

AMCD By-Laws (rev. 2007)

ARTICLE 1: NAME AFFILIATION AND PURPOSES

- Section 1. The official name of this organization shall be the Association for Multicultural Counseling and Development (hereafter referred to as AMCD or the Association).
- Section 2. **Use of name.** The official name of the Association, as specified in Article 1, Section 1, shall be employed in connection with all official business and communications pertaining to AMCD.
- Section 3. **Affiliation.** AMCD shall be a division of the American Counseling Association (hereafter referred to as ACA). It shall be autonomous in the conduct of its affairs, but shall be organized and operated at all times in compliance with the By-Laws and policies of ACA applicable to divisions and members.
- Section 4. **Purpose.** The purpose of the Association shall be as follows:
- a. To promote a greater awareness and understanding of multiculturalism and the impact of cultural and ethnic differences on the counseling process among members of the counseling profession and other helping professions.
 - b. To improve standards and delivery of counseling and development services provided to people of all cultures and ethnic groups.
 - c. To identify and work to eliminate conditions which create barriers to the development, health and wellness for people of all cultural and ethnic groups.
 - d. To develop, implement and/or foster interest in charitable, scientific and educational programs designed to further the interests of ethnic groups.
 - e. To secure the equality of treatment, advancement, qualifications and status of people of all cultures and ethnic groups in counseling and development work.
 - f. To publish a journal and other scientific, educational, and professional development resources.

ARTICLE II: MEMBERSHIP

Section 1. **Types of membership.** This association shall include five types of membership -- Regular, Retired, Student, Associate, and Honorary.

Section 2. **Qualifications for membership.** Membership in ACA and an interest in and desire to uphold the purposes and principles of AMCD shall be a condition of membership in AMCD. All members in good standing, except as limited below, are entitled to all the privileges of individual membership. The categories of membership shall be determined in accordance with the following:

- a. **Regular members.** Regular members are those who meet the following requirements:
 - 1) Full or part-time employment in counseling, mental health and development work (as defined below) at the time of applying for regular membership.
 - 2) Experience in counseling and development, which may include:
 - i. Placement, training and other aspects of counseling and development work in communities, educational settings, business and industry, government agencies, and other organizations.
 - ii. Test development, multicultural assessment, occupational and other research and writing directly related to counseling and development.
 - iii. International and US tribal honored indigenous healing or spiritual advising,
 - iv. Counselor training and education, and
 - v. Administration of programs of the above types.
- b. **Retired members.** Retired members are those who meet the qualifications for Regular membership and have retired from full time employment.
- c. **Student members.** A student engaged in full or part-time study in an accredited undergraduate or graduate school or international and/or tribal honored indigenous healer or spiritual advisor program of study related to counseling may be admitted as a student member upon application and proof of student status.
- d. **Associate members.** Individuals who are interested in counseling

related work but who do not meet the requirements of one of the above categories.

- e. **Honorary members.** Persons who have made an outstanding contribution in the area of multicultural counseling and development may be admitted to honorary membership at the discretion of the AMCD Executive Council. Honorary members are exempt from paying dues. They shall have all the privileges of membership except they shall not be eligible for any elected AMCD office and except for the President Emeritus shall not have voting privileges.
- f. Members of each ethnic groups shall self select into each by declaring their ethnicity on the ACA membership application or by notifying the ethnic Vice-President(s) of their desire to identify with said interest group(s).
- g. Members of the various Regions shall be part of the region within which they hold primary residence.

Section 3. **Application for membership.** Persons desiring to become members of AMCD shall make application to the ACA specifying AMCD as a division of choice. ACA shall notify applicants of the action taken on their applications and the AMCD Membership Chair shall send a welcome notice on behalf of the association to each member accepted for membership. Persons shall become AMCD members upon their election to membership and the payment of their dues.

Section 4. **Continuity of membership.** Membership in AMCD shall be continuous, renewable annually with the payment of dues.

Section 5. **Rights and privileges.** All members (except honorary) in good standing shall be eligible to vote, and to hold office in the Association if they meet the qualifications specified for each elected office. The President Emeritus shall retain voting rights.

Section 6. **Termination of Membership.**

- a. Membership may be cancelled for any conduct that adversely affects AMCD, its reputation, or that violates the ACA Code of Ethics or AMCD By-Laws. Procedures for such removal will be dictated by the AMCD Procedures Manual, which will be drafted by the Ethics Committee, approved by the Executive Council, reviewed annually by the Ethics

Committee, updated and approved by vote of the Executive Council and published in the AMCD Newsletter and on the AMCD Website.

b. Members may be dropped from membership if their dues are delinquent for six months.

