

# **Capital District Counseling Association**

A Chapter of the New York Counseling Association

## **By – Laws**

**(Reflecting Amendments made in March 1969, May 1970, April 1979, June 1985, June 1988, December 1988, June 1992, June 1993, June 1995 and June 2005).**

### **Article I**

**Section 1.** The name of this association shall be the **Capital District Counseling Association (CDCA)**, which is a chapter of the New York Counseling Association (NYCA), Inc.

### **Article II Purposes**

- Section 1.** The purposes of the **Capital District Counseling Association** are to advance the discipline of counseling, guidance, and personnel work; to conduct and foster programs of education in the field of counseling, guidance, and personnel work; to promote sound counseling, guidance, and personnel practices in the interests of society by stimulating, promoting, and conducting programs of scientific research and evaluation of education in the fields of counseling, guidance and personnel work; to publish scientific educational and professional literature; to advance high standards of professional conduct; to conduct scientific, educational, and professional meetings and conferences.
- Section 2.** The purposes are in accordance with those of the American Counseling Association and New York Counseling Association and are intended to promote the national and state purposes at the local level in the Capital District area of New York State, which includes the counties of Albany, Columbia, Fulton, Montgomery, Greene, Rensselaer, Schenectady, and the southern part of Saratoga.
- Section 3.** Further purposes of the Association shall be:
- A. to unite in one local organization those persons who are engaged professionally in any phase of counseling, guidance, and personnel work, or counselor education in the Capital District;
  - B. to cooperate with local public and private agencies in their guidance and personnel activities.

**Section 4.** The **Capital District Counseling Association** does not discriminate on the basis of race, religion, gender, sexual orientation, national origin, age, disability, or marital status in admissions, membership, or any aspect of the conduct of the business of the Association.

In addition, the Association recognizes the value of each individual member, and will strive, through elective and appointed positions, to represent a diversity of views and professional perspectives.

### **Article III Membership**

**Section 1.** Regular membership in this Association shall be open to any person whose primary responsibilities or interests are in the area of human development including, but not limited to, those involved in counseling and personnel work and others with similar interests and responsibilities such as admissions counselors, community agency workers, school social workers, school psychologists, and para-professionals in counseling.

**Section 2.** Any person who is attending an institution of higher learning within the Capital District area as a full or part-time graduate student preparing for guidance and personnel work may become a member of this Association. Persons who qualify for membership under Section 1 may not apply for student membership.

**Section 3.** A retired person who has been a regular member of the **Capital District Counseling Association** may be nominated by any current member and with the approval of the Executive Committee may be given Emeritus membership. Emeritus status imposes no dues, but does carry all the rights and privileges of regular membership.

**Section 4.** Dues: The Executive Committee with the approval of the membership shall determine the dues of the association. Notification of any dues change proposed by the Executive Committee shall be enclosed in the notice of the Annual Meeting. Each membership year shall be from July 1 to June 30.

**Section 5.** Voting: Only regular members of this Association shall be eligible to vote or hold office.

**Section 6.** Questions on eligibility for membership in this Association shall be referred to the Membership committee whose recommendation shall be subject to Executive committee approval.

## **Article IV Officers**

### **Section 1.** Officers and Terms of Office

- A. The Officers of this Association shall be President, Vice President or Co-Vice Presidents for Professional Development, Past President, Recording Secretary, Membership and Corresponding Secretary, and Treasurer. All shall be members of the **Capital District Counseling Association** and the New York Counseling Association.
- B. All officers shall be elected at large from among the individual members of the Association and shall serve for one year terms **excepting that of Membership and Corresponding Secretary and Treasurer** who shall serve two years, being elected on alternate years.  
All officers shall serve the length of their term or until their successors are elected, and they shall assist in the transition of their successors to their duties. Starting with 6/94 term.
- C. The Past President shall automatically become President of the Association upon the death or resignation of the President, in which case he/she will also complete his/her normal term.
- D. The President shall appoint, with approval of the Executive Committee, interim officers for any vacancies due to death or resignation until the next election. In the case of a two-year term, a one-year appointment will be made.

