

Louisiana Counseling Association Bylaws

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ARTICLE I

Name, Affiliation, and Purpose

Section 1. NAME

The name of the association will be the **LOUISIANA COUNSELING ASSOCIATION (LCA)**.

Section 2. AFFILIATION

LCA, as a branch of the American Counseling Association (ACA), will be organized and operated in compliance with ACA bylaws, but remain autonomous in the conduct of its affairs.

Section 3. MISSION

The mission of LCA is to enrich the life processes and to advance the profession of counseling within the state of Louisiana.

The Purposes of the LCA are:

- A. *Organization, Administration, & Management:* To provide structure to fulfill the mission.
- B. *Personal & Professional Development:* To promote the development of counseling professionals.
- C. *Professionalism:* To promote and advocate for the professionalism of counseling.
- D. *Public Policy & Legislation:* To promote and support public policy and legislation, which enhances the counseling profession.
- E. *Research & Knowledge:* To promote the advancement and dissemination of research and knowledge in counseling.

ARTICLE II

Membership

Section 1. MEMBERSHIP ELIGIBILITY

The minimum requirement of membership is that an applicant is engaged in and interested in counseling and development work in the state of Louisiana. All LCA members must be affiliated with a division.

Section 2. CATEGORIES of MEMBERSHIP

Membership will be of four types: *Professional*, *Regular*, *Retired*, *Student*, and conditionally, *Counselor Interns*. The membership categories shall be determined in accordance with the following:

- A. *Professional Members*: Professional members are those persons holding membership affiliation with LCA & one LCA division. Professional members must 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. Professional members must present proof of academic credentials upon request.
- B. *Regular members*: Regular members are those persons holding membership with LCA & one LCA division whose interests and activities are consistent with those of the Association, but are not qualified for Professional membership.
- C. *Retired Members*: Retired members are those persons who have previously been Professional members, but who are now retired from the counseling profession.
- D. *Student Members*: Student members are those persons who have verified their enrollment at least half time as degree seeking students in a counseling program in a regionally accredited institution.
- E. *Provisional Licensed Professional Counselor*: The *Provisional Licensed Professional Counselor* members are those persons who are under supervision, registered as a *Provisional Licensed Professional Counselor* with the *Louisiana Professional Counselors Board of Examiners*, and have not yet received their licensure.

Section 3. RIGHTS and PRIVILEGES

Each member in good standing will be entitled to attend conference meetings, to vote, to seek office and to serve on committees.

Section 4. TERMS of MEMBERSHIPS

Membership is established by the Executive Director of LCA upon receipt of dues and the satisfactory documentation of eligibility according to the application. Membership must be renewed annually.

Section 5. DUES

Dues for membership to the Louisiana Counseling Association will be recommended by the Executive Board for approval by the membership of the Association. Dues shall be paid annually, and will entitle one to membership for twelve months from the date of payment or the date of renewal. Dues will be forwarded to the Executive Director of the Louisiana Counseling Association.

The dues structure is as follows:

Professional Members - \$60.00 – LCA members are eligible for Professional status in perpetuity, provided that requirements are met.

Regular Members - \$60.00 – LCA members are eligible for Regular status in perpetuity, provided that requirements are met.

Retired Members - \$35.00 – LCA members are eligible for Retired status in perpetuity, provided that requirements are met.

Student Members - \$35.00 – LCA members are eligible for Student status for the duration of their time in school, and provided that requirements are met.

Counselor Interns - \$40.00 – LCA members are eligible for *Provisional Licensed Professional Counselor* status until licensure is obtained, or for 3 (three) years; whichever occurs first. All other requirements are to be met, as well. The fee includes \$5.00 dues for the Provisional Licensed Counselor Association.

Section 6. ACA MEMBERSHIP

LCA members will be invited and urged to apply for ACA membership and for membership in one or more ACA divisions. All Association division *Presidents* are expected to have both ACA and their respective ACA affiliate membership.

