



WEST VIRGINIA
SCHOOL
COUNSELOR
ASSOCIATION

West Virginia School Counselor Association
Revised 2021

Table of Contents

ARTICLE I: NAME AND MISSION	1
ARTICLE II: MEMBERSHIP.....	1
ARTICLE III: WVSCA OFFICERS AND GOVERNING BOARD	2
ARTICLE IV: APPOINTED POSITIONS AND DUTIES	5
ARTICLE V: OPERATIONAL STRUCTURE	6
ARTICLE VI: BUSINESS AFFAIRS OF THE ASSOCIATION	7
ARTICLE VII: ADDITIONAL PROFESSIONAL AFFILIATIONS.....	7
ARTICLE VIII: INDEMNIFICATION.....	8
ARTICLE IX: AMENDMENTS AND REVISIONS OF BYLAWS.....	8

ARTICLE I: NAME AND MISSION

ARTICLE I, SECTION 1. The name of the Association shall be the West Virginia School Counselor Association (WVSCA). WVSCA is a division of the American School Counselor Association (ASCA).

ARTICLE I, SECTION 2. WVSCA is a non-profit corporation that expands the image and influence of professional school counselors. WVSCA empowers professional school counselors with the knowledge, skills, linkages, and resources to promote student success in the school, the home, the community, and the world. The mission of WVSCA shall be to represent professional school counselors and to promote professionalism and ethical practices.

ARTICLE II: MEMBERSHIP

ARTICLE II, SECTION 1. Types of Membership. This Association shall include four types of membership: Professional, Retired, Student, and Affiliate.

ARTICLE II, SECTION 2. Requirements of Membership. To qualify for one of the four types of membership, the following requirements must be met for each category of membership being sought:

II-2a. Professional Membership. School counseling professionals who are certified by the West Virginia Department of Education or hold a master's degree or higher in counseling or the substantial equivalent and meet the requirements set forth in WVSCA policies that address membership are eligible for Professional membership and shall receive all the rights and privileges as set forth in WVSCA policies.

II-2b. Retired Members. School counseling professionals in retirement who were Professional members are eligible for Retired membership and shall maintain all the rights and privileges of Professional membership as set forth in WVSCA policies.

II-2c. Student Membership. Students who are pursuing a post-secondary degree in counseling or the substantial equivalent at an institution of higher education in West Virginia and have an interest in school counseling are eligible for student membership. Student membership may be maintained for any period during which the student is enrolled as a full-time student in an institution offering an advanced degree in counseling. Student members shall receive all the rights and privileges as set forth in WVSCA policies.

II-2d. Affiliate Membership. This membership classification shall be established and defined by the WVSCA Governing Board to accommodate membership under rules and regulations not contained in other membership categories. Affiliate members shall receive all the rights and privileges as set forth in WVSCA policies.

ARTICLE II, SECTION 3. Dues. Dues for all categories of membership shall be established in accordance with WVSCA policies that address membership with final approval of the Governing Board.

ARTICLE II, SECTION 4. Rights and Privileges.

II-4a. All members shall receive the rights and privileges accorded their membership categories. Professional, Retired, and Student members may vote on all matters coming before the Association, shall be eligible to hold office in the West Virginia School Counselor Association, and shall be eligible to serve on the Governing Board of WVSCA.

II-4b. Governing board members must be active members of ASCA (paid for by the WVSCA).

ARTICLE II, SECTION 5. Severance of Membership. Association members may be dropped from membership for nonpayment of dues. The Association may initiate its own disciplinary action against members for unethical practices or other conduct that discredits the Association or the school counseling profession.

ARTICLE II, SECTION 6. Nondiscrimination. The West Virginia School Counselor Association does not knowingly engage in or support activities that discriminate on any basis as addressed in the American School Counselor Association's Ethical Standards for School Counselors.

ARTICLE III: WVSCA OFFICERS AND GOVERNING BOARD

ARTICLE III, SECTION 1. Officers. The officers of WVSCA shall be the Immediate Past-President, President, President-Elect, President Elect-Elect, and Secretary (if elected). These officers shall comprise the Executive Committee. If necessary, the Past-President will also serve in the role of Treasurer.

ARTICLE III, SECTION 2. Powers and Functions.

III-2a. The Governing Board shall conduct the governance of WVSCA but shall not take any action contrary to bylaws adopted by the membership.

III-2b. The Governing Board has the authority to create policies to carry out the mission of WVSCA.

III-2c. The Executive Committee shall act for the Governing Board during intervals between meetings but within limits of any decisions or policies adopted by the Governing Board.

