

**The MOACAC Bylaws were approved by the MOACAC membership at the membership meeting held during the ANNUAL Conference in 2014.**



## **BY-LAWS OF THE MISSOURI ASSOCIATION FOR COLLEGE ADMISSION COUNSELING, INC.**

### **ARTICLE I: NAME**

1. The name of the Association shall be the Missouri Association for College Admission Counseling, Inc. (MOACAC).

### **ARTICLE II: MISSION**

The Missouri Association for College Admission Counseling, Inc. (MOACAC) is the premiere information resource for admission professionals, students and parents. MOACAC achieves its mission by:

- a. Upholding high professional standards which foster ethical and social responsibility among those involved in the planning for postsecondary education.
- b. Influencing public policy for the good of those involved in the process of planning for postsecondary education.
- c. Providing professional development.
- d. Adhering to, and supporting the purposes, goals and objectives of the National Association for College Admission Counseling (NACAC) as stated in the NACAC Articles of Incorporation.

### **ARTICLE III: MEMBERSHIP**

1. Voting membership in the Missouri Association for College Admission Counseling, Inc. shall be extended to:

- a. Educational Institutions
  - i. Not-for-profit colleges and universities and other post-secondary institutions within the state of Missouri. A member of an accredited college or university shall be represented by an officer charged with the responsibility for the selection and/or admission of students to said institution.

ii. Primary and secondary schools within the State of Missouri. A member high school shall be represented by one charged with the responsibility of guidance and counseling of college-bound students.

iii. Not-for-profit primary and secondary school districts and college and university systems in Missouri.

b. Organizations

i. Organizations, agencies and institutions within the State of Missouri which are not-for-profit and provide post-secondary counseling, admission and financial aid services, and whose purposes are in agreement with MOACAC. Such a member shall be represented by an officer charged with the responsibility of performing services relating to the counseling or admission of students.

c. Individuals

i. Independent educational consultants or counselors who are self-employed or employed by a company providing counseling, admission, or financial aid services to students and/or their parents and who perform the majority of their professional duties in Missouri.

ii. Individuals whose professional activity in the area of counseling or admitting students is at MOACAC member institutions or organizations.

iii. Regional representatives who work for colleges/universities and other post-secondary institutions outside of Missouri but perform the majority of their work in Missouri.

iv. Retired persons who were actively engaged in providing counseling, admission, or financial aid services.

2. Each voting MOACAC member shall have one vote on all matters. Changes to the constitution/by-laws of MOACAC must be presented in writing to the Executive Board at least 60 days prior to the annual meeting. The Executive Board must notify the membership of the proposed changes within 30 days of the annual meeting. The MOACAC newsletter and listserv will be used to notify the membership of such changes.

3. Associate, nonvoting membership may be extended to:

a. Not-for-profit organizations and agencies which are in agreement with the purposes of MOACAC.

b. Individuals who represent organizations and agencies listed in part Section 3a above.

c. Individuals who are not primarily employed by organizations, agencies or institutions which are eligible for membership, but who provide counseling, admission or financial aid services and who are in agreement with the purposes of MOACAC.

d. Students seeking careers in counseling, admission, or financial aid services.

- e. Institutions, agencies or organizations whose primary activities consist of providing information or services related to counseling, admission and financial aid services for postsecondary education and whose interests are, in the opinion of the Executive Board, in accordance with the aims and purposes of MOACAC and NACAC.
- 4. Honorary, voting, life-time membership shall be extended to all past presidents of MOACAC who retire from active employment as either secondary school counselors or as college/university admission officers.
- 5. Membership in the Missouri Association for College Admission Counseling, Inc. shall be terminated by action of the Executive Board for any of the following reasons:
  - f. Failure to pay annual dues.
  - g. Failure to comply with the Statement of Principles of Good Practice of the National Association for College Admission Counseling.
- 6. Members shall comply with the Statement of Principles of Good Practice (SPGP), the Association's code of conduct, to ensure high professional standards in the recruitment of students and the transition to postsecondary education. All members shall support the purposes of MOACAC and adhere to NACAC's SPGP.

#### **ARTICLE IV: MEMBERSHIP MEETINGS**

- 1. State meetings shall be held semi-annually, one of which may be a meeting held at NACAC's national conference.
- 2. The place and time of meetings shall be determined by the Executive Board.
- 3. At all meetings of the voting Members, ten percent (10%) of the voting Members who are in good standing, represented in person or by proxy, shall be necessary and sufficient to constitute a quorum for the transaction of business. A vote of the majority of the voting Members, represented in person or by proxy, at any conference at which a quorum is present, shall be the act of the Members, except as otherwise provided by these Bylaws or by law.
- 4. Written notice of each Membership meeting shall fix the time and place of the meeting and, if deemed appropriate by the Executive Board or as required by law, the purpose or purposes thereof, shall be given to each Member, in the manner provided by these Bylaws, at least ten (10) but no more than sixty (60) days before such meeting.

#### **ARTICLE V: DUES**

The annual dues for membership in MOACAC shall be established and/or revised by the Executive Board of MOACAC. Dues may vary between voting and nonvoting members and between and within the different categories of members designated in Article II of these Bylaws.

