

BYLAWS
AMERICAN COLLEGE COUNSELING ASSOCIATION
A Division of the American Counseling Association

Article I
Name and Mission

Section 1. Name. The name of this Association will be the American College Counseling Association (ACCA), herein referred to as the American Counseling Association, ACCA, or the Association. ACCA is a Division of the American Counseling Association (ACA).

Section 2. Mission. The mission of the American College Counseling Association is to be the interdisciplinary and inclusive professional home that supports emerging and state of the art knowledge and resources for counseling professionals in higher education.

Article II
Membership

Section 1. Membership. At the time of application, persons may join ACCA only or jointly join both ACCA and ACA.

Section 2. Types of Membership.

- (a) Unified Membership:
 - 1. Professional Member – Open to joint ACCA / ACA members holding a master’s degree in counseling, or a closely related field.
 - 2. Regular Member – Individuals whose interests and activities are consistent with those of ACCA/ACA but who are not qualified for professional membership.
 - 3. New Professional – Status is applicable only to current student members who have graduated in the past 12 months. Status is good for one year.
 - 4. Student Member – Open to joint ACCA / ACA student members currently enrolled half time or more in a graduate counseling program.
 - 5. Retired Member – Open to ACCA / ACA members who have retired from a position in college counseling, or a position related to college counseling, and have been an ACCA member for the past five years.
- (b) ACCA Membership only
Open to those who support ACCA’s goals but do not hold membership in ACA. ACCA-only members shall have the right to vote but not to hold office. The five membership subtypes of unified members (Article II, Section 2, Subsection a) shall apply to ACCA-only members as well.

Section 3. Dues. Annual association dues for members shall be established by the Executive Council. No annual increase shall exceed 20% of the current due rates.

Section 4. Severance of Membership. Membership from ACCA may be dropped at any time for the following reasons:

- (a) Failure to pay dues.
- (b) Unified members disciplined or expelled from the membership of ACA for any reason.
- (c) Violations of the ACA Code of Ethics and Standards of Practice.
- (d) Violations of ACCA bylaws

(e)

Section 5. Rights and Privileges.

- (a) All members, regardless of type, are eligible to vote on matters coming before the Association.
- (b) All members, regardless of type, shall have access to all benefits associated with membership (e.g. Journal of College Counseling, discounted conference rates, etc.).
- (c) Only Unified members are eligible to run for and hold office in the Association.

Section 6. Ethics. ACCA Members will abide by the ACA Code of Ethics and Standards of Practice.

**Article III
Officers**

Section 1. Elected Officers. The elected officers of ACCA shall be the President, the President-Elect, the Immediate Past President, a Secretary, a Treasurer, the Representative to the ACA Governing Council, and three (3) Members-at-Large. Of the three Members-at-Large, one shall be a student member at the time of the election and one shall be affiliated with a community college, technical college, or other two-year institution at the time of the election. All elected officers must have been members for at least one year within the last 5 years before being nominated and shall be Unified members of ACCA at the time of the election.

Section 2. Duties of Officers.

- (a) **President**
 - (1) To exert leadership in achieving the purposes of ACCA.
 - (2) To preside at business meetings of ACCA, the ACCA Executive Council, and the Executive Committee.
 - (3) To appoint chairpersons of both standing and special committees of ACCA which are established under the office of President, except as otherwise specified in these Bylaws.
 - (4) To serve ex officio on all committees of ACCA.
 - (5) To submit all reports and other information as may be requested or required by ACA.
 - (6) To notify ACCA candidates of election results.
 - (7) To perform such other duties as directed by the Executive Council.
- (b) **President-Elect**
 - (1) To serve as a member of the ACCA Executive Council and Executive Committee.
 - (2) The President-Elect shall be responsible for the convention planning for his/her year as President.
 - (3) To perform such other duties as directed by the Executive Council.
 - (4) To perform duties of the President in the event of the resignation, incapacity, absence or death of the President.
- (c) **Immediate Past President**
 - (1) To serve as a member of the ACCA Executive Council and Executive Committee.
 - (2) To serve as Chairperson of the ACCA Committee on Nominations and Elections.
 - (3) Transmit within one week to the ACCA Newsletter Editor, the names of the ACCA officers following their election or appointment, so that the ACCA membership may be informed.