### **Section 2.** Nomination and Election of Officers:

- A. Officers shall be nominated by means of a Nominating committee chaired by the Past President and including three Executive Committee members and three at-large members appointed by the Chair of the Committee.
- B. In addition, nominations may be made directly from the floor, or by petition of any ten members providing permission of the nominee has been obtained.
- C. The elections shall take place at the Annual meeting by secret ballot. Election results shall be announced at the Annual Meeting.

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

- A. Duties of the President  
The President shall:
  - 1. preside at all regular meetings and Executive committee meetings of the Association;
  - 2. call special meetings;
  - 3. appoint all committees and chairpersons not otherwise provided for in these By-Laws;

4. submit a budget for the following fiscal year to the Treasurer at or prior to the March Executive Committee meeting;
5. report regularly to the Executive Committee

B. Duties of the Vice President or Co-Vice Presidents for Professional Development

The Vice President or Co-Vice Presidents for Professional Development shall:

1. be chairperson of the Program Committee:
  - a. determine the needs and interests of the membership for program content;
  - b. plan for at least four general programs during the year;
  - c. notify the membership of program events
  - d. coordinate program content as much as possible with the activities of appropriate committees;
  - e. responsible for finding a member to submit an article for the newsletter regarding program events.
  - f. present to the Executive Committee the tentative dates and locations for all programs for the upcoming academic year;
2. consult with the Treasurer in building a budget for the following fiscal year. Submit budget to the Treasurer at or prior to the March Executive Committee meeting;
3. submit a report to the Executive Committee at each of its meeting.

C. Duties of the Recording Secretary

The Recording Secretary shall:

1. record all official proceedings of the association;
2. transmit copies of the minutes of the Executive Committee meetings to each member of the Executive Committee;
3. serve as secretary to the Executive Committee;
  - a. notify the members of the Executive Committee of each scheduled meeting;
  - b. conduct such correspondence as directed by the Executive Committee;
  - c. compile a directory of Executive Committee members including business and home addresses, telephone numbers and fax numbers;
4. consult with the Treasurer when submitting a budget for the following fiscal year. Submit budget to the Treasurer at or prior to the March Executive Committee meeting;
5. forward to NYCA the names and addresses of incoming officers and committee chairpersons by September 1;

6. perform such additional duties as may be directed by the President.
- D. Duties of the Membership & Corresponding Secretary  
The Membership & Corresponding Secretary shall:
1. be responsible for mailing the **Newsletter** and other official publications of the Association;
  2. keep a database of the names, addresses, and telephone numbers of all members of the Association:
    - a. sending membership applications for the following fiscal year to all current members before the Annual Meeting, or with the **Newsletter** following the Annual Meeting;
    - b. prepare a Membership Directory for distribution to the membership at or following the Association's December Meeting;
    - c. provide mailing labels upon request;
  3. send a copy of proposed By-Law change(s) to each member at least ten days prior to the meeting at which action is to be taken;
  4. consult with the Treasurer when submitting a budget for the following fiscal year. Submit budget to the Treasurer at or prior to the March Executive Committee;
  5. report regularly to the Executive Committee;
  6. perform such additional duties as may be directed by the President;
  7. serve as coordinator of the Membership Drive:
    - a. plan, coordinate, and implement all recruitment efforts for the Association;
    - b. collect membership dues, and forward them to the Treasurer
- E. Duties of the Treasurer  
The Treasurer shall:
1. receive all moneys payable to the Association;
  2. pay the bills of the Association;
  3. keep an account of moneys received, spent, and invested, and forward such accounting to the incoming Treasurer;
  4. prepare a budget for the Association for the following fiscal year and submit the same to the Executive Committee for consideration at its April meeting;
  5. report, in writing, to the Executive Committee at each meeting, to the general Membership at the Annual Meeting, and submit a written report for publication in the last **Newsletter** of the fiscal year;
  6. preparing a budget for the College Fair for the following fiscal year and submit this budget to Executive Committee at its September meeting for approval;

