

Michigan Counseling Association

By-Laws and Revisions

Last revised: August 2012

MCA Non-Discrimination Statement: The Michigan Counseling Association does not discriminate on the basis of race, gender, age, religion, creed, sexual/affectional orientation, disability, or ethnic origin.

Article I Name and Purpose

Section 1.

The name of the Association shall be the Michigan Counseling Association, a State Branch of the American Counseling Association.

Section 2.

The central mission and purpose of the Association is to enhance human development throughout the life span and to promote the counseling profession. Additionally, the Association purposes shall be:

- a. To promote and advance the interests of counseling and guidance programs and services in the State of Michigan.
- b. To provide an organization through which those engaged in providing counseling and guidance programs and services can exchange ideas, seek solutions to common problems, and stimulate their professional growth.
- c. To establish and improve standards for professional guidance and counseling programs and services.
- d. To assume an active role in helping others in educational institutions and in the community to understand and improve guidance and counseling programs and services.
- e. To conduct activities designed to promote the professional growth of counselors in the State of Michigan.
- f. To disseminate information and to focus public attention on and promote legislation affecting counseling and guidance programs and services in the State of Michigan.
- g. To encourage the formulation and growth of Chapters and Divisions.

Article II Membership

Section I. Types of Membership

Membership in the Association shall be individuals, and it shall be open to all persons regardless of race, gender, age, religion, creed, sexual/affectional orientation, disability, or ethnic origin. There shall also be four types of membership; namely, Regular, Associate, Student, and Emeritus.

- a. Any individual actively engaged in counseling and guidance programs and services may become a Regular member of the Association upon payment of dues.
- b. Any person interested in counseling and guidance programs and services, but not actively engaged in providing such programs and services, may become an Associate Member of the Association upon payment of dues. Associate Members are not eligible to vote or hold office.
- c. Any person enrolled in an approved graduate degree counselor preparation program in an institution that is regionally accredited may, with the endorsement of the major advisor, become a Student Member upon payment of dues for students. Student members may not vote or hold office.
- d. Emeritus Membership: Members who are retired are eligible for membership in M.C.A. upon application to the membership committee. Dues for membership shall be 1/2 (one-half) of regular membership dues. Emeritus members shall retain all rights and privileges of regular membership.

Section 2. Member in Good Standing

A member must pay the dues and may elect membership in at least one of the Association's Divisions or Interest Sections. A member of a Division or Chapter of the Association would not have to join MCA unless the Division's or Chapter's bylaws require MCA membership as a condition for joining the Division or Chapter. A person not joining MCA shall pay a surcharge to MCA for selected services that MCA provides to all counselors in the profession.

Section 3. Severance of Membership

- a. A member may be dropped from membership for any conduct that tends to injure the Association or to affect adversely its reputation, or that is contrary to or destructive of its objectives according to the By-Laws of the Association. Any member charged with engaging in any such conduct shall be given notice of the precise nature of the charge, shall be given the opportunity to present evidence through witnesses or otherwise, shall be given the opportunity to confront witnesses, and shall have the right of appeal to and have a hearing before the Governing Council, whose decision shall be final.
- b. A member will be dropped from membership for the non-payment of dues after one month.

Article III State Divisions

Section 1. Organization of Divisions

State divisions may be organized within the State of Michigan subject to the By-Laws of this Association and, if applicable, their related National Divisions, and the By-Laws of the American Counseling Association (ACA). Divisions shall submit the text of their Bylaws to MCA upon their adoption, and upon revision thereafter, by July 1 of the year in which the revisions were adopted.

Section 2. Formation of Divisions

Only the Governing Council may charter Divisions. MCA Chartered Divisions shall, if applicable, seek affiliation with their related American Counseling Association Divisions.

Section 3. Autonomy of Divisions

- a. A Division of the Association shall be autonomous in the conduct of its affairs, consistent with the By-Laws of the Association.
- b. A Division of the Association may adopt its own name, but shall identify itself as "A Division of the Michigan Counseling Association."
- c. All officers of a Division shall be regular members of the Association. All members of a Division shall be members of the Association.
- d. Only active Divisions may receive membership dues and receive a share of the proceeds from MCA Conferences. To be considered active, a Division must:
 - (i.) have a slate of officers;
 - (ii.) have division by-laws and submit them annually to MCA Headquarters by July 1 of each year;
 - (iii.) submit the Annual Activity report form to MCA Headquarters by July 1 of each year;
 - (iv.) submit the Annual Division/Chapter Financial Report form to MCA Headquarters by July 1 of each year.