ARTICLE III: AMCD EXECUTIVE COUNCIL

Section 1. Composition

a. The AMCD Executive Council (hereafter referred to as the Executive Council) shall be composed of the elected AMCD Officers (Past-President, President, President-Elect, Vice-Presidents), Regional Representatives, Student Representative, and the Representative(s) to the ACA Governing Council.

Section 2. Powers and Functions

- a. The Executive Council shall be the body through which the general administrative and executive functions of the Association are effected/enacted. The President of the Association shall be the chairperson of the Executive Council.
- b. The Executive Council shall conduct, manage, and control the business of the Association by oral or written means, face-to-face or electronically between its official meetings, except that no action shall be taken which is contrary to existing By-Laws or an action taken by the Association.
- c. The Executive Council may approve meetings and other forms of communication among its members or with the membership using telephone, postal, e-mail and other electronic /web based forms of communication. With proper notification, these methods of communication may be used to discuss, review, vote on and direct association business, and to send materials to members for their review. Proper notification procedures shall be established by the Executive Council.
- d. Executive Council members may designate a proxy in writing to attend meetings and/or vote on their behalf.

- e. The Executive Council may establish regulations and application forms for determining whether applicants meet the requirements for membership as specified in the By-Laws.
- f. The Executive Council shall make or approve all appointments.
- g. The Executive Council may establish need for and approve D& O Insurance for Council Members, Officers, and other members of the AMCD Leadership.

Section 3. **Meetings**

- a. The Annual meeting of the Association shall be held at the place and during the time of the annual convention of ACA. The time and place of this meeting shall be announced to the membership in all available media (Counseling Today, AMCD Newsletter, the AMCD website, email, etc.) at least 90 days in advance.
- b. The Executive Council shall hold its annual meeting at the time and place of the annual convention of ACA , meet at least quarterly to include during early July to approve the annual budget and committee appointments, and at such other times as may be designated by either the president or a majority of the Executive Council.
- c. A majority of the members of the Executive Council shall constitute a quorum. The members may be present in a mixed format; i.e. in person, on the telephone, on an electronic system or by a designated proxy representative as long as the Council approves and everyone present can hear or read discussions, participate in discussions, and have an opportunity to vote on proposed actions to be taken.

ARTICLE IV: OFFICERS, AMCD REPRESENTATIVE(S) TO ACA GOVERNING COUNCIL, REGIONAL REPRESENTATIVES

Section 1. **Officers**

- a. The officers of the Association shall be the President, President-Elect, Immediate Past-President, Vice-Presidents (see Section 4d), Secretary, Treasurer, President-Emeritus and Parliamentarian.
- b. Only officers elected to the Executive Council shall have voting privileges on the Executive Council.

Section 2. **Method of Selection – Officers and Executive Council Members**

- a. The President-Elect shall be elected in accordance with Article V and procedures established by the Nominations and Elections Committee and approved by the Executive Council..
- b. The Secretary and Parliamentarian shall be nominated by the President and appointed by the Executive Council. They may be re-nominated and re-appointed.
- c. The Treasurer shall be nominated by the President-Elect and appointed by the Executive Council as Treasurer-in-Training/Treasurer- Elect to serve as Treasurer during the year of presidency. The Treasurer may be re-nominated and re-appointed.
- d. Vice-Presidents shall IAW Article V, be selected in a manner established by their respective ethnic groups, except that candidates must be regular or retired members of AMCD.
- e. The AMCD Representative(s) to ACA Governing Council shall be elected by the AMCD membership in accordance with Article V, ACA requirements, and procedures established by the Nominations and Elections Committee and approved by the Executive Council. Nominees shall have previously been elected officers, and shall be regular or retired members in good standing of AMCD.
- f. One Regional Representative shall be elected by each AMCD region IAW Article V and procedures proposed by the Nominations and Elections Committee and approved by the Executive Council.
- g. The Student representative to the Executive Council shall be elected annually by the student members of the association during the annual ACA Convention IAW Article V using procedures developed by the student members or the Nominations and Elections Committee and approved by the Executive Council.
- h. The President Emeritus shall be granted a lifetime appointment by the Executive Council subject to a majority confirmation vote at the general business meeting at the national convention. There shall be only one President Emeritus at a time, except that upon his/her death or resignation another may be appointed.