Section 7. SEVERANCE of MEMBERSHIP

A) A member of LCA may lose membership status secondary to conduct that can negatively affect the public reputation of LCA and/or is contrary to the mission and by-laws of LCA. LCA members who lose membership status with the American Counseling Association (ACA) due to a breach in ACA's Code of Ethics will secondarily lose membership status in LCA. Membership may also be lost if a breach in the LPC Code of Ethics has been proven by way of an official ruling and/or disciplinary action rendered by the Licensed Professional Counselor (LPC) Board of Examiners.

An issue of concern pertaining to a member of LCA can be brought to the attention of the LCA Executive Director and/or Board President. A review of the issue will be undertaken with opinions and recommendations to be presented to the Administrative Council for further review and a final decision regarding membership status to be made by the full Executive Board..

B) A member of LCA shall lose membership status for failing to pay membership dues.

ARTICLE III

Divisions, Chapters, and Interest Sections

Section 1. ORGANIZATION of DIVISIONS, CHAPTERS, and INTEREST SECTIONS

State Divisions, Chapters, & Interest Groups may be formed and chartered in accordance with ACA & LCA bylaws and the Guidelines for the Organization and Reorganization of Branches, State Divisions, Chapters, & Interest Sections. Authority to recommend State Divisions is vested in the Executive Board of LCA.

Section 2. AUTONOMY of STATE DIVISIONS, CHAPTERS, and INTEREST SECTIONS

A Division of LCA will be autonomous in the conduct of its affairs, consistent with the by-laws of both ACA & LCA. A State Division may retain its name or adopt another name, but in all instances, it will identify itself as "A division of the LOUISIANA COUNSELING ASSOCIATION." -

Section 3: New Divisions

A prospective Division must provide a signed petition of at least thirty-five (35) LCA members to the Executive Board, requesting permission to begin operations. An initial, provisionary status of *Organizational*

Affiliate will be awarded, which allows the new affiliate to begin operations, but does not allow voting privileges. Officers must be identified before affiliate status will be awarded. The affiliate's leadership structure must be maintained in the manner that Divisions maintain its leadership (see Section 4). During its provisionary status period, an affiliate must identify itself as "an Affiliate of the Louisiana Counseling Association." An affiliate will be considered to be viable by adhering to the responsibilities of state Divisions (see Section 4). After 3 years, an *Organizational Affiliate* will attain Division status upon approval by majority vote of the LCA Executive Board. Voting privileges will be awarded upon final approval by majority vote for Division status.

Section 4: Responsibilities of State Divisions

Each Division of LCA will be responsible for the following:

- A) Holding competitive elections for officers on an annual basis. Each Division shall transmit the names of its elected officers to the LCA Board President and Executive Director within 30 days of the LCA Annual Meeting. Installation of new officers will occur at the Annual Meeting.
- B) Submitting an Annual Report, due to the LCA Executive Director by June 15 of each year. The Annual Report will detail the Division's activities, membership, and any changes in its By-Laws and/or Policies and Procedures. The Annual Report must also contain an audit of its financial activities.
- C) Demonstrating financial solvency and responsibility, to be detailed in the Division's Annual Report.
- D) Submitting an annual Strategic Plan. The Strategic Plan must be submitted to the Executive Board within 90 days after installation of a Division's officers at the LCA Annual Meeting.

Section 5: Indicators That Can Jeopardize Division Status

The operating status of a Division will come into jeopardy when any one or more of the following scenarios become evident:

- A) A Division fails to hold competitive elections for officers on an annual basis or an indicated in the Division bylaws.
- B) A Division fails to submit an Annual Report prior to the LCA Annual Meeting.
- C) A Division fails to demonstrate financial solvency and Responsibility
- D) A Division fails to submit an annual Strategic Plan.
- E) A Division fails to carry out a significant portion of its Strategic Plan.