ARTICLE III, SECTION 3. Governing Board Members and Terms of Office.

III-3a. The voting members of the Governing Board of WVSCA shall consist of the Immediate Past-President, President-Elect, President Elect-Elect, Secretary, and Standing Committee Chairpersons.

III-3b. The President shall serve a one-year term of office immediately following the term as President-elect. They shall serve as Immediate Past-President for one year following the expiration of the presidential term.

III-3c. The President-Elect shall be elected by the general membership to serve a one year term as President Elect, one year as President and one year as Immediate Past-President.

III-3d. The Secretary may serve concurrent terms; however, he/she must be elected annually by the general membership.

III-3e. The term of office for any elected officer shall begin or end following the most recent annual board meeting of the majority of the general membership.

III-3f. Those who fully complete the executive board leadership term (President Elect-Elect, President-Elect, President, and Past-President [as applicable]) will receive lifetime memberships to the WVSCA.

ARTICLE III, SECTION 4. Nominations and Elections of Governing Board Members.

III-4a. The President-Elect-Elect and the Secretary shall be elected annually.

III-4b. To be eligible for any elective office, one must be a member of WVSCA.

III-4c. The Nominations and Elections Committee, chaired by the Immediate Past President, shall conduct elections according to WVSCA policies that address nominations and elections.

III-5d. The Nominations and Elections Committee shall consist of the number of members determined by the chairperson.

III-4e. A list of candidates shall be provided, if possible, for each elective office. This list of candidates shall be communicated to the membership at least 30 days in advance of the election if multiple candidates are being considered.

III-4f. A list of candidates will be presented at the Annual Meeting of the Association to be held in conjunction with the Conference. A vote shall take place immediately following the closure of nominations by closed ballot (in the case of multiple candidates), or by a show of hands in the case of a single candidate, for any office. All eligible WVSCA members in good standing may vote.

ARTICLE III, SECTION 5. Duties of Governing Board Members

III-5a. The President shall serve as the presiding officer of WVSCA in accordance with WVSCA policies that address governance. If the position of Treasurer is required, the President shall authorize the Treasurer to pay bills within the limits of the budget between meetings of the Governing Board and serve as an ex officio member, without vote, on all committees except the Nominations and Elections Committee.

III-5a.1. The President shall appoint all committees and committee chairpersons. The President shall have the power to appoint, with Board approval, any member to act in his/her stead as representative of the Association in any organization or coalition to which the Association is allied.

III-5b. The President-Elect shall serve as the presiding officer in the President's absence in accordance with WVSCA policies that address governance. The President-Elect shall maintain

a list of county contacts (one per county) that serve as communication links to all school counselors in their respective counties.

III-5c. The Immediate Past President shall serve as the presiding officer in the absence of the President and the President-Elect in accordance with WVSCA policies that address governance. The Immediate Past President shall serve as Chairperson of the Nominations and Elections Committee.

III-5c. The President-Elect-Elect (if elected) shall be responsible specifically for generating interest and activities within the respective work settings in which school counselors serve as defined by the President. The President Elect-Elect shall chair the membership committee.

III-5d. The Secretary shall record and report all official proceedings of the Association and its' Governing Board.

ARTICLE III, SECTION 6. Meetings.

III-6a. The Governing Board shall meet at least quarterly. Meetings of the Governing Board may be called by the President or by majority vote of the Board.

III-6b. Voting members of the Governing Board present at the meeting will constitute a quorum.

III-6c. Each member of the Governing Board shall have one vote, with the exception of the president who shall vote only in the event of a tie. Decisions of the Governing Board shall be made by a simple majority vote except in cases involving issues that require a greater majority, as defined in these Bylaws and WVSCA policies that address governance.

ARTICLE III, SECTION 7. Vacancies.

III-7a. In the event of a vacancy in the office of President, the President-Elect assumes the office of President.

III-7b. In the event of a vacancy in the office of President-Elect the President Elect-Elect will assume the office of President-Elect. If there is a vacancy in the office of President Elect-Elect, the Governing Board shall appoint the runner up of the immediate past President-Elect-Elect election to serve out the term of office or if this is not available, appoint the Past-President to fill the unexpired term until the next regular election where a President Elect-Elect shall be nominated and elected by the membership.

III-7c. In the event of a vacancy in the office of the Immediate Past-President, the most recent Past- President may be asked to complete the unexpired term. If the Past-President chooses not to complete the term or if the Governing Board chooses not to fill the vacancy, the Governing Board shall appoint a chair of the Nominations and Elections Committee and the Past-President position shall be vacant for the remainder of the unexpired term.

