

# BYLAWS OF THE OHIO COUNSELING ASSOCIATION

## Effective July 2021

### **ARTICLE I Name and Purpose**

#### Section 1 NAME

The name of this Association shall be the Ohio Counseling Association (OCA), a branch of the American Counseling Association (ACA).

#### Section 2 PURPOSE

The purpose of OCA shall be to advance the discipline of counseling, acting at all times in accordance with the purpose of the ACA, Articles of Incorporation, and Bylaws.

### **ARTICLE II Membership**

#### Section 1 ELIGIBILITY

Only those who work or live in the state of Ohio and are supportive of the mission of the ACA and OCA are eligible for membership (Professional, Associate, Retired, or Student membership). Persons desiring to become members of OCA shall apply and become members upon approval of the application and payment of dues. Members must abide by the ACA Code of Ethics. Membership will be valid for one year from the date of processing. Members with voting rights include Professional, Retired, and Student Members. Associate Members may not vote.

#### Section 2 TYPES

- a. Professional members shall hold a Master's degree or higher in counseling or be credentialed in counseling through a certificate or license. Professional members may vote and hold office.
- b. Associate memberships shall be available to those whose interests and activities are consistent with those of the OCA, but are not qualified for Professional membership, Associate members cannot vote or hold office.
- c. Retired members are those who were members of OCA prior to retirement. Only those Retired members who were Professional members immediately prior to retirement are eligible to vote and hold office.
- d. Student members shall include individuals who are enrolled in a graduate level counselor education program.. Student members may hold office of Secretary if appointed by the OCA President. Student members are eligible to vote.
- e. Life members are those in any membership category (excluding student) who elect to pay the lifetime membership dues.
- f. Legacy members (called "Life members" prior to July 2005) are awarded this designation by the OCA Executive Council due to their outstanding service. Legacy members may vote and hold office. Special: OCA Executive Council may prescribe and establish criteria for special memberships of any type.
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### Section 3 DUES

The OCA Executive Council shall establish the annual dues for membership. The current dues for each classification of membership are as follows:

- a. Professional and Associate-full dues
- b. Retired – 1/2 dues
- c. Student – 1/4 dues
- d. Special – zero dues
- e. Life members one – time life membership dues.
- f. Legacy members – zero dues.

### Section 4 BENEFITS AND OBLIGATIONS

Professional members, qualified Retired members, and Student members shall be entitled to vote on general matters of the Association. On the OCA Executive Council, only the elected student member may vote. No other student member is permitted to vote on the executive Council. Only Professional members or qualified Retired members shall be entitled to hold office except for the office of Secretary, which may be held by a Student member if appointed by the OCA President. All members shall receive the organization newsletter, conference information, and other such correspondence and privileges as may be provided. These benefits shall be extended to each member upon receipt of annual dues.

### Section 5 SEVERANCE OF MEMBERSHIP

- a. A member may be dropped from membership for any conduct that intentionally or inadvertently tends to injure the OCA, affects adversely its reputation, or that is contrary to or destructive of its objectives according to the OCA Bylaws and/or the ACA Code of Ethics. Any member charged with engaging in any such conduct shall be given notice of the precise nature of the charge, shall be given the opportunity to present refuting evidence through witnesses or otherwise, shall be given the opportunity to confront witnesses, and shall have the right to a hearing before the OCA Ethics Committee. The OCA Ethics Committee shall consider any charges made and shall make a recommendation to the OCA Executive Council whether the charges should be dropped, the accused member should be permitted to resign, or the accused member should be reprimanded, placed on probation, or expelled or suspended from membership. An accused member or an accuser may appeal a final decision of the OCA Ethics Committee to the OCA Executive Council. The OCA Executive Council shall render a final decision.
- b. A member shall be dropped from the membership for the nonpayment of dues.

## **ARTICLE III Branch Divisions**

### Section 1 BRANCH DIVISION NAMES

OCA shall include Branch Divisions consistent with the national branches of the ACA. Divisions represent special areas of interest of counseling.