Section 6: Procedures for Dissolving a Division

Involuntary Probation and/or Dissolution

The authority to dissolve a state Division lies with the LCA Executive Board. A Division showing a pattern (one year) of failing to meet one or more of the operating responsibilities detailed in Section 4 will receive a written notice of probationary Division status from the Executive Board. The notice will contain information detailing the reason(s) for the probationary Division status. Probationary status does not preclude voting privileges on the LCA Executive Board or the ability to function as an active division.

Upon receipt of a written notice of probationary Division status, the Division will have until the next meeting of the Executive Board to devise a plan of corrective action, complete with task items and timelines for completion, and to present the corrective action plan to the Executive Board. Failure to present a corrective action plan will trigger a vote of the Executive Board to dissolve the Division. Failure to carry out a

corrective action plan within the timeframe detailed in the plan will trigger a vote of the Executive Board to dissolve the Division. A majority vote (i.e. one-half + 1) is needed to dissolve the Division.

Voluntary Dissolution

A state Division may choose to dissolve its operating status by taking the following measures:

Notice of intent to dissolve, detailing the reason(s), will be sent in writing to the LCA Executive Board following a vote of the current Division membership to dissolve the division status. A majority vote (i.e. one-half + 1) is needed for a division to voluntarily dissolve.

Section 7: Reinstatement of Division Status

A previously dissolved Division can seek reinstatement status by following the procedures outlined in Section 3: New Divisions.

ARTICLE IV

Officers of the Association

Section 1. OFFICERS

Officers of the Association will be the President, President-Elect, President-Elect-Elect, and Immediate Past President. All officers must be members in good standing of the American Counseling Association, Louisiana Counseling Association, and one LCA Division.

Section 2. DUTIES

A. *The President will:*

1. Serve as chief officer of the Association;
2. Chair meetings of the Executive Board;
3. Preside at all meetings of the Association;
4. Appoint an Executive Director and Parliamentarian as specified by these bylaws;
5. Appoint chairs and all members to committee unless the method of appointment is otherwise specified.
6. Hold ex officio membership on all committees;
7. Transfer files to the President-Elect.

B. *The President-Elect will:*

1. Perform the duties of the President in the absence or incapacity of the President as determined by the Executive Board.
2. Succeed to the Office of President in the event of the incapacity, death, or resignation of the President;
3. Perform such duties as determined by the President or the Executive Board; and
4. Serve as Chair of the Finance and the Conference Committees.

C. *The President-Elect-Elect will:*

1. Perform the duties of the President in the absence of the President and the President-Elect as determined by the Executive Board;
2. Succeed to the office of President-Elect in the event of the incapacity, death, or resignation of the President-Elect.
3. Perform such duties as determined by the President or the Executive Board; and
4. Serve as Chair of the Membership Committee.

- D. *The Immediate Past President will:*
 - 1. Serve as Chair of the Nominations Committee; and
 - 2. Perform such duties as determined by the President or the Executive Board.
- E. *The Administrative Council Member-at-Large will:*
 - 1. Represent the Divisions of LCA on the Administrative Council; and
 - 2. Perform such duties as determined by the President or the Executive Board.
- F. *The Executive Director will:*
 - 1. Attend all meetings of the Association;
 - 2. Be recognized as an ex-officio member of the Executive board; and
 - 3. Perform such duties as determined by the President or the Executive Board.
- G. *The Parliamentarian will:*
 - 1. Attend the annual business meeting and all meetings of the Executive Board;
 - 2. Be recognized as an ex officio member of all committees;
 - 3. Advise the presiding officer on points of Parliamentary Law, and give similar advice to members and the Executive Board upon request; and
 - 4. Perform such other duties as are incidental to the office.

Section 3. TERMS of OFFICE

All elected LCA officers on the Executive Board will serve for one (1) fiscal year. The LCA fiscal year will reflect that of its parent organization, ACA, and run from July 1st until the next June 30th. Division officers may serve for two (2) fiscal years. Elected LCA officers will not succeed themselves; except in cases where the President-Elect succeeds to the Presidency before their term expiration, will serve a full term in addition to serving the current President’s unfinished term.

