

**BYLAWS**  
**of the**  
**ASSOCIATION FOR CHILD AND ADOLESCENT COUNSELING**  
**(Amended 2019)**

**ARTICLE I**  
**NAME, AFFILIATION, AND MISSION**

**SECTION 1. NAME.**

The name of the Association shall be the Association for Child and Adolescent Counseling, hereafter referred to as ACAC.

**SECTION 2. AFFILIATION.**

ACAC is a division of the American Counseling Association, hereinafter referred to as ACA, and shall be subject to those provisions of its bylaws that apply to divisions.

**SECTION 3. MISSION.**

- a) The mission of ACAC is to promote a greater awareness, advocacy, and understanding of children and adolescents, as defined as the ages from birth through adolescence, among members of the counseling profession and related helping fields; advance developmentally appropriate prevention and intervention strategies for counseling children and adolescents; provide professional development activities to improve education and training of counselors who work with children and adolescents; and disseminate educational and professional materials with the purpose of raising the standards of practice for children and adolescents in counseling, psychotherapy, and mental health.

**ARTICLE II**  
**MEMBERSHIP**

**SECTION 1. CLASSES OF MEMBERSHIP.**

- a) Membership in ACA shall be a condition of membership in ACAC.
- b) Membership shall be individual.
- c) There shall be five classes of voting membership: Professional, Regular, New Professional, Student, and Retired.
- d) 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.
- e) Regular members shall include persons whose interests and activities are consistent with those of ACAC, but not qualified for Professional membership.

- f) New Professional members shall include current Student members who have graduated in the past 12 months. This status can be held for only one year.
- g) Student members shall include persons who are enrolled at least half-time in a college or university program.
- h) Retired members shall include current Professional or Regular members who are retired from the counseling profession and have been active ACAC members for the past 5 consecutive years.
- i) All ACAC members must agree to abide by the ACA Code of Ethics and Standards of Practice.

## SECTION 2. DUES.

- a) Annual ACAC dues for members shall be established by action of the ACAC Executive Board, hereinafter referred to as the Board.
- b) The Board may authorize reduced dues or dues waivers for special categories of members in accordance with policies and procedures established by the Board.
- c) There shall be no additional fees associated with membership of ACAC.

## SECTION 3. SEVERANCE OF MEMBERSHIP.

- a) A member may be dropped from membership for any conduct that tends to injure ACAC or to affect adversely its reputation, or that is contrary to or destructive of its mission according to the ACAC Bylaws and the ACA Code of Ethics and Standards of Practice.
- b) A member shall be dropped from membership for the nonpayment of dues.

## **ARTICLE III** MEETING OF THE MEMBERSHIP

ACAC shall hold national meetings once per year at a time and place fixed by the Board. The Board shall give written notice thereof to the membership no less than six months prior to the time so fixed. ACAC may hold other meetings at a time and place fixed by the Board. The Board shall give reasonable notice to the membership of additional meetings. If so directed by the President or Executive Director of ACAC, electronic meetings of the membership may be held. Electronic meetings will be considered valid if the electronic telecommunication system allows for the transmission of words by one participant to all participants. Further, voting of the membership will be allowed by the same means.

## **ARTICLE IV** BRANCHES OF THE ASSOCIATION

### SECTION 1. ISSUING BRANCH CHARTERS.

- a) A proposed branch shall: (1) consist of at least 20 people; (2) apply to ACAC for a charter; (3) submit bylaws which must be congruent with the bylaws of ACAC, ACA, and their state branch of ACA (if applicable); and, (4) provide a list of officers and members.

- b) The title of the branch must be Association for Child and Adolescent Counseling in [Geopolitical subdivision].
- c) Only one branch may be chartered in any state of the United States, district of Washington D.C., Commonwealth of Puerto Rico, and the U.S. Virgin Islands.
- d) Charter applications shall be considered by the Executive Board at regularly scheduled meetings. Two-thirds of the votes cast by members of the Executive Board are necessary to grant a charter to a new branch.

## SECTION 2. AUTONOMY OF BRANCHES.

- a) A branch shall be autonomous in the conduct of its affairs within the confines of its bylaws as long as activities of the branch are in compliance with the bylaws of ACAC and ACA.
- b) A branch shall have the power to elect its own officers who must be members in good standing of ACAC, ACA and their state branch, if applicable.
- c) A branch may levy and collect dues or other fees and shall have full control of the management and disbursement of such funds in providing its programs.
- d) The Executive Board shall establish such policies and procedures for Branch operation necessary to ensure responsible fiscal operation.
- e) A branch may admit persons to membership that are not members of ACAC if this policy is consistent with the bylaws of the branch.