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### Section 2 BRANCH DIVISION ELIGIBILITY

Members of ACA Divisions to be chartered who also are residents of Ohio and members of OCA are eligible to initiate a Branch Division by application to and approval of the OCA Executive Council.

A. The acquisition of Branch Division status shall require that:

1. Each such Division must have no fewer than 30 members.
2. Each Division seeking branch status must submit Division bylaws and a list of officers prior to July 1 of each year.
3. All members of each new Branch Division also must be members of OCA.
4. The official acceptance of affiliation with OCA shall be confirmed by the granting of a charter by the OCA Executive Council.

B. The maintenance of Branch Division status shall require that:

1. Each such Branch Division must serve a two-year probationary period to determine their ability to maintain and renew membership, and continue organizational operations
2. Each such Branch Division must maintain no fewer than 30 OCA members.
3. Each Branch Division must annually submit Division bylaws and a list of officers each year.
4. Each Branch Division must annually submit a financial report each year.
5. The official acceptance of affiliation shall be confirmed by the OCA Executive Council following the end of the probationary period.
6. All members of each Branch Division also must be members of OCA.
7. All officers of Branch Divisions are required to be members in good standing of the ACA, the Branch, and the corresponding National Division.

C. The Ohio School Counselors (OSCA) Division is not subject to Sections A3, B4, and B6 as long as they maintain their own EIN, non-profit status, and file their own annual tax returns.

### Section 3 OCA BYLAWS

In order to maintain voting privileges on the OCA Executive Council, Branch Divisions shall conform to the provisions of the ACA Bylaws, Branch, and National Division.

### Section 4 DIVISION VOTING

Each Branch Division shall be eligible for one vote on the OCA Executive Council; voting member cannot be a Student member of the OCA.

### Section 5 DIVISION BYLAWS FILING

A copy of the current Bylaws and membership list of each Branch Division must be on file with the OCA. Any Bylaws changes by a Branch Chapter shall be approved by the OCA Executive Council.

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### Section 6 NATIONAL BRANCH DIVISION APPROVAL

It is the responsibility of the Branch Division to comply and obtain approval of the establishment of a Branch Division from their National Division of ACA after gaining the approval of the OCA Executive Council.

### Section 7 BRANCH DIVISION FEES

The membership fee for Branch Division memberships shall be paid to the designated Division monthly minus a \$5 fee for Professional Members and \$1 for Student or Retired Members as long as all requirements in ARTICLE III, Section 4, are fully met.

## **ARTICLE IV Branch Chapters**

### Section 1 CHAPTERS

OCA shall include Branch Chapters consisting of local counseling organizations within the State of Ohio.

### Section 2 ELIGIBILITY

Local counseling organizations shall be eligible for Branch Chapter status by application to and approval of the OCA Executive Council.

A. The acquisition of Branch Chapter status shall require that:

1. Each such Chapter must have no fewer than 30 members.
2. Each Chapter seeking Branch status must submit Chapter Bylaws and a list of officers prior to June 1 of each year.
3. All members of each new chapter also must be members of OCA.
4. The official acceptance of affiliation with OCA shall be confirmed by the granting of a charter by the OCA Executive Council.

B. The maintenance of Branch Chapter status shall require that:

1. Each such Branch Chapter must serve a two-year probationary period to determine their ability to maintain and renew membership, and continue organizational operations.
2. Each such Branch Chapter must have no fewer than 30 members.
3. Each Branch Chapter must annually submit Chapter Bylaws and a list of officers.
4. Each Branch Chapter must annually submit a financial report.
5. The official acceptance of affiliation shall be confirmed by the OCA Executive Council following the end of the probationary period.
6. All members of each Branch Chapter also must be members of OCA.