Section 3. **Terms of Office for Officers and Executive Council Members**

- a. The President-Elect, elected annually, shall hold office for one year, and shall succeed to the Presidency for a one-year term, and then to the immediate past-presidency for a one-year term. The President shall be ineligible to serve again as President-Elect or President for a period of five years following previous service in either office.
- b. The Secretary, Treasurer, and Parliamentarian shall serve a one-year appointment, but may be reappointed.
- c. Regional Representatives and Vice-Presidents shall be elected for a term of three years, and the terms shall be staggered for each group so no more than two are elected in the same year.
- d. The AMCD Representative(s) to the ACA Governing Council shall be elected for a three-year term.
- e. The President Emeritus shall hold office for life or until s/he resigns.
- f. The student representative shall serve a one-year term, but may be re-elected.
- g. In the event of resignation, continued absence, illness, removal from office, or death of any officer, Executive Council Member or Committee Chair other than the President, President-Elect or Vice-Presidents the Executive Council shall, by majority vote, elect a successor to serve until the next annual election or appointment process.
- h. If any Vice-President is unable to finish a term for which s/he was elected, the Ethnic Interest Group the individual represents shall within 90 days select a replacement by a predetermined process of their choice, to serve until the next regular election, and notify the Council of this person's name, address, phone number and email. In the event the Ethnic Group is unable or fails to elect or appoint a replacement within 90 days, one may be appointed by the Executive Council to serve until a new election can be held.
- i. If the President is unable to serve out the term for which s/he was elected the President-Elect shall retain the duties of the President-Elect and assume the duties of the President, continuing in this position through the

year for which s/he was elected to serve, and if necessary may, with the approval of the Executive Council, appoint an assistant to help with the duties of the President-Elect.

- j. In the event that the President-Elect is unable to serve out his/her term of President-Elect the person with the next highest number of votes in the election shall assume the duties of the President-Elect and go on to serve as President and Past-President. In the event that there were no other candidates or this President-Elect is unable to assume the duties of President, the Executive Council may, by majority vote, choose a Vice-President to serve as Interim President-Elect and President until the next annual election.
- k. Nominations for positions elected by the full AMCD Membership or by members of a specific region shall be made to the AMCD Nominations and Elections Committee in accordance with Executive Council approved procedures. Positions that will be elected using the ACA annual elections process shall follow ACA established requirements and timelines.
- l. Nominations for positions elected by the various ethnic groups shall be determined by the membership of the respective ethnic groups. They may be made to the AMCD Nominations and Elections Committee in accordance with Executive Council approved procedures or elections may be held according to their internally established procedures. All election procedures shall be published in the first AMCD Newsletter each year. Positions that will be elected using the ACA annual elections process shall follow ACA established requirements and timelines.
- m. The term of office of each elected or appointed official of AMCD shall coincide with the ACA terms of office and continue for the period specified or until the successor takes office, except for the office of President Emeritus.

Section 4. **Functions of Officers and Executive Council Members**

- a. **The President.** The President shall:
 - (1) be a regular or retired member of AMCD.
 - (2) exert leadership in the achievement of the purposes of AMCD.
 - (3) preside at meetings of the Executive Council and the Executive Committee.
 - (4) While serving as President-Elect nominate for Council approval chairpersons of all AMCD committees to serve concurrent with

his/her term as president, unless otherwise specified in these By-Laws or in the motion establishing the committee. The President may also nominate new appointments during his/her term of office as necessary to ensure each committee has a chair.

- (5) Serve ex-officio without vote on all AMCD committees, except the Committee on Nominations and Elections.
- (6) carry out such other duties and responsibility as may be assigned by the Executive Council or prescribed in the By-Laws of ACA for Presidents of ACA divisions.

b. President-Elect. The President-Elect shall:

- (1) be a regular or retired member of AMCD
- (2) have served in a leadership capacity within the association prior to election.
- (3) perform the duties of the President in the absence or incapacity of the President.
- (4) serve as a member of the Executive Council and the Executive Committee.
- (5) Nominate a Treasurer-in-training to serve as Treasurer concurrent with his/her term as President.
- (6) NLT 30 June nominate chairpersons of AMCD committees to serve during his/her tenure as President.
- (7) carry out such other duties and responsibility as may be assigned by the Executive Council or prescribed in the By-Laws of ACA for Presidents-Elect of ACA divisions.

c. Past-President. The immediate Past-President shall:

- (1) serve as a member of the Executive Council and the Executive Committee.
- (2) serve as Chairperson of the AMCD Committee on Nominations and Elections.
- (3) Serve as a member of the Past-President's Council and represent the Past-Presidents on the Executive Council.
- (4) carry out such other duties and responsibility as may be assigned by the Executive Council or prescribed in the By-Laws of ACA for Past- Presidents of ACA divisions.

d. Vice-Presidents. The Vice-Presidents shall be representative of the multi-ethnic nature of AMCD. Each ethnic group by a one-time vote of the Executive Council may elect a representative from their respective group to serve as Vice-President. The VPs may form a council and meet electronically during the year and at the annual convention to coordinate

their efforts and work collaboratively to serve the needs of their respective members.. The Vice-Presidents shall:

