

BY-LAWS

Adopted: 1984 – Updated: 1991, 1992, 1996
(edited, 2006)

Section 1. **Name.** This Association is the Heart of Texas Chapter of the Texas Counseling Association.

Section 2. **Affiliation.** This Association is the Heart of Texas Chapter of the Texas Counseling Association and shall conduct its affairs in compliance with the By-Laws of this organization, and may affiliate with other groups whose purposes are consistent with the By-Laws of the Texas Counseling Association (TCA) and the American Counseling Association (ACA).

Section 3. **Values Statements.** The basic values upon which the work of the Association and its members are that:

We believe in:

- (a) helping others and ourselves to actualize and develop full personal potential.
- (b) affecting positive change and growth in society, in the counseling profession; and in the individuals we serve.
- (c) leaders being responsible, committed and willing to take risks in order to effectively serve our membership purposes.
- (d) promoting and enhancing professional excellence and ethical behavior.
- (e) the worth, dignity, and well being of all individuals; and we value individual differences.

Section 4. **Mission Statement.** The Heart of Texas Counseling Association is an organization of professional counselors serving children and adults in a variety of settings who have joined together to provide leadership and direction that encourages the personal and professional development of counselors; to influence decisions that affect the counseling profession; and to promote progress, understanding, and improvement of counseling. The Association is organized to represent the diverse interests of its membership through an executive board of directors and committees.

Section 5. **Fundamental Purpose.** The purposes of the Heart of Texas Counseling Association are:

- (a) To promote the counseling profession by:
 - (1) promoting awareness of HOTCA within the counseling profession;
 - (2) increasing public awareness of the professions;

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- (3) educating the public about the key services counselors provide;
 - (4) promoting public awareness of and support for the counseling profession; and
 - (5) increasing interpersonal involvement and dialoguing.
- (b) To serve the counseling and development needs of children and adults by:
- (1) ensuring that children and adults have access to quality counseling services; and
 - (2) ensuring passage of legislation of benefit to all.
- (c) To provide leadership and direction by:
- (1) educating and training the Association leaders;
 - (2) developing and maintaining effective committees;
 - (3) providing accessible channels for information;
 - (4) providing opportunities for networking;
 - (5) conducting ongoing strategic planning and needs assessments;
 - (6) promoting organizational structure that represents its diverse membership; and
 - (7) providing leadership, staff, facilities, and resources necessary to fulfill the mission.
- (d) To influence decisions that affect the profession by:
- (1) increasing employment opportunities for counselors; and
 - (2) advocating for appropriate use of counseling professionals and counseling services in public policy and legislation.
- (e) To promote progress, understanding and improvement of the counseling profession by:
- (1) promoting the development of and adherence to professional standards;
 - (2) advocating for the counseling profession; and
 - (3) promoting innovative counseling programs through research and evaluation.
- (f) To represent the diverse interest of its members by:
- (1) promoting understanding of the Association structure;
 - (2) providing a forum for presenting various issues and concerns of the membership; and providing equal opportunity for representation of the Association's diverse membership.

- (g) To promote/encourage professional development of all counselors by:
 - (1) providing opportunities for the highest quality of continuing education and professional growth of counselors;
 - (2) ensuring that counselors have the skills they need to be effective;
 - (3) promoting the education and professional development of counselors; and
 - (4) monitoring professional issues, trends, and developments.

ARTICLE II

Membership

Section 1. **Types of Membership.** Membership shall be one type – individual. Such persons may become members of the Chapter upon payment of annual dues.

Section 2. **Classes of Membership.** Membership shall be of four classes – regular, student, retired, and emeritus.

Section 3. **Regular Membership**

(a) **Eligibility.** Any person, whose primary responsibilities or interests are in the area of human development, specifically guidance, counseling or personnel work, and others with similar interests and responsibilities such as community agency workers, school social workers, school psychologists, and para-professionals in counseling, shall be eligible for membership. No one may be denied membership in this Association on the basis of ethnic group, color, creed, gender, affectional or sexual orientation, or age, and/or physically challenging condition.

(b) **Privileges.** Any person who has met the qualifications for regular membership and has paid the prescribed dues shall be eligible to attend meetings of the Chapter, to vote, and to hold office.

Section 4. **Student Membership.**

(a) **Eligibility.** Open to students who are enrolled in a planned program in guidance, counseling, and/or a related field, and are not employed more than half-time as a professional counselor.