7. perform such additional duties as may be directed by the President.
- F. Duties of the Past President  
The Past President shall:
1. serve as a Trustee for a one year term;
  2. serve as a Chairperson of the Nominations and Elections Committee:
    - a. submit to the NYCA Nominations and Elections Committee the names of those **CDCA** members who have been nominated for NYCA office;
    - b. select a slate of officers for **CDCA** in cooperation with the Nominations and Elections Committee provided for in **Article III, Section 2, Paragraph (A)** of these By-Laws;
    - c. submit the slate of officers to the Executive Committee at or prior to the May Executive Committee meeting;
    - d. submit the slate of officers to the membership at least ten days prior to the Annual Meeting and again at the Annual Meeting;
  3. report regularly to the Executive Committee;
  4. submit a budget for the following fiscal year to the Treasurer at or prior to the March Executive Committee meeting;
  5. serve as Parliamentarian of the Association;
  6. preside at meetings in the absence of the President.

## **Article V Trustees**

- Section 1.** Trustees and Terms of Office
- A. This Association shall have three Trustees, one of whom shall be the immediate Past President.
  - B. The Past President shall serve for a term of one year. The remaining two Trustees shall be elected from the membership at large and shall serve for two years or until a successor is elected. Terms of office shall be according to the fiscal year that is established by the New York Counseling Association.
  - C. If a vacancy occurs among the Trustees, it shall be the responsibility of the Executive Committee to appoint a qualified replacement from the membership of the Association. The appointed Trustee shall serve until the next annual election. At that time a Trustee shall be elected to complete any unexpired term that may exist.

- D. One Trustee shall be elected each year in order that there be a continuity of Trustees.

**Section 2.** Nomination and Election of Trustees

The nomination and election of Trustees shall be conducted in the same manner as the nomination and election of officers of the Association.

**Section 3.** Duties of the Trustees

- A. The Trustees shall be members of the **Capital District Counseling Association** and the New York Counseling Association.
- B. One elected Trustee shall be designated by the President to coordinate and advise all Standing and Ad Hoc Committees, including the Solicitation of annual reports (see **Article VII, Section 4**).
- C. The other elected Trustee shall be designated by the President to serve as a liaison to the New York Counseling Association, including **CDCA** representation to Region IV. He/she shall report to the membership in a timely manner, via the **Newsletter**.
- D. Both elected Trustees shall report to the Executive Committee at each meeting.
- E. Submit a budget for the following fiscal year to the Treasurer at or prior to the March Executive Committee meeting.

## **Article VI**

### **Representation in the NYCA Senate**

**Section 1.** The Association shall be represented in the Senate of the New York Counseling Association in accordance with its By-Laws.

**Section 2.** Duties of the NYCA Senate Delegate(s)

The Delegate(s) shall:

- 1. represent **CDCA** in the Senate of NYCA for a two year term;
- 2. report to the membership on the business to be conducted at Senate meetings and on the official proceedings occurring at Senate meetings;
- 3. submit to the NYCA Senate all resolutions and/or motions as directed by the membership and/or the Executive Committee of **CDCA**;
- 4. in cooperation with the By-Laws and Resolutions Committee, be responsible for implementing those resolutions passed by the NYCA and ACA Senates which apply to Chapters;
- 5. submit a budget for the following fiscal year to the Treasurer at or prior to the March Executive Committee meeting;

6. report regularly to the Executive Committee and the membership through the final **Newsletter** of the fiscal year;
7. attend, when possible, Region IV governance meetings.

**Section 3.** The State Senator(s) shall be nominated and elected for a two year term from the membership at large. Not more than one delegate may be a **CDCA** Officer, Trustee, or Committee Chairperson. Provisions shall be made for continuity in Senate representation.

**Section 4.** The nomination and election of delegates to the State Senate shall be conducted in the same manner as the nominations and elections of Officers and Trustees of the Association.