## **ARTICLE V OCA Interest Network.**

- a) OCA may include one or more Interest Networks.
- b) An OCA Interest Network shall consist of persons who organize on a state basis, in accordance with OCA Bylaws, policies and procedures, to promote a professional interest not otherwise provided for in the OCA structure.
- c) Members who wish to initiate an OCA Interest Network shall submit a petition for recognition to the OCA Executive Council. Two-thirds of the votes cast by members of the Executive Council

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who are present at a meeting where there is a quorum shall be necessary to grant recognition to an OCA Interest Network.

### Section 3 OCA BYLAWS

In order to maintain voting privileges on the OCA Executive Council, Branch Chapters shall conform to the provisions of the Bylaws of the OCA and the ACA.

### Section 4 CHAPTER VOTING

Each Branch Chapter shall be eligible for one vote on the OCA Executive Council; voting member cannot be a Student member of the OCA.

### Section 5 CHAPTER BYLAWS FILING

A copy of the current Bylaws and membership list of each Branch Chapter must be filed annually with the OCA by. Any Bylaws changes by a Branch Chapter shall be approved by the OCA Executive Council.

### Section 6 CHAPTER FEES

The membership fee for unified OCA and Branch Chapter memberships shall be the same as for membership in the OCA alone. The OCA will give twenty percent (20%) of membership fees (outside Lifetime memberships) to the designated Branch Chapter as long as all requirements in ARTICLE IV, Section 2, are fully met.

## **ARTICLE V OCA Executive Council**

### Section 1 FUNCTION OF THE OCA EXECUTIVE COUNCIL

The OCA Executive Council shall be the agency through which the general administration and executive functions of OCA shall be conducted. The OCA Executive Council shall act as the liaison between OCA, the Branch Divisions, Branch Chapters, and ACA.

The OCA Executive Council shall maintain, update, and assure compliance with the procedures manual entitled: OCA State Executive Council Operating Procedures (OSECOP).

The President of OCA shall be the chairperson of the Executive Council.

Roberts Rules of Order, Revised, as interpreted by the Parliamentarian, shall prevail in all matters of OCA business except where inconsistent with OCA Bylaws, which would then take precedence.

### Section 2 MEMBERSHIP IN THE OCA EXECUTIVE COUNCIL

The OCA Executive Council shall be composed of:

- a. The officers of OCA, which include: President, President-Elect, Secretary, Treasurer, and Past-President. All elected members of the OCA shall be members of the ACA.
- b. One representative from each OCA Division.
- c. One representative from each OCA Chapter.
- d. Committee Chairpersons.

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- e. Parliamentarian.
- f. One Student Member elected by OCA Student Members.

All elected officers (including elected board members) are required to be members in good standing of ACA.

If the representative from a Branch Division or Branch Chapter resigns or is otherwise unable to fulfill his/her duties on the OCA Executive Council, the Branch Division or Branch Chapter shall be entitled to select a replacement.

### Section 3 VOTING MEMBERS OF THE OCA EXECUTIVE COUNCIL

Of those OCA Executive Council members listed above in Article V, Section 2, voting members of the Executive Council include:

- a. President, President-Elect, and Past-President
- b. One representative from each OCA Division
- c. One representative from each OCA Chapter
- d. One Student Member elected by the Student Membership.

Committee Chairpersons, Parliamentarian, Secretary, and Treasurer are non-voting members of the OCA Executive Council. Student members (other than the elected student representative in 3d) do not have voting rights on the OCA Executive Council.

### Section 4 MEETINGS

The OCA Executive Council must conduct a minimum of four meetings per fiscal year and one annual meeting for the general membership. These meetings can be face to face or via phone/technology. A majority of the voting members of the Executive Council shall constitute a quorum.

## **ARTICLE VI Officers**

### Section 1 OFFICER LIMITATIONS

The officers of OCA shall be President, President-Elect, Past-President, Secretary, and Treasurer. No officer of the OCA except for the Past-President may concurrently be an elected officer of a OCA/ACA Division or OCA/ACA Chapter.

