

Dakota Association for College Admission Counseling Bylaws

(Approved April 28, 2023)

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ARTICLE I. Name & Purpose

- A. The name of this organization is the Dakota Association for College Admission Counseling, also known as DACAC or Dakota ACAC.
- B. Dakota ACAC is a chartered affiliate of the National Association for College Admission Counseling (NACAC).
- C. DACAC is registered at PO Box 1204, Sioux Falls, SD 57101
- D. The Dakota Association for College Admission Counseling is committed to the coordination of activities related to college and career decision-making. A changing world through technological advances can bring about a better standard of living and an opportunity for a better way of life. The accomplishment of both will depend upon the effective use of our greatest resource, the people of the nation.
- E. To preserve the rights of students, protect their individualities and provide for their needs, responsible persons in secondary and postsecondary education within North Dakota and South Dakota should be brought together for thoughtful deliberation regarding the orientation of individuals to post-high school educational opportunities.
- F. DACAC is Exclusively Charitable and Educational within the meaning of Section 501(c)(3) of the Internal Revenue Code.
 - a. INUREMENT OF INCOME. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, officers or other private persons except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered.
 - b. OPERATIONAL LIMITATIONS. Notwithstanding any other provisions of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal Income Tax under section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under Section 170 (c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).
 - c. DISSOLUTION CLAUSE. Upon the dissolution of the corporation, the Board of Trustees shall, after paying or making provisions for the payment of the liabilities of the corporation, dispose of all assets of the corporation exclusively for the purposes of the corporation in such manner or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501(c)(3) of

the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Trustees shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE II. Objectives

- A. To assist in the improvement of the liaison between high school and post-high school representatives.
- B. To establish and communicate ethical standards to post-high representatives and to encourage all to adhere to these standards.
- C. To provide information to individuals concerning the diversity of the post-high school institutions.
- D. To coordinate an orderly and engaging Post-High Planning Day/College Fair schedule(s).
- E. To ensure meaningful experiences when high school students visit educational institutions.
- F. To cooperate with state agencies and educational and career planning professionals to develop publications and programs aimed at furthering improved career decision-making.
- G. To gather and disseminate information related to college and career decision-making.
- H. To support and adhere to the purposes, goals, ethics and objectives of the National Association for College Admission Counseling (NACAC).

ARTICLE III. Membership

Membership in the Association is a privilege made available to eligible institutions, organizations, and individuals located in or performing a majority of their duties within the states of North Dakota and South Dakota. Criteria and qualification for each category of voting and non-voting members is set forth below.

Individual, institutional, organizational and council affiliate members shall be professionals whose responsibilities include providing services to the counseling, admission, or financial aid profession or in support of students in the transition to postsecondary education.

Membership in the DACAC shall be extended to those categories of individuals, organizations and institutions which are current voting members in NACAC and are located in North or South Dakota, or where individual voting members perform the majority of their professional duties in North Dakota or South Dakota. All members should be in agreement with DACAC's objectives as set forth in Article LI, and adhere to NACAC's Guide to Ethical Practice in College Admission. Such voting member categories include:

- A. Voting and Non-Voting Membership
 - 1. Educational Institutions
 - a) Not-for-profit two- and four-year colleges, universities, university systems and other post-secondary institutions in North Dakota and South Dakota which are, accredited by an accrediting agency Individual non-profit primary and secondary schools as well as school districts and college and university systems in North Dakota and South Dakota.
 - b) Other secondary schools, organizations, agencies and institutions in North Dakota and South Dakota which provide secondary counseling, admission and financial aid services.
 - 2. Organizations
 - a) Not-for-profit community-based organizations which provide counseling, admission, or financial aid services only to students at the state or local level on an on-going basis.
 - b) Not-for-profit organizations whose primary activities consist of working at a multi-state, national or international level and providing counseling, admission, or financial aid

services to students or to the college admission counseling or financial aid professions.

3. Individuals

- a) Persons employed by voting member institutions and organizations whose professional activities consist primarily of counseling, admission, or financial aid services. This includes those (i) whose professional activity in the area of counseling or admitting students is at a DACAC voting member institution, school, agency or organization; or (ii) whose professional activity is not at a DACAC voting member institution but who conduct the majority of their professional activities (i.e., secondary counseling, admission, and financial aid services) annually in North Dakota or South Dakota, or (iii) whose membership has been awarded by the Board of Directors via lifetime emeritus or honorary membership.
- b) 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 in North Dakota or South Dakota
- c) Retired persons who were actively engaged in providing counseling, admission, or financial aid services.
- d) Persons who were employed at a voting member institution or organization during the current year or immediately preceding membership year who are no longer employed by any member or member-eligible institution.