- (1) Educate AMCD on the issues and concerns of their respective ethnic groups.
- (2) Convey to their respective constituencies and to ACA as a whole the decisions, policies, and positions of AMCD.
- (3) Preside over Ethnic Group Meetings
- (4) Offer recommendations to the Executive Council and the ACA on cultural concerns and professional development needs of their respective memberships.
- (5) Serve on the Council of Vice Presidents, annually rotating leadership and facilitating its meetings.
- (6) In collaboration with one another conduct an annual AMCD Town Hall Meeting and exert leadership in the development of other collaborative and individual group convention programs.
- (7) Serve on the AMCD Program Committee and make nominations for the ACA program committee.
- (8) Provide feedback to the Strategic Planning Committee and the Executive Council for input to the Strategic Plan and other activities.
- (9) Within their Interest Group, provide leadership for needs assessments, development of goals, address of best practices, mentoring, resource development, conference programs etc.

e. **Secretary.** The Secretary shall:

- (1) Be responsible to keep and maintain official records and proceedings of the Association. S/he shall
 - b. gather input for and send agendas for meetings to the executive council and executive committee.
 - c. attend and record all Executive Council and Executive Committee meetings,
 - d. send minutes to all Executive Council members within 10 days of each proceeding,
 - e. collect reports from the various councils and committees accepted by the Executive Council and send them to the AMCD Historian for preservation by the association
 - f. upon approval by the Executive Council send all official records to ACA Headquarters
- (2) Perform such duties as may be delegated by the President, Executive Council or Executive Committee.

- (3) Be bonded for such amount as may be determined by the Executive Council.
- (4) Be empowered to affix the seal on executive official documents of the Association as Secretary of the Corporation.

f. **Treasurer.** The Treasurer shall:

- (1) Attend meetings and/or provide all requested information to the President for all meetings of the Executive Council, the Executive Committee, and the Finance Committee.
- (2) Serve as an advisor to the Executive Council and a member of the Finance Committee.
- (3) Represent the Association in assuring the receipt and expenditure of funds in accordance with the directives established by the Executive Council.
- (4) Be available for fiscal guidance and assistance to all committee and council members.
- (5) Qualify for a fidelity bond as determined by the Executive Council and ACA.
- (6) Assist in the preparation of the budgets for AMCD, its committees and its publications.
- (7) Perform the duties customary to the office and such additional duties as directed by the Executive Council.
- (8) Work with the ACA Treasurer to monitor AMCD fund reports and recommend to the Executive Council any needed modifications in procedures for managing AMCD fiscal affairs.
- (9) Submit requests for expenditure of funds not budgeted already to the Executive Council for approval.
- (10) Submit a written financial report to the Executive Council and ACA on a quarterly basis and to the Executive Council at all Council Meetings, to the members at the Annual Meetings and a summary statement annually to the editor of the newsletter for publication.

g. **Parliamentarian.** The Parliamentarian shall:

- (1) Attend all meetings of Executive Council and when requested, the Executive Committee.
- (2) Advise the President and all Executive Council members on procedural matters.

h. Regional Representatives. Regional Representatives may form a council and meet as a group during conferences and electronically at other times during the year to coordinate efforts of the various regions and serve the needs of their respective members. They shall:

- (1) Serve as members of the Executive Council.
- (2) Serve as members of the AMCD Program Committee
- (3) Coordinate annual regional conferences.
- (4) Develop, operationalize, review, maintain and publicize operating policies and procedures for the Regions that have been approved by majority vote of the Executive Council.

i. AMCD Representative(s) to ACA Governing Council shall:

- (1) Serve as a member of the Executive Council.
- (2) Represent the interests of multiculturalism and ethnic culture groups on the ACA Governing Council.
- (3) Report on critical issues from ACA Governing Council to the AMCD Executive Council.

j. The Student Representative shall:

- (1) Serve as a member of the Executive Council
- (2) Advise the Executive Council on student matters.

k. The President Emeritus shall advise the Executive Council and other bodies of the Association on general matters as requested.

ARTICLE V: NOMINATIONS AND ELECTIONS

Section 1. Procedures.

- a. The Nominations and Elections Committee shall develop and submit to the Executive Council for its approval proposed procedures for carrying out the annual election of AMCD Executive Council Members except the ethnic vice-presidents who's election procedures shall be determined by their respective interest groups.
- b. The student group may develop its own procedures and have them approved by the Council.
- c. The ethnic interest groups shall adopt the nomination and election procedures of AMCD or submit their procedures for election of their respective representatives to the AMCD Executive Council.