Section 4. INDEMNIFICATION of OFFICERS

The Association shall indemnify each officer, as described in Article IV, and each member of its Administrative Council, as described in Article V; for the defense of civil or criminal actions or proceedings to the extent permitted by applicable law.

ARTICLE V

Administrative Council

Section 1. COMPOSITION

The Administrative Council of the Association will consist of the following officers: the President, President-Elect, President-Elect-Elect, Immediate Past President, Administrative Council Member-at-Large; and the Executive Director (ex- officio).

Section 2. DUTIES

The Administrative Council shall be the administrative council of the LCA and its functions are as follows:

- A. Serve in an advisory capacity to the President of the Association;
- B. Plan and implement actions necessary to accomplish decisions of the membership in business sessions and decisions of the Executive Board;
- C. Formulate and recommend policies to the Executive Board; and
- D. Take charge of the responsibility and incumbent authority given by the Executive Board to conduct, manage, and control the business of the Association during the periods between duly called business meetings of the Association, or between meetings of the Executive Board; actions of the Administrative Council shall be consistent with the by-laws of LCA & ACA, and shall not infringe upon the rights, responsibilities, and privileges assigned by the bylaws to specific officers.

Section 3. MEETINGS

The Administrative Council will meet at the times and place of the annual state LCA Conference and at least

two other times during the year at the time and place designated by the President. The Administrative Council may be called into immediate session and/or conduct their business via telephone or electronically (online or video conferencing) at the discretion of the President.

Section 4. QUORUM

A quorum is constituted by the presence of more than half of the Administrative Council members.

ARTICLE VI

Executive Board

Section 1. COMPOSITION

The Executive Board of the Association will consist of the members of the Administrative Council, and the recognized representative of each respective division (Article VI; Section 5).

Section 2. DUTIES

The functions of the Executive Board will be as follows:

- A. Set policy and give direction to the Administrative Council;
- B. Take action on recommendations from the Administrative Council and the duly appointed committees of the Association;
- C. Make Association decisions during the interim between its annual general business meetings;
- D. Approve the appointive officers and the standing committees;
- E. Formulate standing rules;
- F. Recommend to the membership an amount for annual dues;
- G. Act on applications for Division, Chapter, and Interest Sections, and make recommendation on the application to the LCA, National Division, and ACA Headquarters;
- H. Will monitor the professional and ethical practices of its members, and take appropriate action with any transgressions in conflict with LCA and ACA standards; and
- I. Exercise such functions as may be necessary or desirable in the best interest of the Association, not in conflict with those of the bylaws.

Section 3. MEETINGS

The Executive Board will meet at a designated time and place during the annual state LCA Conference, and at least one other time during the year at a time and place designated by the President. Additional meetings of the Executive Board may be called by the President upon request by written petition signed by one-third (1/3) of the members of the board.

Section 4. DIVISION VOTING

Each division will have the following votes on the Executive Board:

- A. One (1) vote for division membership up to 125 to be cast by the division president or their designee;
- B. Two (2) votes for 126 - 250 division members cast by the division president or their designee;
- C. Three (3) votes for 251+ division members to be cast by the division president or their designee.

Section 5. QUORUM

A quorum is constituted by the presence of Executive Board members assigned a cumulative total of more than one-half (1/2) of the weighted votes (Article VI, Section 4) of the Executive Board members.

ARTICLE VII

Meetings of the Membership

Section 1. ANNUAL MEETING

There will be an annual meeting of the membership, at which time the annual business meeting will be conducted. The time and place of the meeting will be determined by the Executive Board.

Section 2. SPECIAL MEETINGS

Special meetings may be called by the President with the approval of an Executive Board majority. Standard or electronic mail meeting notices will be sent to each Board member at least fifteen (15) days prior to the date of the special meeting.