## SECTION 3. INVOLUNTARY REVOCATION OF A BRANCH.

- a) The Executive Board shall have the power to revoke the charter of a Branch in the event of noncompliance with Branch, ACAC or ACA bylaws, or in the event of unethical or illegal behavior on behalf of the officers.
- b) Before final action may be taken with respect to the revocation of the charter of a Branch, a notice of intent to revoke must first be passed by a majority of the Executive Board present and voting, and the Branch in question must be advised in writing of the reasons for the proposed action. The Branch shall have until the next national meeting of the Association (but in no case less than nine months) to effect remedial measures.
- c) Two-thirds of the votes cast by the members of the Executive Board who are present at a meeting where there is a quorum shall be necessary to revoke the charter of a Branch.

## **ARTICLE V** BUSINESS AFFAIRS OF THE ASSOCIATION

### SECTION 1 SEVERABLE OR TRANSFERABLE INTEREST.

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

## SECTION 2. CONTROL AND MANAGEMENT.

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

## SECTION 3. DISPOSAL UPON DISSOLUTION.

On dissolution or final liquidation, the Board shall, after paying or making provision for the payment of all the lawful debts and liabilities of ACAC, distribute all the assets of ACAC to one or more of the following categories of recipients as the Board of ACAC shall determine:

- a) A nonprofit organization or organizations which may have been created to succeed ACAC, as long as such organization or each of such organizations shall then qualify as an organization exempt from federal income taxation under section 501(a) of the Internal Revenue Code as an organization described in sections 170(c)(2) and 501(c)(3) of such Code; and/or
- b) A nonprofit organization or organizations having similar purposes as ACAC and which may be selected as an appropriate recipient of such assets, as long as such organization or each of such organizations shall then qualify as an organization exempt from federal income taxation under section 501(a) of the Internal Revenue Code as an organization described in sections 170(c)(2) and 501(c)(3) of such Code.

## SECTION 4. APPROPRIATION OF ASSOCIATION FUNDS.

- a) No appropriations of ACAC funds shall be made except pursuant to the authority of the Board.
- b) The Board shall adopt an annual budget.

## SECTION 5. ASSOCIATION YEAR.

The fiscal year and the governance year of ACAC shall be July 1 – June 30.

## SECTION 6. REPORTS.

Members of the Board shall be sent quarterly income and expense reports from the ACAC Treasurer showing the financial state of ACAC.

## SECTION 7. LIMITATIONS ON ACTIVITIES.

ACAC is organized and shall be operated exclusively for charitable and educational purposes within the meaning of sections 170(c)(2)(B), 501(c)(3), 2055(a)(2), and 2522(a)(2) of the Internal Revenue Code. No part of the net earnings of ACAC shall inure to the benefit of or be distributable to the members of its Board, officers, members of its committees, other private individuals or organizations organized and operated for a profit (except that ACAC shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of purposes as herein above stated).

No substantial part of the activities of ACAC shall be the carrying on of propaganda or otherwise attempting to influence legislation, and ACAC shall be empowered to make the election authorized under section 501(h) of the Internal Revenue Code. ACAC shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision herein, ACAC shall not carry on any activities not permitted by: a) by an organization exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) of such Code; and/or b) an organization, contributions to which are deductible under sections 170(c)(2), 2055(a)(2), or 2522(a)(2) of the Internal Revenue Code.