(b) **Privileges.** Any person who has met the qualifications for student membership and has paid the prescribed dues shall be eligible to attend meetings but may not vote nor hold office.

Section 5. **Retired Membership.** Any person who retires and is a current member of the Chapter may continue membership with the same privileges outlined in Section 3 (b), above.

Section 6. **Emeritus Membership.** Emeritus membership is an honor which may be granted by the Chapter to members who have reached at least sixty-five (65) years of age and be retired from counseling or related profession, have a minimum of ten (10) years of membership in HOTCA, five (5) of which must be continuous immediately prior to nomination for emeritus status; and have shown exemplary service to the profession. Emeritus membership is granted to an individual by a vote of the Executive Board. Emeritus members shall be exempt from payment of dues to the Chapter, but shall retain the rights and privileges of dues-paying members.

Section 7. **ACA Membership.** Members of this Chapter shall be encouraged to apply for membership in the American Counseling Association and its Divisions. The Chapter Senator shall be a member of the American Counseling Association.

Section 8. **TCA Membership.** Members of this Chapter shall be encouraged to apply for membership in the Texas Counseling Association and its Divisions. All elected officers of the Chapter shall be a member of the Texas Counseling Association.

Section 9. **Dues.** Dues for members of the Chapter shall be established by the action of the Executive Board. Payment of dues to the Chapter shall entitle a person to membership as qualified in Sections 3, 4, and 5 of this Article. Non-members who wish to attend HOTCA meetings will be charged a one-time fee equivalent to the current annual membership dues.

Section 10. **Severance of Membership.**

- (a) A member may be dropped from the membership for non-payment of dues.
- (b) A member may be dropped from membership for any conduct that tends to injure or discredit the Chapter or that is contrary to or destructive of the objectives according to the By-Laws and Code of Ethics of the Texas Counseling Association.
- (c) It shall be the responsibility of the Executive Board, upon investigation and recommendation of the Ethics Committee, to determine whether or not a member should be dropped from membership for reasons under (b) of this Section 10.

ARTICLE III**Officers of the Chapter****Section 1. Officers and Terms of Office.**

- (a) The officers of the Chapter shall be the President, the President Elect, the immediate Past President, the Secretary, and the Treasurer.
- (b) All officers of the Chapter shall be elected at-large from the individual members of the Chapter and shall serve for one-year terms or until their successors are elected.
- (c) The term of office of any elected officer of the Chapter shall begin on July 1 and continue for a period of one year or until a successor takes office.

Section 2. Duties of Officers.

- (a) The President shall preside at all meetings of the Chapter and shall be chairperson of and preside at meetings of the Executive Board. The President, subject to the confirmation by the Executive Board, shall appoint the members of all committees except the Nominations and Election Committee. The President may appoint a Parliamentarian, subject to confirmation by the Executive Board.
- (b) The President Elect shall perform the duties of the President in the absence or incapacity of the President, as determined by the Executive Board. The President Elect shall assume the Presidency of the Chapter upon the death or resignation of the President. The President Elect assumes the Presidency immediately following the term served as President Elect. The President Elect carries out additional duties as directed by the Executive Board.
- (c) The Immediate Past President shall serve as the Chairperson of the Nominations and Election Committee and perform such other duties as directed by the Executive Board.
- (d) The Secretary shall keep records of the meetings of the Executive Board and of the Chapter meetings, functions, and activities. The Secretary shall be empowered to execute the official documents of the Chapter and to perform the duties customary to this office and additional duties as directed by the Executive Board.

- (e) The Treasurer shall serve as the Chairperson of the Finance Committee and represent the Chapter in assuring the receipt and disbursements of funds in accordance with the directives established by the Executive Board; and shall be under such bond as may be determined by the Executive Board. The Treasurer shall be responsible for seeing that a financial report is prepared for presentation to the Executive Board at the annual meeting. The Treasurer shall be in attendance at all meetings of the Executive Board and shall perform such other duties as directed by the Executive Board.

Section 3. Nominations and Election of Officers and Board Members.