#### **ARTICLE VI: OFFICERS OF MOACAC**

- 1. The Officers of the Missouri Association for College Admission Counseling, Inc. shall be the President, President-Elect, Past-President, Secretary and Treasurer. The Officers, NACAC Assembly delegates, and chairs of each standing committee of the Association shall comprise the Executive Board.
- 2. The duties of the President shall be to:
  - a. Prepare an agenda for general meetings.

- b. Preside at meetings of the Association and the Executive Board.
  - c. Serve as ex-officio member of committees.
  - d. Appoint any committees deemed advisable by the Executive Board.
  - e. Appoint chairs of the MOACAC standing committees.
  - f. Attend the Summer NACAC LDI meeting and the Spring NACAC Legislative meeting, if possible.
  - g. Serve as a member of the Missouri High School-College Relations Commission.
  - h. Serve as a delegate to the National Association for College Admission Counseling national conference.
3. The duties of the President-Elect shall be:
- a. To preside in the absence of the President.
  - b. To assist the President as requested.
  - c. To plan the annual conference for the Association
  - d. To attend the Summer NACAC LDI meeting and the Spring NACAC Legislative meeting, if possible.
  - e. To serve as a delegate to National Association for College Admission Counseling annual Assembly.
  - f. To succeed the President.
4. The duties of the Secretary shall be:
- a. To be responsible for the records of the Association.
  - b. To record the minutes of the meetings.
  - c. To send necessary notices/correspondences.
  - d. A term in office of three years.
5. The duties of the Treasurer shall be:
- a. To be responsible for the funds of the Association.
    - b. To be responsible for the payment of bills of the Association from Association funds.
  - c. To deposit membership dues and any special assignments.
  - d. To make an annual report to MOACAC.
  - e. A term in office of three years.

6. The duties of the Past-President shall be:
  - a. To act as a consultant to the President and President-Elect in the affairs of the Association.
  - b. To act as Chair of the Governance and Nominating standing committees.
  - c. To serve as Chief Delegate to the NACAC Assembly.

7. Officers shall be elected at the Spring General Membership Meeting and shall take office at the close of that meeting. Officers elected shall be members of MOACAC through their institution or individual membership.

8. In the event an elected officer or delegate is no longer able to serve, the Nominations Committee is responsible to submit a candidate, eligible for election to the office in question, to the MOACAC Executive Board. Election of a candidate will require a majority "Yes" vote of the Executive Board members, excluding the member(s) who have resigned. Failure to achieve a majority vote in the affirmative will require the Nomination Committee to submit another candidate eligible for election. The election process may be conducted by e-mail, mail, telephone, or at a meeting of the MOACAC Executive Board, but must occur within three weeks of resignation.

#### **ARTICLE VII: EXECUTIVE BOARD OF MOACAC**

1. Responsibilities of the Executive Board:

- a. Approve the annual budget for the organization.
- b. Develop and execute the strategic plan for the organization.
- c. Review, implement, and enforce the policies and procedures as outlined in the MOACAC policies and procedures.

2. The Executive Board of MOACAC shall be composed of the Officers, Assembly Delegates and Chairpersons of Standing Committees.

3. A majority of the members of the Executive Board then in office shall constitute a quorum for the transaction of business. The act of the majority of such individuals present at a meeting at which a quorum is present shall be the act of the Board.

4. Any action required or permitted to be taken at a meeting of the Board may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by all the members of the Executive Board.

5. Any one or more members of the Executive Board may participate in a meeting of such Board by means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at a meeting.

#### **ARTICLE VIII: STANDING COMMITTEES OF MOACAC**

1. There shall be, at a minimum, the following standing committees of MOACAC:

- a. Professional Development Committee
- b. Admission Practices Committee
- c. Inclusion, Access, and Success Committee

- d. Government Relations Committee
- e. Membership Committee
- f. College Fair Committee Fair Committee," which affects lettering below
- g. Communications Committee
- h. Nominations Committee

2. Other committees may be formed at the discretion of the Executive Board.

3. The President of MOACAC shall appoint the chairpersons of the committees described above, and any other committees, and shall serve as an ex-officio member of all MOACAC committees with the exception of the Governance & Nominations Committee.

4. Duties of the standing committees are found in the MOACAC Procedure Manual.

5. Committee chairs will serve a three-year term. In the event a chair resigns before completion of his/her term, the President will appoint a new chair to complete his/her term.

#### **ARTICLE IX: NOMINATIONS COMMITTEE**

1. The immediate Past-President of MOACAC shall serve as the Chairperson of the Nominations Committee and shall select a committee consisting of two (2) members of MOACAC in good standing representing secondary school membership and two (2) members in good standing representing post-secondary school membership.

2. The members of the Nominations Committee will be approved by the MOACAC Executive Board.

3. The Nominations Committee shall present a slate of candidates to fill positions described in Article VI and X of these by-laws for vote at the annual Spring Membership Meeting of MOACAC.

