

**By-Laws
Of
The Maryland School Counselor Association
Revised April, 2015**

Article I: Names and Purposes

Section 1: The name of the association shall be the Maryland School Counselor Association (MSCA), a division of the American School Counseling Association. MSCA is the chartered organization by ASCA to advocate for school counseling in our state.

(Vision Statement) The Maryland School Counselor Association creates a network of support for school counselors by providing professional and leadership development, outreach, and advocacy. MSCA promotes academic, career and social-emotional maturity to ensure that all students are prepared for college and career readiness in a global society.

Section 2: The mission of the Maryland School Counselor Association is to promote excellence in the profession of school counseling and to foster the full potential of all students regarding academic, career and social-emotional growth.

Section 3: The purpose of the Association shall be:

- a. To foster a professional relationship among school counselors in all settings.
- b. To advance the profession of school counseling in order to maximize the educational/academic, career development, and the social-emotional growth of each student.
- c. To improve the standards of school counseling and the relationship with other pupil personnel services for students in elementary, middle/jr. high, high, and post secondary settings.
- d. To assume an active role in helping people understand and improve such services.
- e. To develop, implement, and/or foster student interest in school-to-career programs.
- f. To publish and promote scientific, educational, and professional materials relative to school counseling.
- g. To foster collaborative relationships with stakeholders.
- h. To endorse human rights and the just treatment due to persons on the basis of their human dignity with equal access under the law to persons regardless of gender, age, handicap, ethnicity, religion or sexual preference.
- i. To establish and promote ethical standards for school counselors.
- j. To educate the school counselors, students, related professionals, and the general public regarding issues of mental health, career education, academic development, and social-personal growth, as well as the school counselor's role in these areas of student development.
- k. To develop particular emphasis in the area of charitable and educational activities designed to assist and further the interests of state school students,

school counselors, the public and local, state and federal government and promote legislation and policy work of the school counselors and educational programs.

Article II: Membership

Section 1: Membership is open to all school counselors in the state of Maryland, including retired school counselors and other professionals committed to school counseling. Membership is also encouraged in the American School Counselor Association and local school counseling organizations.

Section 2: Persons engaged in or interested in school counseling may become a member of this Association as outlined in the Bylaws. Membership categories include professional, student, retired, and affiliate. Professional membership includes persons serving as school counselors, school counselor supervisors, and counselor educators. Student membership will include those persons enrolled in an accredited school counseling graduate program. Retired counselors wishing to maintain their professional ties may join the association as a member. Affiliate members are those persons who support and advocate for professional school counselors.

Section 3: A person whose dues are paid is a member in good standing and shall be entitled to vote, to attend meetings, and to participate in activities of the Association. Association dues will be set annually by the executive board of MSCA by vote at the meeting where the budget is approved.

Section 4: A membership may be revoked from the Association for conduct that in any way tends to injure the Association or to affect adversely its reputation or which is contrary to or destructive of its objectives. A membership may be revoked for non-payment of dues. No member may be eliminated without an opportunity to be heard.

Providing member contact information to for-profit sponsors

Article III: Officers

Section 1: Officers and Terms of Office

- a. The officers shall be: President, President-Elect, Immediate Past President, Secretary, Treasurer, and four level Vice Presidents (elementary, middle/jr. high, high, and post secondary).
- b. The term of office for any elected official shall coincide and equal two fiscal years of this Association except for the president, president-elect, and immediate past president who shall serve one-year terms.
- c. All officers and school level vice-presidents shall be elected by and from at large members of the Maryland School Counselors Association.
- d. The four level vice-presidents shall be responsible for generating interest and activities within the four settings: elementary, middle/jr. high, secondary, and

post secondary. A person elected as a vice-president shall be employed as a counselor in the work setting to be represented when elected.

Section 2: Nominations and Elections

- a. The president-elect shall be elected annually.
- b. The school level vice-presidents, secretary and treasurer and secretary shall be elected every two years with the elementary and high vice-presidents elected alternate years of middle/jr. high, and post secondary vice-presidents.
- c. In order to be eligible to hold the office of President-elect, President or Past President, the person must be a member of the American School Counselor Association.
- d. In order to be elected to office a candidate must be a member of MSCA in good standing and eligible to work as a school counselor in Maryland.