- (4) To perform the duties of the President-Elect in the event of the resignation, incapacity, absence or death of the President-Elect.
 - (5) To perform such other duties as directed by the Executive Council.
- (d) Secretary**
- (1) To serve as a member of the ACCA Executive Council and of the executive Committee.
 - (2) To keep records of the proceedings of the meetings of ACCA, the ACCA Executive Council, and the Executive Committee.
 - (3) To conduct the official correspondence of the ACCA, including the issuance of notices of meetings when requested by the President.
 - (4) To notify ACA of amendments to these Bylaws when adopted by the membership.
 - (5) To notify ACCA candidates of election results, when requested by the Past President.
 - (6) At the direction of the Past President, to transmit within 30 days to the ACCA Newsletter Editor, the names of the ACCA officers following their election or appointment, so that the ACCA membership may be informed.
 - (7) To solicit such written reports of standing and special committees for the Executive Council and the ACCA business meeting as called for.
- (e) Treasurer**
- (1) To serve as a member of the ACCA Executive Council and Executive Committee.
 - (2) To review and approve results for disbursements which have been authorized by the ACCA Executive Council or the Executive Committee.
 - (3) To review periodic financial audit statements from ACA, with specific reference to the finances of ACCA.
 - (4) To present reports of the financial status of ACCA to the Council, the Executive Committee, and the ACCA membership at each meeting of these bodies.
 - (5) To present a proposed budget to the ACCA Council.
 - (6) To submit the ACCA budget to the ACA Governing Council.
 - (7) To perform such other duties as directed by the Executive Council.
- (f) Members-at-Large**
- (1) To serve as members of the ACCA Executive Council.
 - (2) To participate at the request of the President in ACCA activities related to the functions of the Executive Council, that are extrinsic to the duties of other officers of ACCA.
 - (3) To perform such other duties as directed by the Executive Council.
- (g) Representative to the ACA Governing Council**
- (1) To serve as a member of the ACCA Executive Council.
 - (2) To represent ACCA on the ACA Governing Council
 - (3) To report to the ACCA Executive council actions of the ACA Governing Council.
 - (4) To perform such other duties as directed by the Executive Council.

Section 3. Terms of Office. The term of office for the Past-President, President, and President-Elect, shall be a one (1) year term. The Secretary and Treasurer shall serve a two (2) year term. Each Member-at-Large and the Representative to the ACA Governing Council shall serve a three (3) year term, with Members-at-Large serving rotating terms.

Section 4. Vacancies. In the event of a vacancy in any office but that of the President or President-Elect, the ACCA Executive Council shall, by majority vote, elect a successor to serve until the next annual election.

- (a) If a vacancy occurs in the office of President, the President-Elect shall complete the unexpired term and shall then serve a full term in his or her own right.
- (b) If a vacancy occurs in the office of President-Elect, the Past President shall perform the duties of the president-elect until a successor is duly elected by a majority vote of the ACCA Executive Council.

Section 5. Removal of ACCA Officers. When an elected officer does not fulfill the duties of his/her office (i.e. failure to attend meetings, nonparticipation in the process), the President, in consultation with the Executive Council, shall pursue removal of said member from the Executive Council. First, the President should consult with the member to ascertain her/his intentions regarding future participation in the activities of the Executive Council. The results of this consultation shall be reported to the Council. Second, the Executive Council may, by majority vote, decide to remove said member from the Executive Council. In the event of removal, the President shall notify the “removed” member of the Council’s action. In accordance with the Bylaws, the Executive Council shall then elect by majority vote a successor EC member, who shall serve until the next election (see Article III, Section 4).

Section 6. Executive Director/Management Services. The Executive Council is responsible for delegating and overseeing the responsibilities of an Executive Director (ED). The EC can, at its discretion, assign the responsibilities to one or more persons or entities and enter into contractual relationships to outline the execution of said responsibilities. The duties of the ED are specified in the Policies and Procedures manual. The critical aspects of this role include, but are not limited to:

- (a) Manage the operations of the ACCA headquarters and its staff.
- (b) Liaise with other professional organizations to expand and protect the interests of ACCA and the college counseling profession.
- (c) Work with the EC to develop an annual membership plan.
- (d) Oversee the marketing and communication needs of ACCA.
- (e) Assist the ACCA Treasurer with the fiscal reporting of the organization.
- (f) Coordinate with the EC to plan the annual conference.
- (g) Advocate for ACCA and the college counseling profession in coordination with the ACA Public Policy Division.
- (h) Other duties deemed appropriate by the EC.

Article IV Executive Council and Executive Committee

Section 1. Executive Council. The Executive Council of ACCA shall consist of all elected officers of the Association: the President, President-Elect, Immediate Past President, Secretary, Treasurer, the three Members-at-Large, and the Representative to the ACA governing council.

Section 2. Functions of the ACCA Executive Council.

- (a) Make all necessary policy decisions on behalf of ACCA.
- (b) Have the final responsibility for all business of ACCA at the national level.
- (c) Coordinate the relationships of ACCA with its state division, regional organizations, other divisions of ACA, and other organizations.
- (d) Consider all proposed amendments to these Bylaws to send to the membership for approval.

Section 3. Executive Committee. The Executive Committee of ACCA shall consist of the President, President-Elect, Immediate Past President, Secretary, and Treasurer. This Committee shall be empowered to execute the business of the Association between meetings of the Executive Council.