III-7d. The Governing Board shall have the authority to fill any vacancy for which there are no other provisions.

ARTICLE III, SECTION 8. Removal from Office. An elected officer or member of the Governing Board may be removed from office, for cause, by a two-thirds majority vote of the full Governing Board. At the discretion of the Governing Board, a due process committee may be appointed to review all charges and make recommendations. This committee shall complete its assignment and submit a final report within 30 days after appointment.

ARTICLE III, SECTION 9. Representation and Reimbursement of Expenses.

III-9a. The President shall be the first delegate to any national convention or assembly at which this organization is represented and shall act as first representative to ASCA and any other organization or coalition with which the Association is associated. Expenses incurred (including prepaid expenses) while acting as a WVSCA representative to any such event shall be reimbursed, when funds are available, as determined by the Governing Board, according to IRS standard reimbursement.

III-9b. The President-Elect shall be the second delegate to any national convention or assembly at which the organization is represented and shall act as second representative of ASCA and any other organization or coalition with which the Association is associated. Expenses incurred (including prepaid expenses) while acting as a WVSCA representative to any such event shall be reimbursed, when funds are available, as determined by the Governing Board, according to IRS standard reimbursement.

III-9c. When funds are available, as determined by the Governing Board, a portion of expenses for the President Elect-Elect, may also be used for participation in any national convention or assembly at which the organization is represented and shall act as an additional representative of ASCA and any other organization or coalition with which the Association is associated.

III-9c. Governing Board members are required to attend all Governing Board meetings and other functions in accordance with WVSCA policies that address governance. Expenses incurred while acting as a member of the WVSCA Governing Board will be reimbursed, when funds are available, as determined by the Governing Board, according to IRS standard reimbursement.

ARTICLE IV: APPOINTED POSITIONS AND DUTIES

ARTICLE IV, SECTION I. Treasurer.

IV-1a. The Past-President shall serve as Treasurer, if required, with Governing Board approval.

IV-1b. If the position of Treasurer is filled, they shall receive all funds belonging to the Association, deposit all receipts in the depository designated by the Governing Board, keep an account of all receipts and expenditures, and present in writing a financial report at the end of the fiscal year and at any other time as requested by the President or the Governing Board. The Treasurer shall prepare the account for audit annually and serve as Chairperson of the Finance Committee.

ARTICLE IV, SECTION 2. Parliamentarian (optional).

IV-2a. The President shall appoint a Parliamentarian if so desired, with Governing Board approval, who shall serve a one year term. This term may be extended from year to year with Board approval.

IV-2b. The Parliamentarian shall perform appropriate duties at meetings of the Governing Board, general membership, and other official meetings.

IV-2c. The Parliamentarian shall see that proceedings are conducted according to Roberts Rules of Order, which is amended from time to time, except where these rules are inconsistent with WVSCA bylaws.

ARTICLE IV, SECTION 3. Historian/Social Media (optional).

IV-3a. The President shall appoint a Historian, with Governing Board approval, who shall serve a one-year term. This term may be extended from year to year with Board approval.

IV-3b. The Historian shall develop and maintain a historical record of the Association. If no Historian is appointed, the historical record will be maintained by the meeting minutes.

IV-3c. The Historian shall maintain social media accounts on behalf of the Association.

ARTICLE IV, SECTION 4. Additional Appointments. The Governing Board may appoint other positions as needed.

ARTICLE V: OPERATIONAL STRUCTURE

ARTICLE V, SECTION 1. Committees. WVSCA's committees shall be appointed by the President to accomplish specific tasks within specific timeframes.

ARTICLE V, SECTION 2. Standing Committees. The standing committees shall be:

V-2a. Annual Conference. The Annual Conference Committee develops and plans the annual conference. The president-elect shall chair the conference committee.

V-2b. Awards and Recognition. The Awards and Recognition Committee considers nominations for exemplary service by individuals who promote, deliver, or support school counseling services.

V-2c. Bylaws. The Bylaws Committee annually reviews the Bylaws of the Association and makes recommendations for revisions to the Governing Board.

V-2d. Ethics. The Ethics Committee reviews ASCA's Ethical Standards and assists the membership in understanding ethical practices.

V-2e. Finance. The Finance Committee develops a budget for consideration, revision, and eventual adoption by the Governing Board. The Finance Committee shall also be responsible for the annual audit. The Treasurer shall chair the finance committee.

