

**AMERICAN COUNSELING ASSOCIATION
MANUAL OF POLICIES AND PROCEDURES**

OCTOBER 2008

**SERIES 500
DIVISIONS**

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Series 500 - Introduction

DIVISION OFFICER

Role: The role of an officer of a Division of the American Counseling Association is to provide leadership to the ACA members who belong to the Division representing areas of specialization and areas of special interest.

Functions: The functions of an officer of a Division include:

1. To conduct the affairs of the Division in compliance with the Bylaws of the Division and the Bylaws of ACA;
2. To be a member of the American Counseling Association;
3. To file an annual audit with the Association;
4. Each Division shall file a proposed annual budget and annual audit with ACA;
5. Proposed amendments to the Articles of Incorporation or Bylaws of any Division shall be reported in writing to the ACA President no later than fourteen weeks prior to the Governing Council meeting at which the change may be considered. The ACA President shall transmit the written proposed amendments to the ACA Bylaws Committee which will transmit to the Governing Council such proposed amendments with or without recommendations regarding each proposed change at least six weeks before the next regularly scheduled meeting. Any such proposed amendment cannot take effect until approved by the ACA Governing Council;
6. To report to the ACA President the names of the Division directors and officers promptly following their election or appointment;
7. To submit an annual written report to the ACA President who shall report salient developments to the Governing Council;
8. To collaborate with other Divisions and Regions to facilitate the achievement of the ACA Strategic Plan;
9. To attend the meetings of the ACA Council of Presidents and Region Chairs when serving as President of a Division.

Bylaws References: Article IV – National Divisions of the Association; Section 2 (3)
Approved: 09/17/95, 10/07

Policy 501.1 ELIGIBILITY

- A. **ACA Divisions:** An existing Division shall maintain its full Division status and a voting member of the Governing Council with a minimum number of 400 members or 70% of its membership also be ACA members. The calculation of members of existing Divisions shall be a monthly average of qualifying members (joint members of ACA and the Division) for the preceding fiscal year. If an existing Division falls below the minimum, the Division has a period of one year to return to that minimum before such Division shall lose its full Division status and vote.
- B. **ACA Organizational Affiliates:** ACA Organizational Affiliates that have a minimum of 500 ACA members as determined by official membership figures maintained by ACA as of June 30 may apply to Governing Council at its next meeting to become an ACA Division as defined in ACA Bylaws Article IV. and Article V.

Reference: Series 300 – Governing Council. Members; Policy 301.4 Division Membership.
Approved: 03/27/98; Revised: 06/11/99, 03/21/02, 03/20/03, 04/01/04, 10/07

Policy 501.2 APPLICATION PROCESS

The President of the Organizational Affiliate shall send a letter to the Executive Director indicating that the Organizational Affiliate is applying for Division status within ACA. A revised copy of the group's bylaws or operating rules indicating Division status shall be submitted with the letter. Once the Executive Director has confirmed that the Organizational Affiliate has met the minimum membership requirement and that the bylaws or operating rules are in conformity with the ACA Bylaws, the application shall be forwarded to the Governing Council or Executive Committee to be considered at its next meeting.

Approved: 09/13/92

Policy 501.3 AMENDING DOCUMENTS

The President of a newly accepted ACA Division may authorize the ACA Executive Director to make arrangements for its Articles of Incorporation to be amended, if necessary.

Approved: 09/13/92; Revised: 03/21/00

Policy 501.4 DUES CHANGES

ACA Division or Organizational Affiliate dues changes will be implemented July 1 of each year, provided that the ACA Executive Director or his//her designee is notified of such changes by one week following the ACA Annual Conference. Because of the publication of promotional materials and applications that list dues amounts, Division and Organizational Affiliate dues changes occurring at other times during the year will not be implemented until July 1. Rate changes not received prior to the deadline may not be implemented unless the entity agrees to incur any and all costs resulting from this delay.

Approved: 09/13/92; Revised: 06/11/99, 10/07

Policy 501.5 VOLUNTARY WITHDRAWAL OF A NATIONAL DIVISION

An organization's status as a National Division of the Association may be withdrawn when the organization deems it is in their best interest to sever the relationship with the American Counseling Association.