- d. Once accepted the procedures for elections shall remain consistent unless and until a new set of procedures are approved by or submitted to the Executive Council and publicized in the AMCD Newsletter.
- e. More than one nominee shall be sought for each elected position.
- f. Nomination and election procedures for all elected positions shall be publicized annually in the Newsletter and on the Website, clearly spell out all criteria necessary to be eligible for nomination to each position, and promote leadership training so that all members shall have access to nomination.

ARTICLE VI: STATE DIVISIONS CHARTERS

Section 1. Formation of State Divisions.

- a. A minimum of seven (7) members of AMCD residing within a state, territory, or the District of Columbia may organize a state division of AMCD and apply for a charter.
- b. A set of By-Laws congruent with the AMCD By-Laws (subject to review of the AMCD By-Laws Committee and approval of the AMCD Executive Council), a list of officers, and a membership list shall accompany the application of a charter.
- c. A state division may adopt its own name, but in all instances shall identify itself as “A State Division of the Association for Multicultural Counseling and Development.”
- d. Only one state division may be chartered in any state.
- e. Application for a state division shall be made to the Chairperson of the State Divisions Committee of AMCD, to be submitted to the Executive Council for consideration and action. The President-Elect of AMCD shall chair the State Divisions Committee.
- f. Applications shall be submitted to the Chairperson by January 31 prior to the ACA National Convention.
- g. The official presentation of a state division charter shall be made at the Annual ACA Convention.

Section 2. Membership

- a. Any member who qualifies for AMCD membership shall be eligible for membership in a state division.
- b. All officers of a state division shall be Regular or Retired regular members of AMCD.

Section 3. **Autonomy of State Divisions.** A State division of AMCD shall

- a. be autonomous in the conduct of its affairs consistent with these By-Laws and the laws and regulations of the respective State, District or Territory.
- c. have the power to choose its own officers and representatives to the executive body of the state branch of ACA except in all instances the officers and representatives shall be regular or retired voting members in good standing of AMCD.
- b. A state division shall levy and collect its own fees and shall have full control of the management and disbursement of such funds in carrying out its program(s).
- c. Any proposed changes in the By-Laws of a state division shall be reviewed by the AMCD By-Laws Committee and approved by the Executive Council of AMCD before becoming effective

Section 4. **Reports Required.** Each state division shall transmit at the times and in the manner specified by the Executive Council, a report of its activities, the names of its officers, committee chairpersons, and members in the state division (with type of AMCD membership specified for each member.)

Section 5. **Revocation of Charter.**

- a. The Executive Council shall consider all charges submitted in writing and made over the signature of an AMCD member in good standing which suggest that a state division is no longer observing the conditions under which its charter was initially granted, nor is it within the policies and ByLaws of AMCD.
- b. A State division so charged shall be given the opportunity to present evidence in its behalf through witnesses or otherwise, shall be given the opportunity to confront witnesses against the state division, and shall be offered an opportunity to appear at a hearing before the Executive Council.

- c. A state division may request dissolution by filing notice of intent to dissolve with the Executive Council.
- d. Before final action may be taken with respect to the dissolution of a state division, a notice of intent to dissolve shall first be passed by a two-thirds vote of the Executive Council members present and voting, and the state division in question advised, in writing, for the reasons for the proposed action, at least 180 days before such a recommendation is finally acted on by the Executive Council.
- e. A two-thirds vote of the Executive Council is required for the revocation of a state division charter.
- f. Decisions made by the Executive Council in matters relating to the revocation of state division charters shall be final.

ARTICLE VII: COMMITTEES AND COMMISSIONS

Section 1. **Executive Committee**. This committee shall:

- a. consist of the President, the President-Elect, the immediate Past-President, and the Chairs (or representatives) of the Vice-Presidents and the Regional Representatives Councils.
- b. act for the Executive Council in the interim between meetings to carry out emergency measures related to the policies, procedures and activities approved by the council, but shall
- c. bring all policy matters and new business before the full council for approval at its next meeting.
- d. report all business transactions to the Executive Council within 15 days of said transaction.

Section 2. **Standing Committees**. The standing committees of AMCD shall establish budgets, operating activities, procedures and practices approved by the Executive Council. Their duties shall include:

- a. **Membership Committee** shall:
 - 1) promote membership in AMCD, working closely with the Communications/Media and Public Relations Committee,

the VPs, Regional Representatives and with ACA Membership Services.