Specify dates

Section 3: Duties

The president shall be the chief elected officer of the Association, shall preside at all meetings of the Association and shall preside at all meetings of the Executive Board, shall appoint the chairs of all committees, and shall be ex-officio member of all committees, except the Nominations and Elections Committee. The president or their designee shall be a Maryland School Counselor Association delegate to the American School Counselor Association Delegate Assembly.

- a. The immediate past president shall perform the duties of the president in the absence or incapability of the president.
- b. The president-elect shall serve as the Chair of the Program Committee.
- c. The secretary shall record all proceedings of the Association and shall handle correspondence as directed by the president. The secretary must maintain a written or electronic record of the meetings of the organization and have those available for review. The records must also be archived and passed on after each term of office.
- d. The treasurer shall submit current financial statements at all board meetings and a complete financial report at the end of the fiscal year, and shall perform other duties as directed by the president with the approval of the Executive Board. The May report shall be emailed to all members of the MSCA Executive Committee. The treasurer will present the approved budget at that general meeting to occur at the Annual Conference.
- e. The immediate past president shall serve as chairperson of the Nominations and Elections committee and assume such other responsibilities recommended by the president and approved by the majority of the Executive Board.
- f. Each level vice presidents shall serve as spokesperson for the policies and procedures of MSCA to counselors at their particular level. This person shall also be coordinator of interest level meetings within the time allotted to the MSCA conference.

- g. In the event the president shall resign or be unable to complete the term, the immediate past president shall assume the position of president until the next election.
- h. In the event that the president-elect shall resign or be unable to complete the term, executive board will appoint a replacement for the remainder of the term.

Section 4: Compensation and Expenses of Officers

- a. None of the officers of the Association shall receive any compensation for their services to the Association.
- b. Necessary travel expenses of elected officers to conventions shall be determined and approved by the Executive Board.
- c. No part of net earnings of MSCA shall inure to the benefit of or be distributed to its members, directors, officers, or other private persons.

Article IV: The Executive Board

Section 1: Composition

- a. The Executive Board shall be comprised of the president, president-elect, secretary, treasurer, immediate past president, the four level vice-presidents (elementary, middle/jr. high, secondary, and post secondary) and the chairpersons of committees and county representatives.

Section 2: Functions of the Executive Board

- a. Formulation and approval of policy within the provisions of the Constitution and By-Laws of the Association.
- b. Formulations of policies for executive action and the direction of their implementation.
- c. Execution of the Association business between general meetings.
- d. Decision-making or referral to appropriate groups for decisions on items of major importance to the Association.
- e. Elections will be held in the spring of each year. The membership will vote via electronic communication or postal mail. The chair of the nominations and elections committee will submit a slate of candidates to the executive board at the early spring meeting for approval. The board will approve the slate of candidates by vote.
- f. Hold an annual meeting at the Conference each year in order to update membership on the status of the organization. In the event that the annual meeting cannot occur at the Conference the board will email or postal mail membership after the Conference date.

Section 3: Meetings of the Executive Board

- a. The Executive Board shall meet often enough to carry on the business of the Association. The meetings shall be held at such a time and place as designated by the president.
- b. The Executive Board must have a quorum of not less than one-half of the members on the board to carry on the business of the Association.

Article V: Committees

Section 1: Committees of the Association, both standing committees and special committees may be created to promote the purposes of the Association and shall consist of members of the Association. Standing committees are those committees that the organization must have to do the business of the organization. All special committees will be established by receiving a quorum of votes by the executive board. Their number, jurisdiction, method of selection and tenure shall be determined in accordance with the Constitution and By-Laws.