Section 4. Reports

Each Division shall transmit to the M.C.A. President the names of its officers forthwith upon their election or appointment. Each Division shall transmit, before June 30th of each year, a written annual report and financial statement to the President on a prescribed form.

Section 5. Dissolution of a Division

- a. The Governing Council shall have the power to revoke the charter of a Division when it is deemed in the best interests of the Association to do so.
- b. Before final action may be taken with respect to the dissolution of a Division, a notice of intent to dissolve must first be passed by a majority of the Governing Council Representatives present and voting and the Division in question advised in writing of the reasons for the proposed action. If the Association has not been able to advise the officers of the Division, publication in the minutes of the Governing Council or other MCA publications or general communications shall constitute advising the Division of notice of intent to dissolve. The Division shall have until the next Governing Council Meeting of the Association (but in no case less than nine months) to effect remedial measures.
- c. A two-thirds vote of Governing Council Representatives present at a regular or special MCA Governing Council Meeting shall be necessary to revoke the charter of a Division.

Section 6: Voluntary Withdrawal of a Division

The status of a Division of the Association may be voluntarily withdrawn only in compliance with MCA Bylaws, policies, and procedures adopted by the Governing Council.

Article IV Chapter and Interest Sections

Section 1. Organization of Chapters

- a. The Association may include one or more Chapters.
- b. No Chapter shall be organized or operated except in accordance with the By-Laws of the Association.
- c. The major purposes of a Chapter shall be in accord with those of the Association.
- d. Only active Chapters may collect membership dues and receive a share of the proceeds from MCA Conferences. To be considered active, a Chapter must:
 - (i.) have a slate of officers;
 - (ii.) have bylaws and submit the text of their Bylaws to MCA upon their adoption, and upon revision thereafter, by June 30 of the year in which the revisions were adopted, if there were any changes made during the year;
 - (iii.) submit the Annual Activity report form to MCA Headquarters by July 1 of each year;
 - (iv.) submit the Annual Division/Chapter Financial Report form to MCA Headquarters by July 1 of each year.

Section 2. Formation of Chapters

Chapters shall be eligible for charter by the Governing Council providing there are at least fifteen (15) regular members within a geographical area who hold membership in M.C.A. Provisional status shall be granted to those wishing to form a Chapter or Interest Section. A Chapter or Interest Section shall have three (3) years to obtain a minimum 15 members.

Section 3. Autonomy of Chapters

- a. A Chapter of the Association shall be autonomous in the conduct of its affairs, consistent with the By-Laws of the Association.
- b. All officers of a Chapter shall be Regular members of the Association.
- c. A Chapter may adopt its own name, but shall identify itself as "A Chapter of the Michigan Counseling Association."

Section 4. Interest Sections

An Interest Section shall consist of persons who organize on either a statewide or local basis in accordance with the By-Laws of the Association for the purpose of promoting professional interests not otherwise provided for in the Divisional structure.

Section 5. Reports

Each Chapter shall transmit to the President the names of its officers forthwith upon their election or appointment. Before June 30th of every year, each Chapter and Interest Section shall submit to the President a written annual report and financial statement on a prescribed form.

Section 6. Dissolution of a Chapter by the Association

- a. The Governing Council shall have the power to revoke the charter of a Chapter when it is deemed in the best interests of the Association to do so.
- b. Before final action may be taken with respect to the dissolution of a Chapter, a notice of intent to dissolve must first be passed by a majority of the Governing Council Representatives present and voting and the Chapter in question advised in writing of the reasons for the proposed action. If the Association has not been able to advise the officers of the Chapter, publication in the minutes of the Governing Council or other MCA publications or general communications shall constitute advising the Chapter of notice of intent to dissolve. The Chapter shall have until the next Governing Council Meeting of the Association (but in no case less than nine months) to effect remedial measures.
- c. A two-thirds vote of Governing Council Representatives present at a regular or special MCA Governing Council Meeting shall be necessary to revoke the charter of a Chapter.

Section 7: Voluntary Withdrawal of a Chapter

The status of a Chapter of the Association may be=2 0voluntarily withdrawn only in compliance with MCA Bylaws, policies, and procedures adopted by the Governing Council.