Article V Meetings

Section 1. Executive Council. The ACCA Executive Council shall meet at least once each year. Additional meetings of the Executive Council will be held as deemed necessary by the Executive Council, the President or President-Elect (if scheduled in an upcoming governance year), or the Executive Committee. At least one-half of the members of the ACCA Executive Council shall constitute a quorum throughout any meeting of the ACCA Executive Council at which official business is transacted.

Between meetings of the Executive Council, the Executive Committee shall be empowered to execute the business of the Association. A majority of the Executive Committee shall constitute a quorum for that body.

The Executive Council, Executive Committee, and all committees shall be empowered to conduct and participate in meeting by electronic communications in which the words are transmitted to all persons. The Executive Council shall establish the necessary policies and procedures to keep this process in accordance with these Bylaws and Robert's Rules of Order (see Article XIII).

Section 2. Membership. The ACCA membership shall meet at least once each governance year. The purpose of this meeting is the hearing of summary reports from officers and committees and the conducting of such business of the Association as deemed necessary by the Executive Council.

Article VI Committees

Section 1. Number of Members and Tenure. The number of members and the tenure of committee members will be established by the Executive Council. All chairs and committee members shall be current ACCA members.

Section 2. Standing Committees. The Standing Committees of the Association shall be the following: Nominations and Elections and Membership. All other standing and special committees shall be appointed by the President and approved by the Executive Council.

Section 3. Composition and Function of Standing Committees.

(a) Nominations and Elections Committee.

- (1) The Nominations and Elections Committee shall review and recommend procedures for conducting the annual election of the Association. The election dates shall be consistent with ACA procedures.
- (2) The Nominations and Elections committee shall consist of four members, including the chairperson.
- (3) The Immediate Past President of the Association shall serve as chairperson. Other members of the committee shall be appointed by the President.
- (4) The term of office for the members of the Nominations and Elections Committee shall be one year. No member of the Nominations and Elections Committee shall be a candidate for office.

- (b) **Membership Committee.**
 - (1) The Chairperson and the members of the Membership Committee shall be appointed by the President and approved by the Executive Council or Executive Committee.
 - (2) The Membership Committee shall recruit and maintain members for the Association.
- (c) **Other Standing Committees.** There shall be such other Standing committees as may from time to time be established by the ACCA Executive Council to deal with matters of a continuing or recurring nature related to the accomplishments of the general purposes of ACCA. These committees shall be established according to the policies and procedures of the Executive Council.

Section 4 Special Committees.

- (a) The ACCA Executive Council or the President may establish special committees to deal with matters of an immediate or non-recurring nature related to the specific purposes of ACCA.
- (b) The President shall appoint the chairperson and the members of special committees.
- (c) The term of service of each special committee shall expire when the duties of the special committee are completed.

Section 5 Committee Meetings and Reports.

- (a) Meetings of committees shall be called by the chairperson.
- (b) The chairperson of each committee shall submit a written report of the committee's activities and recommendations to the ACCA Executive Council as requested.

**Article VII
Nominations and Elections**

Section 1. Procedures.

- (a) The Nominations and Elections Committee shall canvas the voting members of ACCA for nominations for elective offices of ACCA.
- (b) Unified members shall be eligible for nomination to any office.
- (c) Guided by the nominations, the Nominations and Elections Committee shall prepare a slate of officers containing, if possible, at least two names for each ACCA office to be filled.
- (d) The Nominations and Elections Committee shall select nominations to appear on the slate on the basis of qualifications for office, number of nominating votes received from the ACCA membership and consideration of geographical location, cultural diversity, and the consent of the nominee, as outlined in the Policy and Procedures Manual of the Executive Council

Section 2. Voting. The candidate receiving the largest number of votes for each office shall be elected to that office.

**Article VIII
State Divisions**

Section 1. Formation of State Division. A group of actively interested persons within a particular state may form a State Division of the Association.

- (a) The Executive Council shall establish the policies and procedures for chartering State or Regional Divisions, consistent with ACCA's Bylaws and the Bylaws of ACA.

- (b) The qualifications for professional membership in a State or Regional Division shall not exclude from membership any voting member of ACCA who resides within the State or Region.
- (c) Each State or Region Division shall be a division within the appropriate State Branch of ACA and the recommendation of the State Branch, if one exists, shall be required prior to the chartering of a State Division of ACCA.
- (d) Officers of State ACCA Divisions must be members of ACCA.

