

North Dakota Counseling Association Constitution
(February 2017)

ARTICLE I

NAME

Section 1: The name of the Association shall be North Dakota Counseling Association.
Section 2: The Association is a branch of the American Counseling Association.

ARTICLE II

MISSION

North Dakota Counseling Association will provide quality professional development opportunities, facilitate networking, advocate for the counseling profession, and promote leadership activities and encourage active involvement in the organization

ARTICLE III

PURPOSES

Section 1: The organization advances its mission by:

- (a) Promoting public confidence and trust in the professional counseling and human development profession.
- (b) Uniting people engaged in any phase of professional counseling and human development.
- (c) Maintaining and improving professional standards in the field of counseling and human development in North Dakota.
- (d) Encouraging the development of creative programs and activities, professional development and leadership opportunities.
- (e) Serving as a central clearing agency for information pertinent to professional counseling and human development activities in North Dakota.
- (f) Disseminating information and focusing public attention on legislation in any way affecting professional counseling and human development in North Dakota.

ARTICLE IV

MEMBERSHIP

Section 1. Any person who is engaged in or has an interest in counseling or human development in North Dakota is eligible to become a member.

Section 2. Members shall be encouraged to apply for membership in the American Counseling Association and one or more other national professional counseling organizations.

Section 3. Membership in NDCA is required prior to membership in any branch organization for annual conference attendance.

Section 4: Severance of Membership.

- a. A member may be dropped from membership for any conduct that tends to injure NDCA or to affect adversely, its reputation, or that is contrary to or destructive of its mission according to the ACA By laws and the ACA Code of Ethics.
- b. A member shall be dropped from membership for the non payment of dues.

ARTICLE V

OFFICERS

Section 1. The officers of the Association shall be President, President-Elect, President-Elect-Elect, and the Past President. Each office is for a one year term and is successive to the next position.

Section 2. The North Dakota Counseling Association President and President-Elect must be active members of the Association and must be members in good standing of the American Counseling Association.

Section 3. The President shall:

- a. Serve as chief executive officer of the Association.
- b. Preside at all regular and special meetings of the Association.
- c. Preside at Executive Council and Board of Director meetings.
- d. Appoint members of Standing committees subject to approval of the Board of Directors.
- e. Serve as an ex-officio member on all Standing Committees.
- f. Appoint special committees when deemed necessary.
- g. Attend regional and national conferences as a representative of NDCA.

Section 4. The President-Elect shall:

- a. Assume responsibilities of the President in that person's absence.
- b. Serve as Chair of the Conference Committee.

Section 5. The President-Elect-Elect shall:

- a. Assume the responsibilities of the President in the absence of both the President and the President-Elect.
- b. Serve as Chair of the Membership Committee.
- c. Serve as a member of the Conference Committee.
- d. If a vacancy occurs, the position will be appointed by president and approved by the executive council.

Section 6. The Past-President shall:

- a. Serve as Chair of the Nominating Committee.
- b. Solicit advertising for the annual Conference program booklet.
- c. Solicit conference exhibitors.
- d. Assist with the exhibit area during the conference.

Section 7. The elected officers will begin to exercise the power of the office the first day of the fiscal year (July 1).

ARTICLE VI

BOARD OF DIRECTORS

Section 1. The Board of Directors of the Association shall consist of:

- a. The officers of the Association.
- b. The Executive Director.
- c. The directors selected by each division.

Section 2. The Board of Directors of the Association shall:

- a. Establish policies to govern the affairs of the Association.
- b. Formulate operational policies appropriate for executive action and direct the execution thereof.
- c. Grant and revoke Division charters.
- d. Develop, promote, and execute plans that have the approval of the Association for promoting cooperation and affiliation with the other organizations having interests similar to those of the Association while remaining autonomous.

ARTICLE VII

EXECUTIVE BOARD

Section 1. The officers shall constitute the Executive Board of the Association.

Section 2. The Executive Board shall have the power to hire and terminate the Executive Director.

Section 3. The Executive Board shall act for the Board of Directors within policies as established by the Board of Directors. The Executive Board shall function primarily to address those issues which are necessary for efficient operation of the North Dakota Counseling Association where the time requirement necessitates immediate action.

Section 4: Removal of Officers

- a. Any elected officer may be removed from office, with or without cause, upon a vote of a majority of the current members of the Board of Directors when it is determined that the best interest of the Association would be served thereby, provided that all the Board of Directors members have at least ten days notice of the proposed removal and the officer at issue has an opportunity to personally address the Board of Directors prior to the

removal vote. Any officer appointed by the President may be removed with or without cause by the President.

ARTICLE VIII

EXECUTIVE DIRECTOR

Section 1. The Executive Director shall be hired by the Executive Board. The term of employment shall be at the discretion of the Executive Board.

Section 2. The Executive Director shall:

- a. Be the Secretary of the Association and perform the duties customary to the office of Secretary;
- b. Be the Treasurer of the Association and perform the duties customary to the office of Treasurer;
- c. Be responsible to transact the Association's day-to-day business activities and operations;
- d. Be an Ex-Officio member of the Executive Board.

ARTICLE IX

MEETINGS

Section 1. There shall be an annual business meeting of the Association. The Board of Directors shall determine the time and place of the meeting. The meeting shall be part of the annual conference of the Association. The business meeting will be for the purposes of election of officers voting on By-law changes, hearing reports of Divisions, and transacting other items presented by the members as new business. Vote shall be passed by a simple majority of the members present. Elections shall be by secret ballot and with the highest number of votes of members present deciding the election.

ARTICLE X

NOMINATIONS AND ELECTION PROCESS

Section 1. Nominations and Election Process

Section 2. The Past-President shall serve as the Nominating Committee Chair. The Past-President shall secure a slate of nominees for the office (President-Elect- Elect) or offices to be filled by election of the members at the annual business meeting. The Past-President shall present the nomination report at the annual meeting. Nominations from the floor shall be called for by the NDCA President. The election shall follow. Unless a candidate is unopposed, all elections shall be by secret ballot.

ARTICLE XI

DUES AND FISCAL YEAR

Section 1. The fiscal year shall be from July 1 through June 30.

Section 2. The membership year shall be from January 1 through December 31.

Section 3. Dues of the Association for the membership year shall be established by a simple majority of the membership present and voting at the annual business meeting.

ARTICLE XII

AMENDMENTS

Section 1. The By-laws may be amended at the annual business meeting by a simple majority vote of those present and voting.

Section 2. All proposed amendments of the By-laws must be submitted in writing to the Board of Directors at least 60 days prior to the annual meeting for its study and recommendations.

Section 3. The Board of Directors shall submit proposed amendments to the Constitution and By-laws in writing to the membership along with the recommendation of the majority of the board and any dissent thereto at the annual meeting.

STATEMENT OF INDEMNIFICATION

Section 1. The Association (NDCA) will indemnify the officers and directors to the extent permitted by state law.

Adopted:	December 15, 1956
Amended:	November 13, 1958
New Revision Finalized:	February 15, 1985
Name Change:	February 15, 1985
New Revision Finalized:	February 14, 1989
Amended:	February 11, 1992
Amended:	April 30, 1995
New Revision Finalized:	February 11, 1998
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New Revision Finalized:	July 20, 1999
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