Article V Officers of the Association

Section 1. Officers and Terms of Office

- a. The Executive Board shall be comprised of the elected officers of the Association, which are the President, the President-Elect, the Past-President, the Treasurer, the Treasurer-Elect, the Secretary, and the Secretary-Elect.
- b. All officers of the Association shall be members of American Counseling Association and the Association, and shall be elected at large from among the individual members of the Association.
- c. The President and Secretary shall serve two-year terms of office, the Treasurer shall serve a three-year term of office, and all other officers shall serve one-year terms of office. Officers shall serve for the elected term or until the election of their successors.
- d. The Treasurer-Elect, the Secretary-Elect, and the President-Elect shall serve for one year prior to the year in which they take office as Treasurer, Secretary, or President. They shall immediately succeed to the office to which elected upon the completion of their predecessors' terms, or upon death, resignation, or other incapacity of the current office holder. The Past-President shall serve for one year succeeding the year in which he or she completed the term of office as President.

Section 2. Nomination and Election of Officers

- a. The Nomination and Election committee will consist of one (1) member from each of three Chartered Divisions and one (1) member from each of three Chartered Chapters. Members of two chartered divisions and two chartered chapters will be chosen as alternates to the committee. Alternates will be appointed to the committee only if original Divisions and/or Chapters fail to appoint members to the Committee. At the first meeting of the fiscal year, the Governing Council will determine which Divisions and Chapters shall appoint members to the committee. The selected Chapters and Divisions shall submit the names of the committee members to the Executive Board within one month after the first Governing Council Meeting of the fiscal year. The Immediate Past-President shall be the convener of the initial meeting of the committee. The initial meeting of the committee shall be held prior to the next MCA Governing Council Meeting. The convener shall set the time and place for the first meeting at which time the committee shall elect its own chair.
- b. The responsibilities of the Nomination and Election Committee shall include the preparation of a competitive slate of candidates for the offices of President-Elect, Secretary-Elect, and Treasurer-Elect.
- c. The Nomination and Election Committee shall submit to the Secretary of the Association at least 30 days prior to the mailing date of the ballot the names of candidates for each office or position to be filled. The Committee shall ascertain the willingness of the candidates to serve and verify that all nominees are paid members of the Association and the American Counseling Association.
- d. The Nomination and Election Committee shall conduct the election of officers by secret ballot mailed to the Regular Members of the Association. This election shall take place on or about April 15 each year. The closing date for counting ballots shall be twenty (20) days following the mailing of ballots. At least four (4) members of the Nomination and Election Committee shall count the ballots. The Chairperson of the Nomination Committee shall notify all elected officers of their election
- e. The term of office of any elected officer of M.C.A. shall begin with the official year of the Association, which shall be consistent with the official year of the American Counseling Association.
- f. Special elections or appointments for vacancies shall be held at the discretion of the Governing Council.

Section 3. Duties of Officers

- a. It shall be the duty of the President to preside at all meetings of the Association; to consider all motions regularly made; to call special meetings; and to appoint all committees not otherwise provided for in the By-Laws. The President shall be an ex-officio member of all committees, except the Nomination and Election Committee.
- b. In the absence of the President, the President-Elect shall perform the duties of the President. In the absence of a President-Elect, the Past-President shall perform the duties of the President.

- c. The Secretary shall record official proceedings of the meetings of the Governing Council, and shall handle correspondence addressed to the Association. Copies of the official minutes of the Governing Council shall be distributed to all members of the Governing Council and the Secretaries of the Chapters and Divisions.
- d. In the absence of the Secretary, the Secretary-Elect shall perform the duties of the Secretary.
- e. The Treasurer shall receive all money belonging to the Association; keep an account of all receipts and expenditures; and shall present in writing a financial report at the end of each fiscal year and at any other time when requested to do so by the Governing Council. The Treasurer shall have the responsibility for collecting dues, budget formulation, and financial reports.
- f. In the absence of the Treasurer, the Treasurer-Elect shall perform the duties of the Treasurer. If there is no Treasurer-Elect, the Treasurer-Elect shall be appointed by the Governing Council.
- g. The Association shall be represented on the Midwest American Counseling Association Branch Governing Council by the President of the Association or, if unable to serve, by the Past-President.
- h. The immediate Past-President of the Association shall be an ex-officio member of the Nominating and Election Committee.

Section 4. Compensation and Expenses of Officers

None of the elected officers of the Association shall receive any compensation for their services to the Association. The necessary expenses of the elected officers of the Association may be paid from the funds of the Association under the policies of the Governing Council established for such payments.