- 2) have the power to develop application forms for determining whether applicants for membership meet the requirements for membership as specified by the By-Laws.
- 3) Maintain contact with the appropriate ACA Committees and Staff.

b. Communications/Media and Public Relations Committee shall

- 1) coordinate publicity and public relations for AMCD
- 2) Meet annually during the ACA Convention and at other times as needed to oversee and maintain the AMCD Website, Newsletter, List serve, and/or other materials developed in support of the AMCD mission and membership.
- 3) develop, review and carry out an action plan for the association that is approved by the Executive Council and that may include sub-committees, to ensure internal communications with the membership and external communications with other ACA Divisions and potential members/members of the profession support the mission and activities of AMCD in its entirety.
- 4) work closely with the Executive Council and other Committees to support and publicize their efforts and activities
- 5) recommend editorial policy and content of the Newsletter, website, list serve and other such communications media to the AMCD Executive Council
- 6) develop a budget for the upkeep and maintenance of the website, newsletter and other products proposed by the committee and adopted by the Executive Council.
- 7) the President, Past Presidents, Vice-Presidents, Regional Representatives, State Divisions, Committee Chairs, Newsletter Editor and Journal Editor shall all have representation on this committee along with three members at large appointed by the Executive Council.
- 8) nominate from its membership or the membership at large, a Newsletter Editor and assistants.

c. Strategic Planning Committee shall

- 1) be composed of the Past President, President-Elect, and six members nominated by the President and appointed by the Executive Council two a year for staggered terms of three years,
- 2) using input from the annual Town Hall, Vice-Presidents, Region Reps, Past Presidents and other sources, develop and annually

- review and recommend revisions to the association's Strategic Plan, details of which shall be described in a separate document.
- 3) submit its recommendations to the Executive Council for approval.
- d. **The Finance Committee**, composed of the President, the President-Elect, the VP Council Chair, the Treasurer, Treasurer-in-training and one member-at-large, shall
- 1) with input from the Council and Committees prepare the annual budget for Council approval
 - 2) recommend fiscal policies for consideration by the Executive Council.
 - 3) handle other matters requested by the Executive Council..
 - 4) The President shall chair this committee and shall appoint the member-at-large subject to Executive Council approval.
- e. **The By-Laws Committee** shall
- 1) have responsibility for drafting proposals for revisions and amendments to these By-Laws and for the final wording of amendments passed by the Executive Council and membership to ensure their consistency with the style and substance of these By-Laws.
 - 2) conduct an annual review of the By-Laws, solicit recommendations from the membership and prepare a recommendation for endorsement, revision, or amendment of the By-Laws to the Executive Council no later than 30 October of every year to allow for recommendations to be sent to the full membership for additional input 60 days prior to the annual meeting.
 - 3) carry out such other functions as may be assigned to it in these By-Laws or by the Executive Council.
- f. **The Nominations and Election Committee** shall:
- 1) be nominated by the President, approved by the Executive Council, chaired by the Past-President and consist of the Immediate Past-President, one other Past-President and one member at large.
 - 2) Be responsible to annually publish nomination and election procedures in all available media,
 - 3) Annually solicit nominations from the membership for positions to be elected, and conduct the nominations and elections of the

association with ACA and the approval of the Executive Council.

- 4) Develop/review proposed procedures/changes in procedures for carrying out annual elections and submit to the Executive Council for approval.
- 5) No member of the committee may serve for more than two consecutive years or six years in total.

g. The State Divisions Committee shall

- 1) be responsible for promoting the establishment of state divisions,
- 2) Receive and process all applications for state division charters, and
- 3) Assist in the promotion of AMCD activities on the state and local level.
- 4) provide State representation on the Program Committee

h. The Affirmative Action Committee shall

- 1) be responsible for monitoring affirmative action programs in the field of counseling and development to promote equality of opportunity in education, employment and other areas
- 2)The Vice-Presidents may each nominate (3) three of their respective members for the Council to appoint to serve on this committee.

i. The Program Committee shall

- 1) be responsible for developing and implementing programs and activities relating to the concerns of AMCD, including the ACA National Convention AMCD activities.
- 2) may develop sub-committees from time to time as needed
- 3) The Chair of the Council of Vice-Presidents and the Region Rep for the Region in which ACA holds its conference shall serve as co- chairs of this committee.
- 4) the incoming Ethnic Vice-Presidents and Regional Representatives, a member of the Past President's Council, the On-Site Convention Co-ordinator and one at-large member recommended by the President-Elect and approved by the Executive Committee no later than June for the upcoming association year shall serve on this committee.

j. The Awards Committee shall

- 1) develop, operate and maintain a program of recognition and awards
- 2) develop and maintain a process for presenting awards approved by the Council that ensures proper recognition for AMCD members and others whose behaviors and practices exemplify those desired IAW the mission of AMCD.