**Section 5.** The Association shall be responsible for providing necessary funds to enable delegates to attend all official meetings of the State Senate. Expenses covered shall include lodging, meals, travel and transportation costs, approved prior to the Senate meeting.

## **Article VII Committees**

**Section 1.** The Standing Committees

- A. The Standing Committees of this Association shall include College Fair, Legislative, Professional Development and Research, Publications, and Publicity.
- B. Chairperson of Standing Committees shall be appointed by the President with the advice and consent of the Executive Committee prior to September 1.
- C. Each Committee Chairperson shall select the members of his or her committee, who shall be appointed by the President.
- D. Officers and Trustees shall not be allowed to serve as Chairperson of Standing Committees.

**Section 2.** The President, subject to the approval of the Executive Committee, as needed, may name the Special Ad Hoc Committees.

**Section 3.** The Executive Committee

- A. The Executive Committee shall consist of the President, Past President, Vice President for Programs, Recording Secretary, Corresponding Secretary, Treasurer, Trustees, and Delegate(s) to the NYCA Senate.
- B. It shall be the duty of the Executive Committee to transact all business of the Association.

- C. The Executive Committee, through the Recording Secretary, shall make a report at the Annual Meeting.
- D. A majority of the Executive Committee shall constitute a quorum. Each member of the Executive Committee shall have one vote.

**Section 4.** Each Committee shall submit a written report to the Executive Committee, via the Trustee designated to coordinate and advise committees, prior to the Annual Meeting. The Trustee shall send to each committee chairperson a report form to be completed and returned to the Trustee prior to the Annual Meeting.

## **Article VIII Meetings**

**Section 1.** The Executive Committee shall determine meetings of the Capital District Counseling Association.

**Section 2.** There shall be a minimum of four regular meetings each year.

**Section 3.** The Annual Business Meeting shall be held each spring, in June.

**Section 4.** Notice of all general meetings shall be sent to all members at least ten days prior to such meetings.

## **Article IX Amendments**

**Section 1.** Amendments to the By-Laws of this Association may be made at any meeting by a majority vote of the regular members present.

**Section 2.** Propositions to amend shall be in writing and filed with the Recording Secretary at least thirty days prior to the meeting at which action is to be taken.

**Section 3.** The Corresponding Secretary shall send a copy of the proposed change to each member at least ten days prior to the meeting at which action is to be taken.

## **Article X Rules of Order**

**Section 1.** The business of this Association shall be conducted according to **Robert's Rules of Order** in all instances in which they are not inconsistent with the By-Laws of this Association.

## **Article XI**

### **Tax Exempt Status**

**Section 1.** Dissolution Provision

In the event of dissolution, all of the remaining assets and property of the organization shall, after necessary expenses thereof, be distributed to such organizations as shall qualify under Section 501 © (3) of the Internal Revenue Code or corresponding provisions of any subsequent Federal Tax Laws; or to the Federal Government, or to a State or a Local government for a public purpose.

**Section 2.** Non-inurement Provision

No part of the net earnings of the organization shall inure to the benefit of any member, Trustee, Directory, Officer of the organization, or any private individual (except that reasonable compensation may be made for services rendered to or for the organization), and no member, Trustee, Officer of the organization, or any private Officer of the organization, or any private individual shall be entitled to share in the distribution of any of the organization.

**Section 3.** Restrictive Legislation Provision.

No substantial part of the activities of the organization shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Internal Revenue code 501(h) or participating in, or intervening in (including publication or distribution of statements), any political campaign on behalf of any candidate for public office.

**Section 4.** Restrictive Purposes and activities Provision

Notwithstanding any other provision of these articles, the organization is organized exclusively for one or more of the following purposes: religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or to animals, as specified in section 501 © (3) of the Internal Revenue Code of 1954, and shall not carry on any activities not permitted to

be carried on by an organization exempt from federal income tax under section 501 © (3) or corresponding provisions of any subsequent Federal Tax Laws.