#### **ARTICLE X: DELEGATES TO THE ASSEMBLY**

1. To be eligible for election as a delegate a candidate must be:

a) A representative of an institution or organization in Missouri which holds voting membership in the National Association for College Admission Counseling (NACAC) or a voting individual member of NACAC in Missouri. Only one person employed by any member organization, agency or institution shall serve in the same Assembly.

b) Able to attend the national conferences of the National Association for College Admission Counseling.

c) Delegates must be NACAC voting members in good standing by July 15 immediately preceding the next annual meeting of the Assembly through his/her term of service.

2. Delegates shall forfeit their office by failure to:

a) Attend a national Assembly meeting, subject to review by the Executive Board.

b) Represent an institution or organization in Missouri holding voting membership in the National Association for College Admission Counseling or be a voting member of NACAC.

3. Delegates shall be elected at the Spring General Membership meeting for a term of three years and may serve no more than two consecutive terms. The term of office for each elected delegate will be from July 15 through July 14 of the year that a delegate's term expires. Delegates must be

elected exclusively by NACAC voting members in the Affiliate, except in the case of the officers serving in the 3-year presidential cycle.

4. Whenever possible, one-half of the delegates elected shall be employed by voting member secondary institutions and voting member organizations, agencies and institutions which provide post-secondary counseling, admission and financial aid services and one-half of the delegates shall be employed by voting member postsecondary educational institutions. The President, President-Elect, and Past-President will also serve as delegates to NACAC during their terms of office.

5. An alternate for each delegate, who represents the same type of institution, shall be elected at the Spring General Membership Meeting for a term of one year. The term of office for each elected alternate delegate shall be from July 15 through July 14 of the following year.

6. No member institution or organization may be represented in the Assembly by more than one delegate.

7. Names of delegates and alternates (to the National Assembly) shall be reported to the Chief Executive Officer of NACAC no later than June 30.

8. Only institutions, organizations, and individuals holding voting membership in NACAC may vote for National Assembly delegates and alternates.

9. Each (and all) incumbent(s) delegate(s) to the Assembly, in order to remain a delegate, must continue to be a person charged with responsibility for admitting students or with the responsibility for guiding students in planning for post-secondary education, or with the responsibility for performing services relating to the counseling or admission of students, and/or financial aid services. Further, an incumbent delegate shall be deemed to continue to be a person charged with such responsibilities until the 60th day following termination, for any reason, of such incumbent's qualifying employment or the date on which such incumbent accepts non-qualifying employment, whichever comes first.

#### **ARTICLE XI: NOTICES**

1. The Secretary shall notify each voting Member of a Membership meeting at least ten (10) days and not more than sixty (60) days in advance of such meeting. Voting Members may be notified by regular mail, facsimile, electronic mail, overnight courier, hand delivery or by another other means permitted by law.

2. The Secretary shall notify each member of the Executive Board meeting at least ten (10) days and not more than sixty (60) days in advance of such meeting. Executive Board members may be notified by regular mail, facsimile, electronic mail, overnight courier, hand delivery or by another other means permitted by law.

#### **ARTICLE XII: NOTIFICATION TO NACAC**

1. The President, or in his/her absence, the Secretary, shall notify the office of the Executive Director of NACAC immediately following the election or appointment of delegates and alternate delegates to the Assembly and the names of the elected officers of MOACAC.

#### **ARTICLE XIII: ELECTIONS**

1. A slate shall be used in all MOACAC duly constituted elections of officers and assembly delegates. Only one authorized MOACAC member in good standing shall cast a vote for each member institution or individual membership. That member will vote on a slate at all MOACAC elections. Voting cards will be used if necessary.

**ARTICLE XIV: PARLIMENTARY AUTHORITY**

1. Robert’s Rules of Order as revised shall govern the parliamentary procedures of all official meetings including duly constituted committee meetings, subject to the precedence of the MOACAC Articles of Incorporation and By-laws.

**ARTICLE XV: MAINTENANCE OF CONSISTENCY**

1. MOACAC shall annually monitor consistency with the governance documents of NACAC to conform with said governance documents and changes thereto.

2. In cases of discrepancy, the MOACAC bylaws overrule any other MOACAC governing document, other than the MOACAC Articles of Incorporation.

**ARTICLE XVI: PROHIBITED MATTERS**

1. The introduction, or discussion, of sectarian matters or partisan politics is prohibited at any formally constituted meetings of MOACAC.

2. The records of MOACAC shall not be used for any sectarian, business or political purposes. It is understood that this prohibition does not preclude the right of members to profess membership in MOACAC.

**ARTICLE XVII: NON-DISCRIMINATORY POSITION**

1. MOACAC does not discriminate on the basis of sex, race, handicap, color, creed or national or ethnic origin.

**ARTICLE XVIII: AMENDMENTS**

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by the affirmative vote of either (i) a majority of all the individuals currently serving on the Executive Board or (ii) a majority of all the voting MOACAC members, provided that the individuals serving on the Executive Board or Members, as the case may be, shall have received the text of any proposed alternation, amendment, repeal or adoption at least thirty (30) days in advance of the meeting at which such alternation, amendment, repeal or adoption will be voted upon.