4. Council Affiliations

- a) Voting memberships shall also be extended to those individuals, organizations and institutions which are current voting members of either the North or South Dakota councils of DACAC. Each state may establish its own voting membership categories and establish its own dues.

5. Non-Voting Membership

- a) Individuals that do not meet the criteria outlined in Article III Section A
- b) College students who are not currently employed in the profession but enrolled as a full-time graduate student in a relevant higher education program in counseling, admission or financial aid services are eligible for non-voting membership.

B. Membership Dues

1. The annual membership dues of DACAC shall be established by the Board of Directors.

C. Membership in the Association may be terminated by the action of the Board of Directors if a member fails to pay annual dues or fails to satisfy membership eligibility requirements.

D. All members should be in agreement with DACAC's objectives as set forth in Article II, and adhere to NACAC's Guide to Ethical Practice in College Admission (GEPCA) (

ARTICLE IV. Board of Directors

A. The duties of the Board of Directors are to:

1. meet prior to all Association meetings, or when requested by the President or two-thirds of the Board of Directors,
2. recommend annual membership fees to the Association,
3. review institutions and organizations for membership eligibility,
4. hire and supervise such paid staff as it deems necessary, subject to final approval of the general Association.
5. utilize resource persons in an advisory capacity
6. ensure consistency of policies and procedures between all three entities of DACAC

B. Elections, Terms and Offices

1. There shall be a Board of Directors composed of:
 - a) President (one-year term)
 - b) President-Elect (one-year term)
 - c) Immediate Past President (one-year term)
 - d) Secretary/Treasurer (one-year term)

- e) Secretary/Treasurer-Elect (one-year term)
 - f) Vice President of Professional Development and Membership (two-year term)
 - g) Chairs of all Standing Committees
 - h) Chairs of the State Councils
 - i) State Council Executive Director/Assistant(s) (Non-Voting)
 - j) Current members of the national NACAC board or committees who reside in North Dakota or South Dakota serve on the board for purposes of keeping the DACAC board informed on national issues.(Non-Voting)
2. Vacancies except for the President who shall be succeeded by the President-Elect shall be filled by appointment by the Board of Directors, subject to approval of the Association at the next regular meeting.
 3. Officers and Board of Directors members assume office July 1 of the year in which elected.The President-Elect shall automatically become president of the association on July 1 one year after commencement of the term of office as president-elect, or upon the death or resignation of the president.

ARTICLE V. State Councils

- A. There shall be two State Councils, each presided over by a chair elected or appointed from each state within DACAC.
- B. The State Council Chairs shall be elected in a manner determined by each council and shall serve a term of one year.
- C. The State Council members shall be selected in a manner set forth in the bylaws for each state.
- D. Each state council may set and collect its own dues, hire its own staff and maintain its own budget, within the guidelines established by that council and the DACAC Board. Dues collection shall be coordinated with that of DACAC
- E. Each state shall provide full and complete information on its finances and other activities to the Board of Directors to ensure proper reporting to the appropriate national organizations.
- F. Each State Council may establish its own bylaws, subject to approval of the DACAC Board of Directors.
- G. Each state council shall contribute an equal share towards the operating budget of the DACAC. There shall be no additional dues established, unless approved by the voting institutional members of DACAC.

ARTICLE VI. Officers

The responsibilities of officers are outlined in this section.

A. President

1. This role in the governance structure involves leadership at both the state and national levels. The President assumes leadership for the state association and serves as liaison to National Association for College Admission Counseling (NACAC). In addition to the responsibilities listed below, the President is a member of the NACAC Affiliate Presidents Council (APC), a body composed of Presidents and Presidents-Elect for all the state and regional associations. The APC typically meets three times annually for leadership development and related activities. The President serves as a liaison to NACAC. The term of office for the President is one year.
2. Service as President of DACAC is an honor and a great responsibility. The rewards of service to the Association are tremendous as the President meets members from across the State and represents DACAC at the national level. The President provides the vision and leadership necessary to meet the professional needs of members throughout the state and carry the membership forward.