- a. Ethics- This committee shall be charged with the responsibility of reviewing the Ethical Standards of the Association and assist the membership in understanding ethical practices. I think that we have to have this committee but in all honesty it does not function
- b. By-Laws- This committee is charged with reviewing the by-laws of the Association on an annual basis and making recommendations to the Executive Board as appropriate.
- c. Program- This committee shall make all arrangements for the Association meetings. This responsibility shall include suitable facilities and arrangements and preparations for the professional aspect of the meeting.
- d. Membership- the Membership Committee shall be responsible for the major membership work of the Association and for the coordination of membership activities of the Association.
- e. Nominations and Elections- the Nominations and Elections Committee shall be in charge of conducting fair nominations and election procedures for electing officers of the Association. The immediate past president shall be chairperson of this committee.
- f. Archives- This committee shall establish and maintain the archives of the association.
- g. Public Relations the Public Relations Committee shall seek in every way possible to maintain and improve the image of the Association as seen by the general public, by members of this and other professional associations.
- h. Government Relations - This committee shall promote legislation consistent with the purpose of the association.
- i. Independent Schools- This committee shall promote, encourage and represent school counselors serving in independent schools.
- j. Awards—this committee shall coordinate the nominations and selections for Maryland School Counselor of the year. In addition they will organize the awards event..
- k. Regional Representatives – Each region will have one representative in order to communicate regional needs to the board. The regions will be grouped as follows:
 - a. Western Region (Garrett, Allegany, Washington, Frederick Counties)
 - b. Southern Region (Charles, Calvert, St. Mary's Counties)
 - c. Eastern Region (Cecil, Kent, Queen Anne's, Caroline, Talbot, Dorchester, Wicomico, Worcester, Somerset Counties)

- d. Northern Region (Harford, Baltimore, Carroll Counties, Baltimore City)
- e. Central Region (Prince George's, Anne Arundel, Montgomery, Howard Counties)
- l. Graduate Student Representative

Article VI. Indemnification

Section 1. The association shall indemnify each member of the executive board and each of its officers, as described in Article V for the defense of civil or criminal actions or proceedings as hereinafter provided, and notwithstanding any provisions in these bylaws, in a manner and to the extent permissible by applicable law.

Section 2. The Association shall indemnify each of its officers, as aforesaid, from any and against any and all judgments, fines, amounts paid in settlement, and reasonable expenses, including attorney's fees, actually and necessarily incurred or imposed as result of such action or proceedings, or upon appeal therein, imposed upon or asserted against him or her by reason of being or have been such an officer and acting within the scope of his or her official duties, but only when the determination shall have been made judicially or in the manner hereinafter provided that he or she acted in good faith for the purpose in which he or she reasonably believed to be in the best interests of MSCA and in the case of criminal action or proceeding, in addition, had no reasonable cause to believe that his or her conduct was unlawful. This indemnification shall be made only if the Association shall be advised by its Executive Board action (1) by quorum consisting of Executive Board members who are not parties to such section or proceedings upon a finding that, or (2) if a quorum under (1) is not obtainable with due diligence, upon the opinion in writing of independent legal counsel that, the Executive Board or its officer has met the foregoing applicable standard of conduct. If the undergoing determination is to be made by the Executive Board, it may rely as to all questions of law on the advice of independent legal counsel.

Section 3. Every reference herein to a member of the Executive Board or officer of the Association shall include every member and officer thereof or former member and office thereof. This indemnification shall apply to all judgments, fines, amounts in settlement, and reasonable expenses described above whenever arising allowable as above-stated. The right of indemnification herein provided shall be in addition to which any MSCA member or officer might otherwise be entitled and the provisions hereof shall neither impair nor adversely affect such rights

Article VII: Amendment of the By-Laws

Section 1: Adoption and Amendment. By-Laws shall be adopted or amended by a two-thirds vote of members in good standing at a business meeting, or by two-thirds vote of returned email or mail ballots as conducted for general elections of MSCA officers.

Section 2: Proposal and Adoption of Amendments. The By-Laws may be adopted or amended by either of the following methods:

- a. Amendments submitted prior to a regular business meeting may be voted on at the next regular business meeting.
- b. Amendments may be proposed at one business meeting and voted upon at the next regular business meeting.
- c. By-Laws may be adopted or amended by email or mail ballots with two-thirds of voting members returned ballots indicating approval.

Section 3: Suspension of the By-Laws. The By-Laws may be suspended by two-thirds vote of the members present at a business meeting. The proposal must be submitted to the entire membership thirty (30) days prior to the business meeting at which the change is considered.

Article VIII: Rules of Order

Section 1: Robert's Rule of Order, as from time to time amended, shall govern the proceedings of the Association not otherwise specified in the By-Laws.

There should be an article addressing financial responsibilities.