## **ARTICLE VI**

### **OFFICERS OF THE ASSOCIATION**

#### **SECTION 1. OFFICERS AND TERMS OF OFFICE.**

- a) The elected officers of the Association shall be the President, President-Elect, Immediate Past President, Secretary, ACAC Representative to ACA's Governing Council, and four Trustees. The appointed officers of the Association shall be the Treasurer, Editor, and the Graduate Student/New Professional Representative. All officers and members of ACAC governance must be members in good standing of ACA.
- b) All officers of ACAC, except the Treasurer, Editor, and Graduate Student/New Professional Representative shall be elected at large from among the members of ACAC.
- c) The President, the President-Elect, and the immediate Past President shall serve for one year terms, from July 1 to June 30, or until their successors are elected.
- d) The Secretary shall be elected in an odd-numbered year to serve for a two year term, July 1 to June 30, or until a successor is elected.
- e) The Representative to the ACA Governing Council serves a term of three years.
- f) The Trustees are elected for alternating and overlapping three year terms.
- g) The Treasurer shall be appointed by the Board upon recommendation of the President in an even-numbered year to serve for a two year term. From July 1 to June 30, or until a successor is appointed.
- h) The Editor of JCAC shall be appointed by the Board upon recommendation of the President to serve for a three year term from July 1 – June 30, or until a successor is appointed.
- i) The Graduate Student/New Professional Representative shall be appointed by the Board upon recommendation of the President in an odd-numbered year to serve for a two year term from July 1 – June 30, or until a successor is appointed.

#### **SECTION 2. DUTIES OF OFFICERS.**

- a) The President shall preside at all meetings of ACAC. The President shall chair and preside at meetings of the Board. The President shall be an ex officio member without vote on all committees with the exception of the Nominations for Awards and Elections Committee. The President shall perform the duties customary to that office and such additional duties as directed by the Board.

- b) The President-Elect shall perform the duties of the President in the absence or incapacity of the President as determined by the Board. The President-Elect shall assume the Presidency of ACAC upon the death or resignation of the President. The President-Elect, subject to confirmation by the Board, shall appoint members of committees and the Treasurer, in accordance with except as otherwise specified in ACAC bylaws, policies and procedures. The President-Elect shall serve as the Chairperson of the Conference Committee. The President-Elect shall perform such additional duties as directed by the Board. If the President-Elect becomes incapacitated, the term is to be completed by the candidate with the next highest vote on the same slate of candidates.
- c) The immediate Past-President shall serve as Chairperson of the Nominations for Awards and Elections Committee, and shall perform such additional duties as directed by the Board.
- d) The Secretary shall keep record of the proceedings of the Board. The Secretary shall perform the duties customary to that office and such additional duties as directed by the board.
- e) The Representative to the ACAC Governing Council shall attend the meetings of the Governing Council and related committees, representing ACAC's interests. The Representative shall inform the Executive Board of considerations, concerns, and actions of ACA that may affect ACAC.
- f) Four additional elected officers, known as Trustees, are elected from the general membership as representatives, and will perform additional duties as directed by the Board. The first Trustees will be a practicing clinical mental health counselor, the second Trustee will be a practicing professional school counselor, the third Trustee will be a counselor educator, and the fourth Trustee will be at large from the general membership.
- g) The Treasurer shall represent ACAC in assuring the receipt and expenditures of funds in accordance with the directives established by the Board, and shall be under such bond as may be determined by the Board. The Treasurer shall perform the duties customary to that office and such additional duties as directed by the Board. This individual will assume fiscal responsibility for the division. The financial documents of the division will be reviewed and audited on an annual basis by members of an audit committee (as appointed by the President), or an outside vendor. The Treasurer will then submit all audit results, along with financial documents to ACA as required. This position is not a voting member.
- h) The Editor will report to the Board quarterly on the progress and quality of the JCAC. This position is not a voting member.
- i) The Graduate Student/New Professional Representative will perform additional duties as directed by the Board. This position is not a voting member.

### SECTION 3. NOMINATIONS AND ELECTION OF OFFICERS.

- a) The Nominations for Awards and Elections Committee shall seek and select more than one nominee for each position to be elected for the next term, and submit a slate of candidates for approval by the Board at its annual meeting.
- b) In order to be a candidate for the positions of President-Elect nominees must hold a position on the ACAC board for a minimum of two years, and be a Professional member.
- c) Governing Council representative, nominees must hold a position on ACAC board for a minimum of two years.
- d) The ACA Nominations and Election Committee shall supervise the election of officers in accordance with written policies approved by the Executive Board.

- e) Elective offices that are prematurely vacated shall be filled for the remainder of the unexpired term by the Executive Board. Persons filling unexpired terms are still eligible to run for office unless expressly made ineligible elsewhere in these Bylaws.
- f) Any elected officer may be removed from office if the officer is: unable to fulfill the responsibilities of the position as defined by the ACA Code of Leadership, when the officer exhibits conduct that tends to injure ACAC or adversely affect its reputation, or for behavior that is contrary to or destructive of the mission of ACAC according to the ACAC Bylaws and the ACA Code of Ethics. Removal will require a majority vote of the Executive Board members. The Board must provide the officer with at least ten days' notice of the proposed removal and the officer at issue shall have the opportunity to address the Executive Board prior to a final vote for removal.