3. A summary of the duties of President is as follows:
 - i. Call and Preside over regular and special meetings of the Association and Board of Directors
 - ii. Appoint special committees, subject to the approval of the Board of Directors.
 - iii. Vote only in the event of a tie
 - iv. Provide a link between the national and regional association.
 - v. In consultation with other officers as applicable, appoint standing committee co-chairs of the Association as needed for term succession and/or to fill interim terms for vacated positions
 - vi. Serve as an ex-officio member of all committees
 - vii. Assume such other responsibilities as directed by the Board of Directors.
 - viii. Plan and lead the annual Board of Directors Leadership Conference to orient new leaders and to set goals for the year
 - ix. Compile and distribute an annual report to the membership. The report should be made at the General Membership meeting of the annual conference. Minutes of the meeting shall be made available to the membership
 - x. Every three years as scheduled, review and update the Strategic Plan, vision and mission statements, and governance structure with Immediate Past President and President-Elect

B. President-Elect

1. This role in the governance structure involves leadership at both the state and national levels. In addition to the responsibilities listed below, the President-Elect is a member of the Affiliate Presidents Council (APC), a body composed of Presidents and Presidents-Elect for the state and regional associations. The APC typically meets three times annually for leadership development and related activities. The President-Elect is prepared to assume the role of President in the current President's absence. The term of office for President-Elect is one year
2. Serving the Association in the role of President-Elect is challenging and rewarding. It is a time for honing leadership skills in preparation for assuming the position of President. The President-Elect acts as a liaison to the membership regarding critical issues and in planning the annual State conference. This task commands leadership and the ability to work closely with the Board of Directors, Standing Committee(s) and the membership in a true team-oriented fashion
3. A summary of the duties of President-Elect is as follows:
 - i. Preside at meetings in the absence of the President
 - ii. Perform necessary duties in the absence of the President
 - iii. Serve on professional development/membership committee

C. Immediate Past President

1. This role in the governance structure involves leadership at both the state and national levels, as the Immediate Past President is an active member of the Board of Directors. The expertise of this individual is utilized in an advisory capacity by the Board and in particular by the President.
2. Serving the Association as Immediate Past President is a critical role. This person has developed, completed, or perhaps just initiated new endeavors for the organization, and through the previous roles as President-Elect and President, can serve as a key mentor to the entire organization. This knowledge and experience can help direct the organization as the current President brings energy and direction to its members.

3. A summary of the duties of the Immediate Past President is as follows:
 - i. Chair the Nominating Committee and fill any current vacancies through the appointment of active members of DACAC and NACAC
 - ii. To serve as trainer to the new Board members and President
 - iii. Serve as a resource and advisor to the President and President-Elect.
 - iv. Coordinate the annual review of Bylaws for approval by the general membership at the spring membership meeting
 - v. Every three years as scheduled, review and update the strategic plan, vision and mission statements, and governance structure with the President and President-Elect

D. Secretary/Treasurer

1. This dual role in the governance structure involves duties primarily at the state level; however, the effects of this position encompass significant fiduciary responsibility, impacting the Association at both the state and national levels. The Secretary/Treasurer conducts and monitors all financial transactions and archives all documents within the Association. The Secretary/Treasurer must pay close attention to detail, be thorough and consistent, and attend all scheduled meetings. The term of office for Secretary/Treasurer is one year after a year as the Secretary/Treasurer-Elect, for a total of two years of service.
2. A summary of the duties of this position is as follows:
 - i. Serve the first year of the term as Secretary/Treasurer-Elect and shall attend all meetings with the Secretary-Treasurer, as a non-voting member.
 - ii. Automatically become the Secretary-Treasurer, in the second year of office and assume all of the responsibilities of the position.
 - iii. Record, maintain and distribute the minutes of the general membership meetings to the full membership.
 - iv. Record, maintain and distribute the minutes of the Board of Directors meetings to the Board of Directors.
 - v. In emergency situations, the Secretary is part of the decision-making team along with the President, Immediate Past President, and President-Elect.
 - vi. Perform such other duties as directed by the president.
 - vii. Inform members of meetings
 - viii. Maintain the recorded history of the Association including all pertinent printed materials.
 - ix. Submit monthly and annual budget reports
 - x. Be responsible for payments of all bills of the Association and distribute funds
 - xi. Coordinate the preparation of budget proposals and other funding requests for the committees and present to the Board of Directors.
 - xii. Report on the financial status of the Association at the annual conference General Membership Meeting as per Article III section 6 of the Bylaws.
 - xiii. Arrange an annual audit
 - xiv. As possible and required, schedule and assist with a financial audit of the Association every three (3) years.
 - xv. Keep financial records of the organization
 - xvi. Collect membership dues

E. Secretary/Treasurer-Elect

1. This one year position is to train and learn from the Secretary/Treasurer, in order to assume that position at the conclusion of the year term. The term of office for Secretary/Treasurer-Elect is one year.
2. A summary of the duties of this position is as follows:
 - i. Assume the office of Secretary/Treasurer upon the expiration of the Secretary/Treasurer's term or for the remainder of the Secretary/Treasurer's term if the Secretary/Treasurer is unable or unwilling to complete their term.
 - ii. Prepare to assume the duties of the Secretary/Treasurer
 - iii. Assist with the monitoring of all financial transactions within the association