Section 3. QUORUM

The active members present at any Association meeting of which written notice has been given shall constitute a quorum for the transaction of business.

Section 4. REMOVAL OF MEMBERSHIP

A member may be dropped from membership for any conduct that is injurious to the association or contrary to its mission.

ARTICLE VIII

Committees

Section 1. STANDING COMMITTEES

Standing Committees are created or restructured at the discretion of the President and approval of the Executive Board. Committees are presented charges to investigate & consider, and provided definitive timelines to report findings to the Executive Board. The Association's current Standing Committees are:

- A. **Archives & History Committee:** preserves for posterity the highlights of each administrative term
- B. **Awards Committee:** advertises, receives nominations, and selects winners in each category.
- C. **Bylaws Committee:** reviews the bylaws each year and updates as necessary.
- D. **Conference Committee:**
 - 1. **Program Committee:** plans all program details regarding the for the annual LCA conference
 - 2. **On-site Committee:** plans & arranges all details regarding all phases of the Conference except program. The Conference committee will be chaired by the President-Elect.
- E. **Finance Committee:** prepares the annual budget, reviews the budget periodically, and seeks ways and means of raising money for the Association, & chaired by the President-Elect.
- F. **Government Relations Committee:** promotes the public policy activities of ACA and LCA in an effort to support legislation on both the national and state levels which affect guidance and counseling, and performs other such duties as requested by the Executive Board. It is the political legislative arm of the Association.
- G. **Strategic Planning Committee:** identifies projected needs of the association and drafts a document of identified needs in conjunction with the Mission and Purpose of the LCA.
- H. **Membership Committee:** encourages all eligible persons to become members of the Association and its Divisions. This committee consists of one member from each Division, and will be chaired by the President-Elect-Elect.
- I. **Nominations & Elections Committee:** receives and verifies all nominations for elective officers of the LCA and publishes each nominee's resume in the official newsletter at least thirty (30) days prior to the voting. The committee reports the election results to the Executive Committee.
- J. **Professional Development Committee:** calls for program proposals congruent with the guidelines

of ACA; achieves, evaluates, and recommends other ways and means of promoting professional growth, and performs such other related duties as requested by the Executive Board.

K. *Publications Committee:* determines newsletter and journal publication dates in consultation with the Executive Board; receives articles and manuscripts, and disseminates them to the membership in a printed document.

L. *Public Relations Committee:* develops ways and means to ensure methods of promoting the LCA in concert with each Division and specific committees (e.g. Membership, Strategic Planning, Professional Development, and/or Publications); and performs such other related duties as requested by the Executive Board.

M. *Special/Ad Hoc Committees:* creates resolutions as needed and performs activities of the Association as may be needed. These committees shall be appointed by the President, subject to confirmation by the Board, and are appointed for the duration of the work being tasked to the committee.

ARTICLE IX

Nominations, Elections, and Voting Procedure

Section 1. CANDIDACY for LCA PRESIDENT

All candidates must be Professional members in good standing in the LCA and have previously served as a Division President or as a member of the LCA Executive Board for a minimum of two years.

Section 2. NOMINATIONS

Candidates for elective office of the LCA will be announced to the membership in the official newsletter prior to the voting period.

Section 3. SELECTION of OFFICERS

The President-Elect-Elect of the Association will be elected at the Annual Conference by the members in good standing attending and by absentee ballots. If extenuating circumstances prevent the election being conducted at the Annual Conference, a special election will be conducted as soon as is practical as determined by the President or the LCA Executive Board. The nominations, elections, and voting procedures for special elections will be conducted in a timely fashion via mail out to the membership. Newly elected officers will assume office immediately. The Executive Director and the Parliamentarian will be appointed by the President with the approval of the Executive Board. The Administrative Council Member-at-Large will be elected by the Division Presidents.