### Section 2 ELECTIONS

All officers shall be elected at large from among Professional and Retired members of OCA except for the Secretary, who shall be appointed by the President. The Treasurer shall be appointed by the President for a two-year term with the guidance of the Finance Committee and the approval of the OCA Executive Council. The Secretary shall be appointed by the President and shall serve a one-year term.

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### Section 3 OFFICER TERMS

Each of the officers, with the exception of Treasurer, shall serve a one-year term, which shall coincide with the fiscal year.

### Section 4 PRESIDENT

The President-Elect shall automatically become President, and the President shall become Past-President of OCA at the end of the fiscal year.

### Section 5 VACANCIES

In the event of a vacancy in the office of President, the President-Elect shall complete the term of President as well as his/her own term. A new President-Elect will be elected per Article VIII. In the event of the resignation, death, or incapacitation of any other officer other than President, the OCA Executive Council shall appoint a member to fill the remainder of the term of office within 30 days. In the event of a vacancy in the office of Treasurer, the books are to be turned over to the chairperson of the Finance Committee who shall see that the books are audited within a reasonable time by a CPA.

### Section 6 DUAL ROLES

No OCA officer except the Past President may concurrently be an elected officer of a State Division or Charter Chapter.

## **ARTICLE VII Duties of Officers**

### Section 1 PRESIDENT'S DUTIES

It shall be the duty of President to preside at meetings, to call special meetings, and to appoint all committees not otherwise provided for in the OCA Bylaws. The President shall be a non-voting, ex-officio member of all committees. The President represents the OCA at all ACA, All Ohio Counselors Conference (AOCC), and other official events and meetings.

### Section 2 PRESIDENT-ELECT'S DUTIES

In the absence of the President, the President-Elect shall perform the duties of the President. The President-Elect shall be OCA Convention Chairperson or Co-Chairperson and shall become familiar with the work of OCA in preparation for the presidency.

The President-Elect, with the Executive Director, shall develop a proposed budget for his/her term of office. The budget shall be presented to the OCA Executive Council for approval at the last OCA Executive Council meeting preceding the President-Elect's term of office.

The President-Elect shall present a list of proposed committees and chairpersons for OCA Executive Council approval at the last meeting preceding his/her term of office.

### Section 3 SECRETARY'S DUTIES

The Secretary shall record all official proceedings of OCA and the OCA Executive Council. Copies of the Official proceedings of OCA and the OCA Executive Council meetings shall be provided

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electronically to all members of the OCA Executive Council, then uploaded or saved to the OCA electronic archives.

### Section 4 TREASURER'S DUTIES

The Treasurer shall receive, deposit, and disburse all money belonging to OCA. He/she shall keep an account of all receipts and expenditures, and present, in writing, a financial report at each OCA Executive Council meeting that includes a budgetary analysis and an itemized account of every expenditure during the period since the preceding OCA Executive Council meeting.

Only the President, Treasurer, and Executive Director shall be able to write checks or use a debit card on OCA accounts.

The Treasurer shall present, in writing, a summary financial report at the end of each fiscal year. Copies of each Treasurer's report and the audit shall be turned over to the chairperson of archives at the end of each fiscal year. On the first day of the new fiscal year, the Treasurer shall post to electronic archives all records and turn over all paper records to the Executive Director for tax and audit purposes.

### Section 5 PAST-PRESIDENT

The Past-President shall serve as chairperson of the Nominations and Elections Committee (in accordance with Article IX, Section 1, m shall serve as an advisor to the President, and serve as advisor to the OCA Chapters and Divisions.

### Section 6 COMPENSATION

No officer or member of the OCA Executive Council shall receive compensation for their services on behalf of the OCA. The OCA Executive Council may authorize payment of expenses for OCA Officers for travel, food, and lodging incurred for official OCA meetings or business. Committee chairs and members are not compensated or reimbursed; Chapter and Division representatives may be reimbursed by their groups.

## **ARTICLE VIII Nominations and Elections**

### Section 1 ELECTIONS

Professional, Retired, Lifetime, Legacy, and Student Members may vote in all elections.