F. Vice President for Professional Development and Membership

1. This role in the governance structure involves leadership, communication skills, flexibility, and creativity. This Vice President also serves as a liaison between the committee chairs and the Board of Directors, advocating and soliciting the Board of Directors's assistance when necessary. The term of office is two years.
2. A summary of the duties of this position is as follows:
 - i. Develops and implements professional development programs and workshops for all members. Utilizes the state structure to communicate association services and benefits to local constituents.
 - ii. Coordinates planning of the DACAC annual conference or sits on MIDWest planning committee as needed.
 - iii. Chairs the Conference Planning Committee
 - iv. Develops and implements promotional activities to encourage membership renewals and to solicit new members.
 - v. Maintains and provides official mailing lists of the association.
 - vi. Monitors NACAC membership and ensures appropriateness of institutional membership.
 - vii. Publishes the membership directory and maintains an archive of membership in the association.

G. Chair of State Councils

1. As noted in Article IV, there shall be a council for each state, and each state council should elect a Chair. While each council is responsible for electing and determining specific duties of Council Chair, expectations of within the Board of Directors are as follows:
 - i. Attend all scheduled Board of Director meetings.
 - ii. Serve as a voting member within the Board
 - iii. Disseminate relevant and timely information between council and Executive Board.
 - iv. Advocate for state's general membership.
 - v. To organize orderly post-high school planning/college fair days within their state.
 - vi. To prepare publications and programs for high school students and counselors to enhance the career decision-making process.
 - vii. To help identify and coordinate those areas of professional concern to which members should address programming at the state level.
 - viii. To promote membership in NACAC and DACAC in that state.
 - ix. With the exception of Council Chair, individuals serving in a leadership role within their State Council are unable to serve as Executive Assistant of their council or on the Board of Directors.

H. Executive Assistant/Director: The Executive Assistant or Director is a paid position selected and hired within each State Council. These positions will also provide necessary support to the Board of Directors and will be responsible for working with the President and other Board members to ensure the following tasks are performed:

1. Collect dues and maintain membership records and bring before the Board of Directors requests for new memberships, within the guidelines specified in Article III of the Constitution.
2. Assist the Board of Directors officers to ensure that their duties are completed.
3. Collect and disseminate to member institutions information related to career-decision making, through surveys and other means.
4. Coordinate grant requests and projects conducted within the aims and objectives of the DACAC.
5. Coordinate with the Secretary/Treasurer and Secretary/Treasurer-Elect to complete and submit IRS 990 documentation annually.
6. Maintain DACAC website.
7. Serve as a non-voting ex-officio member of the DACAC Board of Directors and all committees.
8. Perform such other duties as may be requested by the President or Board of Directors to further the aims and objectives of the DACAC.
9. Individuals serving in a leadership role within their State Council or Executive Board are unable to serve as Executive Director/Assistant within their council, and vice versa.

ARTICLE VII. Committees.

A. The Standing Committees shall be:

1. Admission Practices Committee
2. Finance Committee
3. Governance & Nominating Committee
4. Government Relations Committee
5. Membership Committee
6. Professional Development Committee

A. The duties of the committees:

1. Admission Practices: Conducts an annual review of the NACAC Guide to Ethical Practice in College Admission (GEPCA) and the DACAC monitoring procedures; monitors and educates members regarding ethical practices; responds to alleged infractions as defined by NACAC guidelines. The President-Elect serves as chair of this committee. The committee shall include six additional members who shall be nominated and elected from the Association for a two-year term during even numbered years by electronic ballot.
2. Finance: Oversees all financial matters related to the association. Recommends investment and audit policies to the Board of Directors. Prepares the annual budget for approval by the Board of Directors. The DACAC Secretary/Treasurer serves as chair and Secretary-Treasurer Elect is always a committee member.
3. Governance and Nominations: Determines membership eligibility as outlined in the DACAC Constitution. Makes recommendations to the Board of Directors regarding criteria for membership. Monitors the eligibility of delegates to the NACAC Assembly. Reviews the DACAC Constitution and Bylaws and recommends appropriate revisions, including those required to maintain consistency with NACAC bylaws. Nominates candidates for Board of Directors positions. Manages award nomination process, selects and presents winner of each award. The Immediate Past President serves as chair.
4. Government Relations: Monitors legislative activity at both the state and federal levels and