Article IX 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 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 3. Work of Committees and Task Forces. Committee and Task Force members serve at the pleasure of the board. Whenever material is created through one of the Committees or Task Forces, or otherwise published by ACCA, the work shall be considered a work made for hire, and ACCA shall own the copyright for the original and any renewal term for such work, and have the exclusive rights not granted to Author to exploit the work in any manner. The authors may retain authorship credit, but the work product, data, and distribution rights of all ACCA committees and task forces shall belong to and remain the intellectual property of ACCA. The author further agrees to allow ACCA to use author's name, likeness, image and voice in connection with the work. To the extent such work is not deemed a work made for hire, the Authors explicitly assign all of their rights, including copyright, to the ACCA. The author of any such writing shall be permitted to make a non-profit or non-commercial use of the work provided that there be affixed to each copy the copyright notice identifying ACCA and the year when the work was first published (e.g. © 20xx ACCA). For all other rights, the author shall seek the written consent of the ACCA.

Section 4 Disposal Upon Dissolution. Upon dissolution of the Association, none of its property shall be distributed to any of the members and all of such property shall be transferred to such other organization or organizations as the Executive Council shall determine to have purpose and activities most nearly consonant with those of the Association, provided that such organizations shall be exempt under Section 501(c)(3) or the Internal Revenue Code or corresponding provision of the Internal Revenue laws.

Section 5. Appropriation of Association Funds.

- (a) No appropriations of Association funds shall be made except pursuant to the authority of the Executive Council.
- (b) The Executive Council shall adopt an annual budget.

Section 6. Association Year. The fiscal year and the governance year of the Association shall be July 1 – June 30.

Article X

Indemnification

Section 1. The Association shall indemnify each member of its Executive Council, as described in Article IV, and each of its officers, as described in Article III, for the defense of civil, criminal actions or proceedings as hereinafter provided and, notwithstanding any provision in these bylaws, in a manner and to the extent permitted by applicable law.

Section 2. The Association shall indemnify each of its Executive Council members and officers, as aforesaid, from and against any and all judgments, fines, amounts paid in settlement, and reasonable expenses, including attorney's 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 a Council member or officer and acting within the scope of his or her official duties, but only when the determination shall have been made judicially or in the manner hereinafter provided that he or she acted in good faith or for the purpose which he or she reasonable believed to be in the best interests of the Association 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 Association shall be advised by its Executive Council acting (1) by quorum consisting of Executive Council 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, that the Council member or officer has met the foregoing applicable standard of conduct. If the foregoing determination is to be made by the Executive Council, it may rely, as to all questions of law, on the advice of independent legal counsel.

Section 3. Every reference herein to a member of the Executive Council or officer of the Association shall include every Council member and officer thereof or former Council member and officer thereof. This indemnification shall apply to all the judgments, fines, amount in settlement, and reasonable expenses described above whenever arising allowable as above-stated. The right of indemnification herein provided shall be in addition to any and all rights to which any Council member or officer of the Association might otherwise be entitled and the provisions hereby shall neither impair nor adversely affect such rights.

Article XI Amendments

Section 1. Amendments with Previous Notice. Procedures for the amendment of these Bylaws with previous notice shall be as follows.

- (a) Amendments may be proposed by the ACCA Executive Council, the Bylaws Committee, or by a petition signed by 25 voting members of the ACCA sent to the Secretary of ACCA at least 120 days in advance of an ACCA business meeting. The Executive Council may shorten this time period by majority vote. Copies of all proposed amendments, other than those initiated by the Bylaws Committee, shall be submitted by the Secretary to the Bylaws Committee for study and recommendation.
- (b) Proposed amendments, together with such comments or written recommendations as may have been formulated by the ACCA Executive Council, the ACCA Bylaws Committee, or the petitioners, if any, shall be distributed by the Secretary in writing, via electronic or physical means, to the voting members of ACCA at least 30 days prior to a vote of the membership.
- (c) Voting shall take place either during a business meeting of the membership or through a secure, electronic process at the discretion of the Executive Council.

- (d) Proposed amendments shall be considered to have been adopted if:
 - (1) Approved by a majority of votes cast at an ACCA business meeting or
 - (2) Approved by a majority of votes cast in an electronic manner, with the total number of votes cast exceeding 10% of the Association membership.
- (e) Bylaws must remain consistent with those of ACA.

**Article XII
Nondiscrimination**

Section 1. Nondiscrimination. ACCA shall not discriminate against any individual on the basis of ethnic group, color, creed, gender, age, affectional or sexual orientation, or handicapping condition.

Section 2. Multiculturalism. ACCA actively promotes multiculturalism within the organization.

**Article XIII
Parliamentary Authority**

Section 1. Parliamentary Authority. The current edition of Robert's Rules of Order, Newly Revised, (edited by Henry M. Robert III and William J. Evans, and published by Perseus-HarperCollins) shall govern the proceedings of all bodies of the Association except where otherwise specified by these Bylaws.

Supplementary policies and implementation guidelines for these Bylaws are found in the Policies and Procedures Manual

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