any Board member who knowingly participates in the misappropriation of NCA funds shall be subject to removal from office and dismissal of membership.
- D. A written financial report shall be submitted to the President at each Board meeting and presented at each membership meeting. A formal report will be provided at the end of each fiscal year for audit purposes.

Section 2. Board Expenses

- A. Compensation will be contingent upon the availability of funds as determined by the Executive Board. Every effort will be made to use the least expensive mode of transportation within reason.
- B. Priority for authorized expenses will be given to the President of NCA for travel to attend meetings/conferences sponsored by NCA, the Western Region of the American Counseling Association, and the American Counseling Association.

Section 3. Financial Liability

- A. No officer or member shall be authorized to create liability for NCA unless approved in advance by the Executive Board.
- B. All expenses of s division and any liability incurred shall be the liability of the division and/or persons incurring or authorizing such liability.

Section 4. Association Year

The fiscal year shall be July 1 to June 30.

Section 5. Dissolution

In the event that NCA ceases to do business and is dissolved, all

property and funds remaining after the payment of or provision of debts of NCA shall be distributed by the direction of the Executive Board to a corporation, trust, or organization, of similar character as defined in Section 501(c) (3) of the Internal Revenue Code of 1954 and the corresponding provisions of the revenue laws of the State of Nevada.

Article VIII Publications

Section 1. Newsletter Editor

The Newsletter Editor of NCA shall be appointed by the President and approved by the Executive Board. He/she shall attend Board meetings and chair the Publications Committee.

Section 2. The Newsletter

The NCA Newsletter is the official publication of NCA.

Article IX Committees

Section 1. Standing Committees

The NCA Standing Committees shall include:

- A. Bylaws and Ethics
- B. Graduate Student
- C. Nominations and Elections
- D. Professional Development
- E. Conference
- F. Publications
- G. Membership

Section 2. Appointments of Committees

- A. The President shall have the authority, subject to confirmation by the NCA Executive Board, to name such standing committee and special committees as may be needed to conduct the activities of NCA.

- B. The chairperson of each committee shall be designed by the President, with the approval of the NCA Executive Board. Each committee chairperson, in collaboration with the President, shall select his/her committee members.
- C. Vacancies in membership of committee, both standing and special, shall be filled by appointment of the President.

Section 3. Responsibilities of Committee Chairpersons

The chairperson of each standing or special committee shall submit a written list of goals/activities for the year at the Fall board meeting and a summary of committee activities at least thirty (30) days prior to the end of the fiscal year.

Article X Nondiscrimination

- Section 1. There shall be no discrimination against any individual on the basis on basis of ethnic, group, color, creed, sex, sexual orientation, age, or disabling condition.

Article XI Bylaws

Section 1. Amendments

- A. Any proposed amendment must be submitted to the Bylaws and Ethics Committee in writing along with the signatures of ten (10) members in good standing.
- B. Upon recommendation from the Bylaws and Ethics Committee, the proposed amendment may be voted upon within thirty (30) days of the action of the Executive Board. If a majority of the members favor the proposed amendment, it shall be adopted.
- C. Any proposed amendment submitted to the Executive Board from the Bylaws and Ethics Committee along with the signatures of ten (10) members in good standing, must be submitted with the recommendations of the Executive Board to the membership by ballot within thirty (30) days after the petition has been reviewed. If a

majority of the members returning the ballots favor the proposed amendment, it shall be adopted.

- D. The President shall report the new adopted amendment (s) to the membership within thirty (30) days of its adoption.

Article XII Rules of Order

- Section 1. Robert's Rules of Order shall govern the proceedings of all bodies of NCA except where otherwise specified in these Bylaws.