- (a) Nominations and Election Committee. There shall be established a Nominations and Election Committee consisting of the Immediate Past President of the Chapter as the Chairperson and such other members as the Chairperson shall nominate, subject to the approval of the Executive Board. No member of the Nominations and Election Committee may serve for two consecutive years, nor may any member be a candidate for office while a member of the Nominations and Election Committee.
- (b) All members in good standing, except students, may vote.
- (c) The Nominations and Election Committee shall conduct the nominations and election of officers and other such persons as are called for by these By-Laws by secret ballot prior to the annual chapter meeting in April.
- (d) All elected officers of the Chapter shall be members of the Texas Counseling Association.
- (e) The Nominations and Election Committee shall use the following guidelines in the nominations and election procedure:
 - (1) the nominations ballot for the appropriate officers, and other such persons as are called for by the By-Laws, shall be mailed to the voting membership no later than three (3) weeks prior to the February meeting in the year following the Annual Meeting of the Chapter.
 - (2) the nominations ballot shall include a statement indicating the returned ballot must be received seven (7) days prior to the February meeting to be counted;
 - (3) the election ballot shall be presented to the voting membership of the Chapter at the February meeting of each year. Members not in attendance at the February meeting will be mailed an election ballot that must be returned within seven (7) days to be counted.

Section 4. **Compensation of Officers.** None of the elected officers of the Chapter shall receive any compensation for their services as such to the Chapter.

Section 5. **Uncompleted Terms of Persons Elected to Chapter or Statewide Positions**

- (a) In the event the President Elect, Secretary, Treasurer, Senator, or other elected position is vacated due to death, resignation, or other reason, the Chapter President shall appoint a person to fill such position until the next regular election at which time a person will be selected to serve the remainder of the uncompleted term.
- (b) In the event the Immediate Past President’s position is vacated due to death, resignation, or any other reason, the Chapter President shall appoint a former Past President of the Chapter to fill the remainder of the uncompleted term.
- (c) In the event that a statewide position occupied by a member of the Chapter is vacated due to death, resignation, or other reason the Chapter President shall appoint a person to fill such office for the remainder of the uncompleted term unless precluded from so doing by TCA policy, rules, or procedure.

ARTICLE IV

Executive Board

Section 1. **Composition.**

- (a) The Executive Board shall be composed as follows:
 - (1) The Officers of the Chapter;
 - (2) Two Members-at-Large, elected on alternate years to two-year terms;
 - (3) Chapter Senator, elected to a three-year term; and
 - (4) Chairperson of the Committee on Membership.
- (b) The term of office for each member of the Executive Board shall begin on July 1 of the election year.
- (c) All Officers of the Chapter shall be members of the Chapter and the Texas Counseling Association.
- (d) The Senator and Alternate, if appointed, shall be members of the Chapter, the Texas Counseling Association, and the American Counseling Association.

Section 2. Powers and Functions of the Executive Board.

- (a) To execute Chapter policies.
- (b) To propose Chapter policies and recommend such policies for consideration and action.
- (c) To formulate operational policies appropriate for executive action and direct the execution thereof.
- (d) The Board shall be responsible for identifying issues and recommending priorities for professional thrust relating to problems pertinent to the Chapter.

Section 3. Meetings of the Executive Board.

- (a) Meetings of the Executive Board may be called by a majority vote or petition of the members of the Executive Board and/or upon the call of the President. The time and place of such meeting shall be fixed by the Executive Board.
- (b) The President of the Chapter shall preside at the meetings of the Executive Board and the President Elect shall preside in the absence of the President.
- (c) Each member of the Executive Board shall have one vote. A majority of the voting members of the Executive Board shall constitute a quorum.

Section 4. The Executive Committee.

The Executive Committee shall consist of the President, President Elect, Immediate Past President, Secretary, and Treasurer, three of whom shall constitute a quorum. The Secretary of the Chapter shall serve as the Secretary of the Executive Committee within the limits of the written policies established by the Executive Board. The Executive Committee shall act for the Executive Board within the limits of the Chapter By-Laws.

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ARTICLE V

Committees

Section 1. The Standing Committees of the Chapter shall be the By-Laws/Resolutions Committee, Nominations and Election Committee, Ethics Committee, Legislative Committee, Awards Committee, Hospitality Committee, Chapter History Committee, Publications/Directory Committee, Public Relations Committee, Membership Committee, Scholarship Committee, Special Projects Committee, Finance Committee, and Telephone Committee.