#### SECTION 4. COMPENSATION AND EXPENSES OF OFFICERS.

- a) None of the elected officers of ACAC shall receive any compensation for their services as such to ACAC, with the exception that the Board can approve compensation for the President, the President-Elect, and Past President for expenditures related to office.
- b) The Treasurer may be paid such compensation from the funds of ACAC as may be fixed from time to time by the Board.

### **ARTICLE VII EXECUTIVE BOARD**

#### SECTION 1. COMPOSITION.

- a) The ACAC Executive Board shall be composed of the following: President, President-Elect, immediate Past President, Secretary, Treasurer, ACAC Representative to ACA Governing Council, and Four Trustees.

#### SECTION 2. POWER AND FUNCTIONS OF THE BOARD.

The Board shall:

- a) Establish policies to govern the affairs of ACAC.
- b) Formulate operational policies appropriate for executive action and direct the execution thereof.
- c) Grant and revoke Branch charters.
- d) Act on the reports of Branches, Standing Committees, and such Special Committees and Task Forces.
- e) Adopt and amend Articles of Incorporation and Bylaws.
- f) Exercise such other powers and functions as may be necessary or desirable in the best interests of ACAC, not in conflict with the Bylaws.
- g) Establish the strategic plan of ACAC.
- h) Establish broad, long-term professional directions for ACAC.

#### SECTION 3. MEETINGS OF THE BOARD.

- a) The Board shall meet a minimum of once per year. A meeting will be held before, during, or after the ACA Annual Conference. Expenses incurred in participation in Board meetings will be paid by ACAC in accordance with ACAC policies and procedures.
- b) The President of ACAC shall preside at meetings of the Board and, in the President's absence, the President-Elect shall preside.
- c) A majority of the voting members of the Board shall constitute a quorum.
- d) At each annual meeting, and at any other time when so requested in writing, each Branch, officer of ACAC, and each Standing and Special Committee and Task Force as specified in the Bylaws of ACAC shall submit a written report to the ACAC President who shall transmit the report to the Board.
- e) If so directed by the President of ACAC, electronic meetings of the executive board or executive committee may be held. Electronic meetings will be considered valid if the electronic telecommunication system allows for the transmission of words by one participant to all participants. Further, voting of the membership will be allowed by the same means.

#### SECTION 4. EXECUTIVE COMMITTEE.

- a) The Executive Committee shall consist of the President, President-Elect, immediate Past President, Secretary, and Treasurer. The Treasurer shall serve ex officio, without vote.
- b) The Executive Committee shall act for the Board within policies as may be established by the Board. The Executive Committee shall function primarily to address those issues which are necessary for the efficient operation of ACAC where the time requirements necessitate immediate action. All actions and activities of the Executive Committee shall be communicated to the Board through minutes which are disseminated within ten working days of an Executive Committee conference or meeting. The actions taken by the Executive Committee must be submitted for ratification by the Board at the next Board meeting. Any subsequent decision by the Board that is contrary to an action taken by the Executive Committee shall (to the extent permitted by law) be given only prospective effect.
- c) The Executive Committee shall confer or meet at least once per year in addition to the Board meetings. Other conferences or meetings may be called only in an emergency. Emergencies will be determined by the President or the Board.

### **ARTICLE VIII PUBLICATIONS**

#### SECTION 1. PUBLICATIONS POLICY.

The Board, acting on the recommendations of the Communication and Publication Committee shall determine and direct the basic publications policy and program of ACAC, and shall have the authority to hire, discharge and fix the compensation of the persons serving as editors of the publications and other media of ACAC.

#### SECTION 2. JOURNAL.

*The Journal of Child & Adolescent Counseling* shall be the journal of ACAC and shall be published and available for printing, reading, or both to members of the division.



### SECTION 3. COPYRIGHT.

ACAC shall own the copyright of the original and any renewal term for any writing that is published by ACAC. The author of any such writing shall have the right to make a non-profit or non-commercial use of the work provide that there be affixed to each copy the copyright notice used by ACAC when the writing was first published. The author shall have the right to make or authorize the profit or commercial use of any such writing only after fist obtaining the written consent of ACAC.