The President-Elect of OCA shall be elected annually by ballot from among those holding Professional and Retired membership in OCA. The Treasurer shall be appointed for a two-year term. The Student Representative shall be elected to a two-year term by a ballot from the current student membership. The Secretary shall be appointed for a one-year term by the President. The Nominations and Elections Committee shall function in accordance with the provisions of Article IX, Section 1, m, and present the final slate of officers to the OCA Executive Council



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### Section 2 MEMBERSHIP REQUIREMENT

Candidates for an office must be members of ACA and OCA at the time they are nominated. Student members can only hold the office of Secretary.

### Section 3 VOTING

The election procedures shall be published with the ballot. All voting will be conducted electronically, with the election form being placed on the secure website. Members will have a two-week period in which to cast their votes. Members who wish to cast their ballots via postal mail may request a hard copy of the ballot from the Nominations and Elections Committee Chair. All election results shall be disseminated through the President and shall be announced before the ACA Convention.

## **ARTICLE IX Committees**

### Section 1 STANDING COMMITTEES

The standing committees/chairs/liasons shall consist of the following: Awards, Bylaws, Ethics, Finance, Government Relations, Journal of Counselor Practice, Leadership Development, Media & PR, Membership, Nominations and Elections, OCSWMFT Board Liaison, Political Action, Professional Development, Graduate Student, and Diversity, Equity, Inclusion, and Cultural Dignity (DEICDC). All standing committees shall operate in accordance with procedures as specified in the OCA State Executive Council Operating Procedures (OSECOP). Other than those specified below, all Chair positions are appointed by the President.

- a. The Awards Committee will honor OCA members at the AOCC and other OCA events.
- b. The Bylaws Committee will periodically review the OCA Bylaws for updates and changes to meet the needs of the Association and its members. This position also acts as Parliamentarian.
- c. The Ethics Liaison shall process complaints of alleged violations of the ethical standards of association members (refer to Article II, Section 5 Severance of Membership). In the event that an OCA member is charged with a violation, the Ethics Liaison shall convene a committee to review the violation. This committee shall be comprised of the Presidents (or their respective designees) from each of the Branch Divisions. The Ethics Liaison also will be responsible for educating members of evolving ethical and legal standards.
- d. The Finance Committee will assist the Treasurer with monthly reporting including Chapter and Division dues calculation.
- e. The Leadership Development Committee will help recruit volunteers for committee placement with future goals of Chair and Officer positions.
- f. The Government Relations Committee shall be concerned with matters of government activities at all levels. They shall seek opportunities to promote local, state, and national legislation that will aid the work of OCA and promote counseling.
- g. The Journal of Counselor Practice Committee will manage this publication including solicitation of submissions, editing, and dissemination of the final product. This position is allowed funding at the President's discretion for editing, design and layout, and Crossref membership.
- h. The Leadership Development Committee's charge is to identify students, and new and seasoned counselors who have leadership interest and potential, and to support them in developing

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leadership skills that will help them support the counseling profession and consumers of counseling services.

i. The Media & PR Committee shall promote OCA's presence and professional counselors' interests in a variety of media outlets.

j. The Membership Committee shall recruit new members and initiate efforts to increase OCA membership and onboarding of student to professional membership. This Committee will work with the Executive Director to create membership drives and increase membership numbers.

k. The Nominations and Elections Committee shall be composed of the immediate Past-President who shall serve as chairperson and the President of each Branch Division. In the event that the Past-President cannot serve, the President shall designate one of the members of the committee to serve as chairperson. The Nominations and Elections Committee shall include the preparation of a slate of no more than two candidates for the office of President-Elect.