Rules for Withdrawal of a National Division: In order to facilitate an orderly separation, the following rules have been established in the Bylaws:

1. No Division of ACA may effect its voluntary withdrawal from the Association except pursuant to and in full compliance with these rules.
2. A Division shall give written notice of its intent to withdraw by registered mail, addressed to the President of the Association, with a copy to the Executive Director sent to the Headquarters address, in which an effective date of proposed withdrawal is specified which is not earlier than a date more than twenty-four (24) calendar months next following the month in which such written notice is received by the Association.
3. A referendum shall be conducted jointly by the Division and the Association on the question of the proposed withdrawal. Costs for the referendum will be paid by the Division. The referendum shall be held at any time not less than sixty (60) days nor more than one hundred and eighty (180) days next following receipt of the notice of intention of withdrawing. Each member in good standing of the Division shall, by written ballot, vote as to whether or not he/she wishes the Division to withdraw from the Association. All ballots, procedures and rules for tallying the ballots and ascertaining the vote shall be jointly approved by the Association and the Division in question. A positive vote for a Division's withdrawal from ACA will require that a

minimum number of members cast ballots that include the average percentage of that Division's members who cast ballots in the last five presidential elections of that Division. Of those who cast ballots in the withdrawal question referendum, two-thirds of those voting must vote in favor of withdrawal. In the event less than the minimum number of members cast ballots or less than two-thirds of those casting ballots vote in favor of withdrawal, the referendum shall be declared a decision against withdrawal.

4. A withdrawing Division shall settle payment in full all its outstanding obligations to the Association, or to third parties from whom services or materials have been secured for the benefit of the Division.
5. All the physical property or inventory of the withdrawing Division, after payment of its indebtedness or other obligations, if any, of the type described in Section 4, shall be physically removed from the Association's property or custody.
6. A withdrawing Division must have paid to the Association the actual sum of money disbursed by the Association in undertaking any action incident to complying with any of these conditions precedent.
7. A withdrawing Division, by written formal action of its governing body, must have transferred to this Association all its right, title and interest in the name of the Division and must have agreed not to use it thereafter except pursuant to the written consent of the Governing Council of the Association.

Bylaws Reference: Article IV – National Divisions of the Association; Section 8. Voluntary Withdrawal of a National Division.
Approved: 09/29/96; Revised: 06/11/99

Policy 501.6 INVOLUNTARY REVOCATION OF A DIVISION CHARTER

ACA reserves the right to revoke the charter of any Division.

Removal for Cause: In addition to other good reasons, it will be deemed in the best interest of ACA to revoke the charter of a Division if either of the following events occur:

1. A Division has engaged in deficit budgeting or any other financial practices indicating it is acting in an irresponsible manner fiscally, or otherwise is unable to pay its debts as they mature; or
2. A Division alters its stated purposes, either formally or in the conduct of its affairs, in such a manner as the Governing Council shall deem it is not acting in accordance with the formal purposes of the Association, or is conducting its affairs in any manner deemed not to be in the best interests of the Association.

Approved: 09/13/92; Revised: 06/11/99

Policy 501.7 INFORMATION TO EXECUTIVES

When information from headquarters and ACA leaders is sent to Division presidents, the Division Executives shall be copied.

Approved: 09/13/92; Revised: 06/11/99, 10/07

Policy 501.8 DIVISION REQUIREMENT

- A. **Consultation Regarding ACA Activities:** ACA will endeavor to consult with Division presidents with regards to any proposed program, actions, legislation and expenditures, whose outcome directly affects, enhances or impinges upon that Division. Furthermore, ACA must advance such actions and initiatives with a declaration of that Division's position in regards to such ACA programs, initiatives and expenditures.

- B. Division Interests:** Presidents or chairs of ACA entities are to supply in writing to the ACA President, ACA Executive Director, and ACA Senior Executive Management with areas of interest about which the entity wishes to be consulted. Areas of interest may include, but are not limited to, program, actions, legislation and expenditures. Each entity is to provide names of those members who may be consulted.
- C. Budget Requirements:** Each Division shall file a proposed annual budget by July 30, and an audit and Form 990 within thirty days of completion.

Approved: 01/30/96; Revised: 06/11/99

Policy 501.9 ROTATIONAL SYSTEM FOR DIVISION BYLAW REVISIONS

- A. Review of Division Bylaws:** Division Bylaws will be reviewed every five (5) years by the ACA Bylaws Committee to determine congruency between the two sets of Bylaws.
- B. Year of Review:** Request for submission of a Division's Bylaws will be based upon the anniversary date of the last formal review of the Division Bylaws by the ACA Bylaws Committee.
- C. Notification:** The Division will be notified one year in advance by the Bylaws Committee Chair.

Approved: 06/11/99