- recommends relevant action to the Board of Directors. Interacts with legislators as well as other professional education association leaders. Maintains a communication network to inform DACAC members of relevant issues. Maintains a liaison role with the NACAC Government Relations Advisory Committee. The chair of this committee serves on the Board of Directors.
5. Membership: Develops and implements promotional activities to encourage membership renewals and to solicit new members. Maintains and provides official mailing lists of the association. Monitors NACAC membership and ensures appropriateness of institutional membership. Publishes the membership directory and maintains an archive of membership in the association. The committee is chaired by the Vice President of Professional Development and Membership.
 6. Professional Development: Develops and implements professional development programs and workshops for all members. Utilizes the state structure to communicate association services and benefits to local constituents. Plans for the annual conference. The committee is chaired by the Vice President of Professional Development and Membership.
- B. Unless otherwise provided for above, the chairs of all standing committees shall be elected for two year terms using the same procedures as that for Offices as outlined in Article VI. The terms of the committee chairs shall be staggered as determined by the Board of Directors. Terms shall begin July 1 of the year in which they are elected. Pro tem and ad hoc committees shall be appointed by the President as needed.
- C. The chairs of all standing committees shall serve as members of the Board of Directors.
- D. Vacancies in any chair position shall be filled immediately by appointment of the Board of Directors.

Article VIII. Meetings and Voting

- A. Board of Directors Meetings
1. A majority of the Board of Directors voting members shall constitute a quorum.
 2. The Board of Directors shall meet as a group no fewer than three times per year, either in person or virtually.
 3. Proxy Voting. The Standing Committee or State Council Chairs, if unable to attend a meeting of the Board, may give their proxy to a member of their respective committee or state council. Such designees shall have full voting rights as board members for purposes of the one meeting only.
- B. Association Meeting
1. A majority of the voting institutional membership shall constitute a quorum
 2. An annual general Association meeting for the entire membership shall be held once a year, usually during the DACAC or MIDWest Annual Conference.
 3. The Board of Directors may decide to conduct the annual general meeting in person or virtually/remotely.
 4. Notice of every annual meeting shall be given to each member entitled to vote at such meeting not less than 30 days before the meeting.
 5. In case of an unexpected or uncontrollable event, the President, with the approval of a majority of the voting members of the Board of Directors may cancel or postpone the annual meeting until such time as the members may convene without adversity.

Article IX. Nominating Committee and Election of Officers

- A. The Nominating Committee shall prepare a slate of candidates including at least one name for each vacant position. Ballots shall contain room for write-in candidates for each vacant position.
- B. The President position is to alternate between the two councils each election cycle.
- C. The President-Elect, Secretary/Treasurer, Secretary Treasurer-Elect, Vice President of

Professional Development and Membership, and selected standing committee chairs shall be elected by electronic ballot in the spring of the year.

- D. The Immediate Past President shall distribute electronic ballots to each current voting member of NACAC residing within North and South Dakota in the spring of the year.
- E. All ballots shall be submitted within 14 business days.
- F. A majority of the submitted ballots shall be necessary for election.
- G. Whenever possible, elections of all vacant positions should conclude by April 1.

Article X. Fiscal Policies

- A. The dues of each class of membership in the Association shall be established by the VP for Finance and Executive Board and assessed on an annual basis.
- B. The fiscal year shall be from July 1 through June 30.
- C. Upon dissolution of DACAC, all assets will be contributed to NACAC, provided that at the time of dissolution NACAC is deemed a tax-exempt organization by the Internal Revenue Service described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code").
- D. All checks or demands for money and notes or other instruments evidencing indebtedness or obligations of DACAC shall be made in the name of DACAC and shall be signed by such officer or officers or such other person as the Board may from time to time designate. No loans shall be contracted on behalf of DACAC unless specifically authorized by the Board.
- E. No part of the assets or net earnings of the Association shall be distributed to or insure to the benefit of any director or officer by means of dividends or otherwise except that reasonable compensation may be paid for services rendered to DACAC.

ARTICLE XI. Code of Ethics

- A. DACAC adheres to the Guide to Ethical Practice in College Admission (GEP/CA) of NACAC.

ARTICLE XII. Parliamentary Authority

- A. The latest edition of *Robert's Rules of Order* as revised shall govern all matters of the conduct of all DACAC not covered by these bylaws or any special rule the Association may adopt. meetings, except where such rules conflict with the Bylaws.

ARTICLE XIII. Amendment

- A. The bylaws may be amended by two-thirds of the voting institutional members at a meeting of the Association or by electronic ballot of the entire voting institutional membership.
- B. Proposed Amendments shall be submitted 14 business days prior to a vote.
- C. Proposed amendments shall be referred to the membership for vote upon approval of the Board of Directors.