Section 4. ELECTION

Candidates are elected by a plurality of votes (i.e. one half +1). In the event of a tie in voting, a run-off election will take place within sixty (60) days of the original election date. The run-off election between the tied candidates will occur electronically, with the LCA membership receiving an e-mail notice of the tie in the election and instructions on how to cast their vote in the run-off. The Executive Director of LCA will send a hard copy notice of the tie in the election and the instructions on how to cast a vote in the run-off elections to LCA members who do not have an email address. Information regarding the candidates for the office will be included in the communication so that LCA members can re-acquaint themselves with the candidates. Run-off votes will be tallied and re-verified in the same manner that the general elections are tallied with the Past President counting the votes and the President –Elect certifying the results. Election results will be reported to the LCA membership electronically or mail, as well as on the LCA website LCA will send a hard copy notice of the tie in the election and the instructions on how to cast a vote in the run-off elections to LCA members who do not have an email address. Information regarding the candidates for the office will be included in the communication so that LCA members can re-acquaint themselves with the candidates. Run-off votes will be

tallied and re-verified in the same manner that the general elections are tallied with the Past President counting the votes and the President –Elect certifying the results. Election results will be reported to the LCA membership electronically or by mail, as well as on the LCA website.

ARTICLE X

Association Publications

Section 1. INFORMATION

The Association will be kept informed through the official newsletter and journal.

Section 2. ISSUES

The Executive Board will determine the number of issues & the dates of the official newsletter & journal.

ARTICLE XI

Fiscal Year

Section 1. FISCAL YEAR DATES

The fiscal year of the Association will reflect the ACA fiscal year: July 1st until June 30th of the following year.

ARTICLE XII

Property of the State Association

Section 1. CONTROL and MANAGEMENT

All properties of the Association will be subject to the control and management of the Executive Board. Upon dissolution of the Association, none of the properties will be distributed to any members and all such properties will be transferred to such other organization or organizations as the Executive Board shall determine to have purposes and activities most nearly consistent with those of the Association, provided such an organization or organizations shall be exempt under Section 501 © (6) of the Internal Revenue Code or corresponding provisions of the Internal Revenue laws.

ARTICLE XIII

Amendments to Bylaws

Section 1. PROCEDURE for AMENDING

Amendments to these bylaws may be acted on only at the annual business meeting of the Association. A proposed amendment will be presented in writing to all members of the Association at least thirty (30) days prior to the annual meeting at which the proposed change is to be considered. An amendment may be adopted by a two-thirds affirmative vote of the members present & voting, or by a unanimous vote. If prior notice is not given as previously defined in this section, an amendment will require a unanimous vote for adoption.

ARTICLE XIV

Rules of Order

Section 1. PARLIAMENTARY AUTHORITY

Robert's Rules of Order Revised (by Henry M. Robert) will be used to govern the proceedings of the Association not otherwise specified in these bylaws.

Section 2. STANDING RULES

Such other matters not incorporated in and/or not in conflict with the bylaws may be developed and adopted by the Executive Board.

1. All divisions of LCA should be represented on the Nominations and Elections committee and the Membership Committee.
2. The Executive Director will be in charge of all properties and records of LCA.
3. Standing Committees, except the Conference / Program, may have a revolving membership of three (3) to five (5) members.
4. Each person appointed to a committee may serve up to a three (3) year term at the discretion of the President and the President-Elect in consultation prior to the appointments.
5. Each President will name the Chair for his/her term of office.
6. All expenses incurred from budgeted items must be submitted to the Business Manager by means of an expense voucher with bill attached.
7. Budgeted funds for a fiscal year cannot be disbursed after the close of the books without approval of the Executive Board.

ARTICLE XV

Impartial & Nondiscriminatory

Section 1. Impartial & Nondiscriminatory

The Association will not practice, or tolerate among its members, direct or implied discrimination against any individual on the basis of age, color, culture, disability, ethnic group, gender, race, religion, sexual orientation, marital status, or socioeconomic level.