k. **The Past Presidents Council** may meet annually during the ACA Convention and at other times as determined necessary by the President, Council chair, or a majority of the past presidents. The Council shall:

- 1) include all past presidents who are members in good standing of the Association.
- 2) serve as Council advisors on association matters as requested by the Council or President
- 3) serve in other capacities at the request of the President or Executive Council.
- 4) annually nominate a representative to be appointed to the Program Committee.

l. **The Ethics Committee** shall

- 1) be nominated by the President and appointed by the Executive Council
- 2) review ACA Ethics requirements and make recommendations to ACA relative to ethics requirements that are respectful of cultural difference and consistent with multiculturalism
- 3) recommend/carry out other activities at the direction of the Council to further the objectives of AMCD

Section 3. **Special Committees.** These Committees shall

- a. be established by the Executive Council for a specific timeframe to carry out such activities as it believes will further the objectives of AMCD.
- b. The Executive Council shall annually review the charge and function of all special committees and shall make such changes in their number, characteristics, or organization as may seem desirable.
- c. special committee(s) shall upon creation, develop operating procedures, timelines and budgets to be approved by the Executive Committee and operate within their approved budgets

Section 4. **Appointment of Committees.**

- a. The President-elect no later than May 30th each year shall nominate chairpersons and members of all committees to serve for the upcoming association year except as otherwise specified in these By-Laws.
- b. The Executive Council shall approve the composition of all committees on or before the start date of the association year.
- c. Except as otherwise specified in these By-Laws, chairpersons and members of committees shall serve for one year or until the appointment of their successors. They may be reappointed consistent with these By-Laws.

ARTICLE VIII: FINANCES

Section 1. **Dues and Assessments**. The following procedures shall be followed in establishing AMCD dues and assessments, in addition to those required by the By-Laws of ACA.

- a. Annual dues for all classes of membership shall be established by the Executive Council.
- b. The Executive Council may levy special assessments on the entire membership or on any class of members with a special member ballot and approval of 2/3 majority of voting members.

Section 2. **Salaried Employees**. The Executive Council may authorize the employment of such staff as may be necessary to fulfill the objectives of AMCD and set compensation for such employees.

ARTICLE IX: BUSINESS AFFAIRS OF THE ASSOCIATION

Section 1. **Fiscal year**. The fiscal year shall run concurrently with that of ACA.

Section 2. **Severable or Transferable Interest**. No member, individually or collectively, shall have any severable or transferable interest in the property of the Association.

Section 3. **Control and Management of Property**. All property shall be subject to the management and control of the Executive Council and no real property shall be disposed of except pursuant to the prior written approval of the Executive Council.

Section 4. **Basic Documents**. The basic governance documents of the Association

and all amendments thereto shall be transmitted to the Executive Director of ACA within thirty days of their adoption, printed annually in the member Newsletter and posted on the AMCD Website.

Section 5. **Fidelity Bonds.** The Executive Council shall secure and maintain in force a fidelity bond adequate in amount to protect the Association against defalcations by designated officers or employees.

Section 6. **Annual Audit.** The Executive Council shall make sure that all financial records are available for an annual audit which is conducted by a certified public accountant secured by ACA. A full report shall be submitted to the Executive Council within 10 days of receipt of the audit results by AMCD

Section 7. **Property of AMCD.** In the event the Association should be dissolved, none of its property shall be distributed to any of the members. All of its property shall be transferred according to ACA By-Laws.

ARTICLE X: PUBLICATIONS

Section 1. **Association Publications.** The *Journal of Multicultural Counseling and Development* and the *AMCD Newsletter* shall be designated as official publications of AMCD.

Section 2. **Distribution.** The *Journal of Multicultural Counseling and Development* and the *AMCD Newsletter* shall be sent by postal or electronic means to all AMCD members without additional charge. They shall be available to non-members, to libraries, and to other organizations by subscription at rates established by the AMCD Executive Council and distributed by ACA. Publications may be posted on the AMCD website with Executive Council approval.

Section 3. **AMCD Newsletter.**

- a. The newsletter shall be published quarterly during July, October, January and April, and may be published as often during the year as necessary to ensure members are kept informed of association business, pending elections, convention plans and schedules, committee appointment opportunities, election results, etc.
- b. The Newsletter editor shall be appointed by the Executive Council for a period of (2) two years. Nominations may come from the members of the Executive Council, or the Media Committee.

- c. A working group consisting of (3) three additional members shall be nominated by the Media Committee and appointed by the Executive Council one each year for a three year appointment to assist the Editor.
- d. The editor and working group members may be re-appointed
- e. Newsletters shall contain Ethnic Group and Region information, Executive Council and Committee reports, By-Laws, nomination procedures, pending election information and election results, convention program planning and schedule information, news and professional articles, and other such information of interest to members.