Section 5. Position Vacancy Prior to Normal Expiration of Term

In the event of a vacancy in a M.C.A. office position prior to the normal expiration of the term of office, the following procedures shall be followed:

- a. If the M.C.A. Officer resigns or is unable to serve, the Elect for that position will assume the responsibilities. The term of office will be for the remainder of that term plus the full year that the Elect officer would have originally served.
- b. President-elect, Treasurer-Elect, and Secretary-Elect: If the M.C.A. Elect officer resigns or is unable to serve, the runner-up for that position in the last election will be asked to assume the office. If the runner-up in the last election is unable to serve, a special election shall be held. The special election shall be consistent with Article V., Section 2 of these By-Laws, with the exception that the mail ballot be held as soon as possible.

Article VI Executive Board

Section 1. Function

The Executive Board shall be the agency through which the general administrative and executive functions of the Association shall be executed.

Section 2. Membership

The Executive Board shall be comprised of the elected officers of the Association; the President, the President-Elect, the Past-President, the Treasurer, the Treasurer-Elect, the Secretary, and the Secretary-Elect.

Section 3. Voting Rights

Each member of the Executive Board shall be entitled to one vote. A majority of voting members of the Executive Board shall constitute a quorum.

Section 4. Powers

The Executive Board shall conduct, manage, and control the business of the Association during the period between official meetings of the Governing Council subject to the By-Laws of the Association and the By-Laws of the American Counseling Association.

Section 5. Meetings

The Executive Board shall meet at the discretion of the President or upon written request from three (3) members of the Executive Board.

Article VII Governing Council

Section 1. Function and Powers

a. The Governing Council shall be the agency through which the policies of the Association shall be determined and shall have the following powers and functions:

1. To establish policies to govern the affairs of the Association,
 2. To act on recommendations from the Executive Board,
 3. To grant, deny, or revoke the Charters of Divisions, Chapters, and Interest Sections,
 4. To act on the reports of the Executive Board, Divisions, Chapters, Standing Committees, and such special committees as are responsible to the Governing Council,
 5. To adopt and to amend By-Laws,
1. To fix dues of the Association,
7. To exercise such other powers and functions as may be necessary or desirable in the best interest of the Association, not in conflict with the By-Laws,
 8. To review all actions of the Executive Board,
 9. To enforce Article III, Section 3.
- b. The President of the Association shall be the Chair of the Governing Council.

Section 2. Membership

The Governing Council shall consist of the current Officers of the Association and representatives of state Divisions and Chapters. Voting representatives in the Governing Council shall be on the basis of MCA membership in Chapters and Divisions as follows:

10-50 one vote; 51-199 two votes; over 199 three votes. Voting representative shall be members of the Divisions and Chapters they represent and shall also be members of MCA. If representatives are unable to attend Governing Council meetings, alternate representatives may be appointed, but they must meet all conditions of voting representatives.

Section 3. Voting Rights

a. Each officer of the Association, each representative from a Division, and each representative from a Chapter shall be entitled to one (1) vote. One half (1/2) of the total number of voting members of the Governing Council whose names have been filed with the Secretary of the Association not less than one month prior to an Governing Council meeting shall constitute a quorum.

b. Interest sections of MCA are entitled to observation and speaking status, but not voting status.

Section 4. Term of Office

Each Chapter and Division shall determine for its representative(s): the number of terms; whether the terms, if more than one, can be consecutive, and whether the representative(s) shall be elected or appointed.

Section 5. Meetings

There shall be, each year, at least four (4) meetings of the Governing Council. Other meetings may be called at the discretion of the President or upon the petition of at least one fourth (1/4) of the representatives of the Governing Council.

Article VIII Parliamentary Authority

The business of the 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 the Association.

Article IX Committees

Section 1.

The standing committees of the Association shall be – Nominations and Elections, Public Policy and Legislation, Licensure, Membership, Publication (Newsletter and Quest). Except for the Nominations and Elections Committee the President shall appoint all members and chairs of committees. Ad hoc committees may be created by the Governing Council.

Article X Amendments

Section 1 Amendments

These Bylaws may be amended by a majority of the Governing Council representatives. Proposed amendments may be presented to the Governing Council by the Executive Board or by an individual member. Proposed amendments should be presented in writing prior to a Governing Council meeting, but may originate at a Governing Council Meeting. If approved by the Governing Council, the amendment shall be sent to all members of the Governing Council not less than thirty (30) days nor more than sixty (60) days after the meeting. Ballots shall be received by the Secretary no more than thirty (30) days after the original distribution. The Secretary and one other officer will count the ballots. Time line information, notification, and voting with respect to proposed amendments may be conducted by electronic means.

Article XI Fiscal and Official Year

The official year and fiscal year of the Association shall be consistent with the official year and fiscal year of the American Counseling Association.