If a member of the committee becomes a candidate, that member shall automatically resign from the committee and be replaced by a new member appointed by the President.

l. The OCSWMFT Liaison will represent the OCA on the OCSWMFT Board, attend all meetings and report back to the OCA Executive Counsel.

m. The Political Action Committee (PAC) Chair shall assist the OCA Lobbyist with fundraising for our PAC. These funds will be used for lobbying efforts for Ohio Counselor concerns.

n. The Professional Development Committee (PDC) reviews and approves CE hour requests submitted by the leadership of Ohio Counseling Association (OCA) divisions, chapters and committees. The PDC does not review nor award CE approval for any other entities or individuals. Committee members participate in a review process for each request. OCA is an approved CE provider with the Counselor, Social Worker and Marriage and Family Therapist Board. The Chair of the PDC is the licensed counselor on record with the CSWMFTB for OCA to approve counselor CE's. The PDC may additionally approve CE's for Social Workers and Marriage and Family Therapists by having a CSWMFTB approved licensed Social Worker and licensed Marriage and Family Therapist as ad hoc members of the committee.

o. The Graduate Student Committee will recruit and represent graduate student members of the OCA. Additional duties are to solicit poster sessions and presentation proposals for the Spring and Annual Conferences and host a welcome reception for Grad Students at AOCC.

p. The Diversity, Equity, Inclusion, and Cultural Dignity Committee (DEICDC) serves to benefit all OCA members and the broader community without the need to "opt-in" as one would an OCA division or chapter. The DEICDC is a steering committee of the OCA that plans to engage in community outreach and annual assessment of OCA members' needs for DEICD-related programs and events. Additionally, the committee aims to continue promoting an inclusive and equitable environment to strengthen creative collaboration, understanding, and meaningful dialogue among OCA divisions, chapters, general members and beyond.

### Section 2 COMMITTEE SIZE

Each committee, with the exception of the Nominations and Elections Committee, shall be comprised of 3-6 members including one chairperson. Each year, 1-2 committee members will be appointed by the President to serve on each committee for a term of three years. The President also shall appoint, from among current or incoming committee members, a committee chairperson

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to a term of one year with the approval of the Executive Council. A committee chair may be reappointed for up to two, one-year terms. At the President's discretion, he or she may assign two committee members to serve as co-chairs of a committee in a given year.

### Section 3 TASK FORCE

The President may establish a task force convening for no more than one year in order to fulfill specific needs of the OCA. A task force shall be comprised of members appointed by the President with the approval of the OCA Executive Council.

### Section 4. REMOVAL OF OFFICERS

Any elected officer may be removed from office upon a vote of a majority of the Executive Council members currently in office, whenever the Executive Council members' believe the best interest of the Association would be served thereby. Executive Council members will be given at least ten days' notice of the proposed removal and the Officer in question has the opportunity to personally address the Executive Council prior to the vote to remove. Any officer appointed by the President may be removed by the President in consultation with the other OCA officers when it is deemed to be in the best interest of the OCA.

### **ARTICLE X Amendment to Bylaws**

The OCA Executive Council may adopt such amendments as are deemed necessary for the management of the OCA. Any amendments thus adopted shall be consistent with the Bylaws of ACA and are subject to review and approval of the ACA Governing Council.

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### Section 1 APPROVAL BY EXECUTIVE COUNCIL

The OCA, represented by the OCA Executive Council, may adopt changes to the Bylaws as deemed necessary by the Bylaws Committee and OCA Officers. Any amendments must abide by the Bylaws of the ACA and must support the mission of the OCA. Amendments may be challenged by a quorum of 10 OCA Professional Members.

### Section 2 AMENDMENTS

Amendments may be initiated by (a) the Executive Council, (b) a group of Professional or Retired members who submit a request in the form of a petition signed by at least 10% of the current Professional membership, or (c) the Bylaws Committee.

### Section 4 ADOPTION

Amendment(s), if approved by a majority of Executive Council voting members and approval/acceptance by the ACA Governing Council, shall then be adopted go into effect following these approvals.

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**ARTICLE XI Fiscal Year**

The fiscal year of OCA shall be from July 1 through June 30.

**Annual Meeting**

The annual meeting shall be held during the AOCC in November of each year.

Amended May 2021  
Amended August 2019  
Amended: May 2019  
Amended: June 2017