Section 4. **Journal of Multicultural Counseling and Development**

- a. **Editorial Board.** The Editorial Board of the Journal shall
 - (1) be responsible for recommending editorial policy and professional content of the *Journal of Multicultural Counseling and Development* to the AMCD Executive Council.
 - (2) It shall be composed of 15 members serving staggered terms for continuity.
 - (4) The Executive Council shall appoint 5 new members for terms of three years each year.
 - (4) In the event of a vacancy on the Editorial Board the Executive Council shall appoint a successor to complete the unexpired term. (5) Editorial Board members may be reappointed.
- b. **The Editor.** The Editor shall
 - (1) report to the Executive Council,
 - (2) serve for a three-year term following a period of service as Editor-Elect
 - (3) may be reappointed for one additional consecutive term of three years.
 - (5) shall preside at meetings of the Editorial Board,
 - (6) shall be responsible for editing and preparing no less than two or more than four issues per year of the *Journal* unless more are approved by the Executive Council as special editions.
 - (7) shall prepare an annual report and budget statement for the Executive Council
 - (10) coordinate business functions of the *Journal* with ACA officials.
- c. **The Editor-Elect.** The Editor-Elect shall

- (1) be appointed by the Executive Council one year prior to the expiration of the term of the Editor.
- (2) The Council shall give due consideration to recommendations of the Editorial Board in making the appointment, but is not restricted by such recommendations.
- (3) The Editor-Elect shall assist the Editor in performing the duties of the Editor, in preparation for assuming those duties.

ARTICLE XI: ADOPTION, REVISION AND AMENDMENT OF BY-LAWS

Section 1. **Amendment, Revision, and Adoption**. These By-Laws may be amended or revised by two-thirds majority vote of the Executive Council or majority vote of the full membership after submission of the proposed amendment by either of the two following methods.

- a. An amendment or revision shall be presented to the Executive Council not less than 120 days prior to the annual meeting of the Executive Council by the By-Laws Committee. Amendments/ revisions proposed in this manner
 - (1) may be proposed in writing by the committee members and/or to the By-Laws Committee by the Executive Council, and/or
 - (2) over the signature of 50 members in good standing.
 - (3) The committee will compile all recommendations, drawing up a set of recommended changes/revisions to be accepted by the council under the above timeline for review by the full membership.

Copies of amendments or revisions proposed under the provision of the foregoing paragraph shall be mailed to members for review not less than 90 days prior to the annual meeting in preparation for a final review and vote by the Executive Council at their annual meeting. Current By-Laws will accompany the distribution of proposed amendments/revisions and all members will be encouraged to submit feedback and a non-binding vote to the By-Laws Committee Chair. The By-Laws Committee will draw up a final set of recommended changes and submit them to the Executive Council no later than 30 days prior to the annual meeting of the Executive Council held during the annual ACA Convention.

The Executive Council will approve and enact amendments or revisions to the By-Laws at their annual meeting, notify the membership of the changes during the annual membership meeting, notify the ACA President and/or other ACA leaders as prescribed in the ACA By-Laws, publicize

the changes on the website, in the Newsletter and in the Journal within 90 days of their final adoption.

- b. An amendment or revision first proposed at any meeting of the Executive Council shall be voted upon by postal or electronic ballot of the full council after 60 days following the date of proposal, provided, however, that such proposal
 - (1) has been sent to the membership for input with a non-binding ballot/feedback form members can send to the By-Laws Committee Chair within 20 days.
 - (2) the proposal shall be referred forthwith to the By-Laws Committee and this committee's written recommendation shall accompany the final proposal submitted to the Executive Council for vote.
 - (3) The Executive Council will adopt the amendment/revision with a 2/3-majority vote of the council, or by submitting it to the members for a vote.

- c. An amendment or revision proposed by one of the two above means can be submitted to the full membership for vote and will be adopted if at least 25% of the membership votes, and if a majority of the voting members approve it. If less than 25% of the membership votes, and a majority of the voting members approve it, the Amendment shall be adopted if a majority of the Executive Council approves it.

Section 2. **Publication.** The By-Laws of AMCD shall be published in their entirety, no less than every five years, beginning with the year 1975 in addition to the requirements for publication of amendments/revisions noted in Section 1 above.. They shall be published in the official journal, the Newsletter, on the AMCD website and by other available means.

ARTICLE XII: RULES OF ORDER

Robert's Rules of Order, Newly Revised, shall govern all proceedings of the Association where they are not inconsistent with these By-Laws.

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