Section 2. The President, subject to confirmation of the Executive Board, shall appoint the members and Chairpersons of each of the standing committees, except the Nominations and Election Committee, for a term of one (1) year. Members are eligible for reappointment for no more than three (3) consecutive terms. The Chairperson shall be appointed for one (1) year and is eligible for reappointment as Chairperson. In addition, the Chairperson shall serve as committee member for the succeeding year. If in any year an immediate Past Chairperson is unable to serve as a member, the President shall appoint an immediate past member of the committee to fill the position for the term.

Section 3. The President, subject to confirmation by the Executive Board, shall name such special committees as may be needed to conduct the activities of the Chapter. Unless otherwise specified, members of Special Committees including the Chairperson, are appointed for one (1) year terms.

ARTICLE VI

Business Affairs

Section 1. **Dues.** Annual Chapter dues for members shall be established by action of the Executive Board.

Section 2. **Budget.** The Finance Committee shall prepare and present a budget to the Executive Board for adoption by September 1 of each year.

Section 3. **Financial Review and Reconciliation.** The Executive Board shall arrange for an annual financial review and reconciliation of the financial records within ninety (90) days of the end of the fiscal year, June 30. The report shall be submitted to the Finance Committee and shall be a part of the Finance Committee's annual report to the Executive Board. A financial statement shall be presented to the membership at the first general meeting of each fiscal year.

- Section 4.** **Interest.** No member shall have any severable or transferable interest in the Chapter.
- Section 5.** **Control and Management.** All property of the Chapter shall be subject to the control and management of the Executive Board. Any accumulations or disposal of real property, except by dissolution of the Chapter, must be approved in advance by the membership.
- Section 6.** **Disposal and Dissolution.** Upon dissolution of the Chapter, none of the property shall be distributed to any of the members, and all such property shall be transferred to such other organization or organizations as the Executive Board shall determine to have purpose and activities most nearly consonant with those of the Chapter, provided that such other organization(s) shall be exempt under Section 501, C (3) of the Internal Revenue Code.
- Section 7.** **Appropriation of Chapter Funds.** No appropriation of Chapter funds shall be made except pursuant to the authority of the Executive Board.
- Section 8.** **Chapter Disbursements.** All expenses incurred by a committee of the Chapter shall be paid for by funds possessed by the Chapter.
- Section 9.** **Committee Expense.** All expenses incurred by a committee of the Chapter in excess of the funds appropriated therefore shall be the personal liability of the person(s) authorizing such excessive expenses.
- Section 10.** **Fiscal Year.** The fiscal year for the Chapter shall be July 1 to June 30 of the following year.

ARTICLE VII

Amendments

- Section 1.** **Proposal.**
- (a) Amendments may be proposed by the Executive Board 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 five (5) members in good standing. All such proposals shall be submitted in writing to the By-Laws Committee at least ninety (90) days prior to the Annual Meeting of the Chapter. The By-Laws Committee shall transmit to the Executive Board, for its consideration, all such proposed amendments, with or without recommendation regarding each, at least sixty (60) days prior to the Annual

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Meeting of the Chapter. The proposed amendments will be mailed to the voting membership with the election ballot at least thirty (30) days prior to the Annual Meeting of the Chapter.

- (b) Proposed amendments may originate with the By-Laws Committee. Such proposed amendments shall be presented to the Executive Board, accompanied by rationale, at least thirty (30) days prior to the Executive Board meeting at which they are to be considered.
- (c) Amendments may originate at a meeting of the Executive Board. If approved, such amendments shall be sent in less than ninety (90) days following the presentation to the Board, to the members for a vote. However, any such proposal shall be referred forthwith to the By-Laws Committee, whose written recommendation shall be sent to the Secretary for inclusion in the Chapter records.
- (d) The Secretary shall file such amendments with the Executive Secretary of TCA within thirty (30) days following the approval of the adoption of the amendment.
- (e) Amendments presented to the voting membership of the Chapter for adoption must have the approval of two-thirds of the ballots received. Any amendments not presented in writing to the membership thirty (30) days prior to the Annual Meeting of the Chapter may be adopted if approved by at least four-fifths (4/5) of the voting members present at the Annual Meeting.

ARTICLE VIII

Rules of Order

Robert's Rules of Order Revised (by Henry Martin Robert) shall govern the proceedings of the Chapter not otherwise specified in the By-Laws.