V-2f. Government Relations. The Government Relations Committee works with government officials to educate and improve the flow of communication so that the needs of professional school counselors and their students can be more easily understood.

V-2g. Human Relations. The Human Relations Committee works to improve the understanding of tolerance as a part of our profession.

V-2h. Membership. The Membership Committee recruits new members and maintains current membership and services for WVSCA and ASCA. The President Elect- Elect shall chair the membership committee.

V-2i. Nominations and Elections. The Nominations and Elections Committee develops policies for approval by the Governing Board and conducts elections in accordance with Article III, Section 4 of WVSCA Bylaws. The Immediate Past President shall chair the Nominations and Elections Committee.

V-2j. Public Relations. The Public Relations Committee serves to promote the image of the professional school counselor and professional school counseling services.

ARTICLE VI: BUSINESS AFFAIRS OF THE ASSOCIATION

ARTICLE VI, SECTION 1. Fiscal Year. The fiscal year shall begin July 1 and end the following June 30.

ARTICLE VI, SECTION 2. Finances. The Governing Board shall determine the method of financing the Association.

ARTICLE VI, SECTION 3. Annual Meeting. The annual business meeting of the Association shall be held in conjunction with the Annual Conference at a place designated by the Governing Board. Voting members of the Association present at the meeting shall constitute a quorum.

ARTICLE VI, SECTION 4. Property of the Association. In the event the Association should be dissolved, none of its property shall be distributed to any of the members. Instead, all of its property shall be transferred to the American School Counselor Association or another organization(s) as determined by the Governing Board to have purposes and activities most nearly consistent with those of the Association provided, however, that such organization(s) shall be non-profit.

ARTICLE VII: ADDITIONAL PROFESSIONAL AFFILIATIONS

ARTICLE VII, SECTION 1. The Governing Board may enter into association with other groups for the purpose of promoting the counseling profession in the State of West Virginia.

ARTICLE VII, SECTION 2. The President will represent the Association, along with any other Association members, as nominated by the President and approved by the Board, as shall be necessary to adequately represent the interests of the Association in conjunction with

membership in any alliance of professional counseling groups of which the Association is affiliated.

ARTICLE VII, SECTION 3. Any representative of the Association to another association is directly responsible to the President and the Governing Board. They may not enter into any substantive agreement or obligate the Association on a fiscal matter without the approval of the President and a majority vote of the Board.

ARTICLE VIII: INDEMNIFICATION

ARTICLE VIII, SECTION 1. The Association shall indemnify each member of the Governing Board and each of its officers, as described in Article III for the defense of civil or criminal actions or proceedings as hereinafter provided and, notwithstanding any provision in these Bylaws, in a manner and to the extent permitted by applicable law.

ARTICLE VIII, SECTION 2. The Association shall indemnify each of its directors and officers, as aforesaid, from 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 a result of such action or proceedings, or an appeal therein, imposed upon or asserted against him or her by reason of being or having been such a director or 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 which he or she reasonably believed to be in WVSCA's best interests 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 Governing Board acting (1) by quorum consisting of Governing 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 Governing Board or officer has met the foregoing applicable standard of conduct. If the undergoing determination is to be made by the Governing Board, it may rely as to all questions of law on the advice of independent legal counsel.

ARTICLE VIII, SECTION 3. Every reference herein to a member of the Governing Board or officer of the Association shall include every member and officer thereof or former member and officer 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 any and all rights to which any WVSCA member or officer might otherwise be entitled, and the provisions hereof shall neither impair nor adversely affect such rights.

ARTICLE IX: AMENDMENTS AND REVISIONS OF BYLAWS

ARTICLE IX, SECTION 1. Amendment. Amendments or changes in these bylaws may be made through the following procedure:

IX-1a. The Governing Board, the Bylaws Committee, or any member may propose amendments or revisions in writing to the Board.

IX-1b. The Governing Board shall review proposed amendments at least thirty (30) days prior to presentation to the membership for vote.

IX-1c. A copy of the proposed amendments shall be made available, by digital or hard copy, to each member of the Association at least ten (10) days prior to presentation for vote or, alternately, a ballot may be enclosed with the proposed amendments.

IX-1d. Voting on the proposed amendments shall be completed at the annual meeting, or by electronic or paper ballot. A simple majority of members voting shall be required for passage.

ARTICLE IX, SECTION 2. Publication. The Bylaws and the Policies of this Association shall be made available, in their entirety, to any member upon request.

Revised:

March 2003; March 2005; May 2006; February 17, 2009; November 13, 2015; December 10, 2021.