### SECTION 4. DIVISION AND BRANCH PUBLICATIONS.

Nothing in this Article shall be interpreted as limiting the freedom of any Branch to produce, select and copyright publications of its choice.

## **ARTICLE IX COMMITTEES**

### SECTION 1. STANDING COMMITTEES.

The Standing Committees of ACAC shall be:

- a) The Bylaws Committee
- b) Membership Committee
- c) The CACREP Advisory Committee
- d) The Conference Committee
- e) The Graduate Student Committee
- f) Advocacy Committee
- g) Branch Committee
- h) Communications and Publications Committee
- i) The Nominations for Awards and Elections Committee
- j) Audit Committee
- k) Research Grant Committee

### SECTION 2. REPORTS OF STANDING COMMITTEES.

Each Standing Committee shall submit an annual written report to the ACAC President who shall transmit the report to the Board.

### SECTION 3. SPECIAL COMMITTEES.

The President, subject to confirmation by the Board, may establish a time-limited Special Committee or Task Force for a specific temporary purpose or assigned task beyond Standing Committees' scope of responsibilities as indicated in policies adopted by the Board. Any such Special Committee or Task Force shall be responsible to the Chair of the Standing Committee with the most closely related scope of responsibility.

#### SECTION 4. REPORTS OF SPECIAL COMMITTEES.

Each Special Committee and Task Force shall complete the specific purpose or the assigned task by a date specified by the Board and submit a written report to the ACAC President by or before a date set by the Board. The ACAC President shall transmit the reports to the Board.

### **ARTICLE X INDEMNIFICATION**

#### SECTION 1. PROVISION.

ACAC shall indemnify each member of its Executive Board, as described in Article VII, and each of its officers, as described in Article VI, and each member of its committees, as described in Article IX for the defense of civil or 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. IMPLEMENTATION.

ACAC shall indemnify each of its Board members and officers and committee members, 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 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 Board member or officer or committee member 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 ACAC and, in the case of a 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 ACAC shall be advised by its Board acting (1) by quorum consisting of Board members who are not parties to such action or proceedings upon a finding that, or (2) if a quorum is not obtainable with due diligence, upon the opinion in writing of independent legal counsel that, the Board member or officer or committee member has met the foregoing applicable standard of conduct. If the foregoing determination is to be made by the Board, it may rely, as to all questions of law, on the advice of independent legal counsel.

#### SECTION 3. INCLUSION.

Every reference herein to a member of the Executive Board or officer or committee member of ACAC shall include every Board member and officer and committee member thereof or former Board member and officer and committee member thereof.

This indemnification shall apply to all the judgments, fines, amounts 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 Board

member or officer or committee member of ACAC might otherwise be entitled and the provisions hereby shall neither impair nor adversely affect such rights.

## **ARTICLE XI NONDISCRIMINATION**

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

## **ARTICLE XII BYLAWS**

### **SECTION 1. AMENDMENT AND REVISION.**

These Bylaws may be amended, revised, or both by a two-thirds majority of the Board members voting. These bylaws should be reviewed and revised as needed every three years.

- a) Proposed amendments and revisions may be originated by the Board or presented to the Board by a Branch, an ACAC Standing Committee (provided that the submitting entity is in compliance), or by an individual member, provided that in the case of an individual member the proposed amendment shall be presented over the signatures of at least fifty members in good standing.
- b) All such proposed amendments and revisions must be submitted in writing to the Bylaws Committee no later than twelve weeks prior to the Board meeting at which the change may be considered.
- c) The Bylaws Committee will transmit to the Board such proposed amendments with or without a recommendation regarding each proposed change at least six weeks before the next regularly scheduled meeting of the Board.
- d) Changes in the bylaws of a branch are not effective until (1) approved by the ACAC Executive Board and (2) amendments are subject to the approval of the ACA Governing Council.

### **SECTION 2. POLICIES AND PROCEDURES.**

Supplement policies and implementation guidelines for these Bylaws are to be found in the ACAC Policies and Procedure Manual.

## **ARTICLE XIII RULES OF ORDER**

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-Harper Collins) shall govern the proceeding of all bodies of ACAC except where otherwise specified in these Bylaws.

*--Amended March 2019; Accepted by the American Counseling Association Oct. 2019*