



## **GOVERNING POLICIES**

### **ENDS POLICIES**

#### **FSCA's VISION**

The Florida School Counselor Association (FSCA) expands the image and influence of professional school counselors through advocacy, leadership, collaboration and systemic change at the state level. FSCA 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.

#### **Article I**

Professional development opportunities in areas of critical need are made available to all Professional School Counselors.

#### **Article II**

Timely, relevant information exists to enhance Professional School Counselors' level of skill and professionalism.

#### **Article III**

Legislative policy exists that supports Professional School Counselors and child advocacy.

#### **Article IV**

Professional and ethical standards articulate the code of conduct and professional behavior for Professional School Counselors.

#### **Article V**

Strategic partnerships with stakeholders exist to benefit Professional School Counselors and their students.

#### **Article VI**

Leaders at local and state, and national levels champion and lead change initiatives.

# Florida School Counselor Association Policies

---

## **Article VII**

FSCA maintains an organizational structure and administrative functions that facilitate the accomplishment of its goals and objectives.

## **OPERATIONAL PARAMETERS**

Board Members or Committee Members shall not cause or allow any practice, activity, decision, or organizational circumstance that unlawful, imprudent, or in violation of commonly accepted business and professional ethics or compromises the profession of school counselors.

## **Article I: Treatment of stakeholders**

With respect to interactions with stakeholders, no Board Member or Committee Member shall cause or allow conditions, procedures, or decisions that are unsafe, undignified, unnecessarily intrusive, or that fail to provide appropriate confidentiality or privacy.

## **Section A. Membership**

### **1. Membership Categories**

School counseling professionals and others interested in school counseling are eligible for membership in various membership categories as specified in the bylaws.

- a. Professional Membership. Professional members must hold a masters degree or higher in counseling or the substantial equivalent and must be credentialed as a school counselor by a state, district, or territory of the United States or the credentialing agency of the country in which they practice or must be employed as counselor educators in a graduate program that prepares school counselors.
- b. Retired Members. Members who are in retirement and do not hold full-time positions in school counseling are eligible for Retired membership. Retired members hold a masters degree or higher in counseling or the substantial equivalent; are or were credentialed as a school counselor by a state, district, or territory of the United States or the credentialing agency of the country in which they practiced; or were employed as school counselors, supervisors of school counselors, or counselor educators in a graduate program that prepares school counselors.
- c. Student Membership. Students who are enrolled in a master's program that prepares school counselors and who do not hold full-time positions in school counseling are eligible for Student Membership.
- d. Affiliate Membership. Individuals interested in counseling, who are not eligible for any other type of membership, may become Affiliate members.
- e. Allied Membership. Corporations or businesses interested in supporting the goals of FSCA may become Allied members.

# Florida School Counselor Association Policies

---

## **2. Rights and Privileges.**

All members shall receive the rights and privileges accorded their membership categories as specified in FSCA policies that address membership. Professional and Retired members may vote on all matters coming before the Association and shall be eligible to serve as members of the FSCA Delegate Assembly. Professional and Retired members shall be eligible for election to the Governing Board of FSCA. Student, Affiliate and Allied members are not eligible to vote, to serve on the FSCA Delegate Assembly or to serve on the Governing Board.

## **3. Severance of Membership.**

Association members may be disciplined or expelled from membership for one or more of the following reasons.

- a. A member is delinquent in paying membership dues. Membership may be revoked at the discretion of the FSCA Board and may be reinstated upon the payment of current dues.
- b. A member is in violation of FSCA's Adopted Ethical Standards for School Counselors.
- c. A member's state license or credential has been revoked.
- d. Any other reason deemed by the Governing Board to be in the best interests of FSCA.

### **Revocation Process**

The following process shall be used to determine revocation of FSCA membership, except in the case of nonpayment of dues.

- a. A request to revoke membership must be made in writing, with a statement of the specific reasons why revocation is sought, and sent to the FSCA President or appointed designee by certified mail. The charges must be made over the signature of at least 10 FSCA members in good standing, or two or more members of the FSCA Governing Board.
- b. To initiate action regarding the revocation of membership, a notice of intent to revoke must first be passed by a majority of the FSCA Governing Board members present and voting. The member(s) in question must be advised in writing of the reasons for the proposed action.
- c. Member(s) who receive a notice of intent to revoke membership shall be given 30 days to respond in writing to the charges and to submit the response to the FSCA President or appointed designee.
- d. Member(s) who receive a notice of intent to revoke membership shall be given the opportunity to appear before FSCA's Governing Board or a mutually agreed upon impartial body consisting of not less than three nor more than seven individuals selected by the President or appointed designee with the concurrence of the Governing Board. Such impartial body shall exclude any FSCA members involved with the charges. The hearing may be conducted in person, via telephone conference call, or other mutually agreed upon method. The person(s) bringing the charges shall also have an opportunity to appear at a hearing. If any costs are incurred to hold a hearing, such costs shall be paid by the party that requests the hearing. The impartial body shall present its findings and recommendations for revocation, remediation, or reinstatement

# Florida School Counselor Association Policies

---

- to the FSCA Governing Board within 30 days following the hearing and gathering of all evidence.
- e. If a hearing is held, the member(s) in question shall have the opportunity to question witnesses against them. If either party desires legal representation at the hearing, the FSCA President or appointed designee must be notified in writing by certified mail within 30 days prior to the hearing in order to advise the other party to this action.
  - f. Revocation, remediation and reinstatement of membership must be approved by two-thirds of the FSCA Governing Board members present and voting. Any members of FSCA's Governing Board who are involved in the charges in any way shall refrain from voting or taking part in the consideration of the issue.
  - g. Decisions made by the Governing Board regarding revocation, remediation and reinstatement of membership shall be considered final.
  - h. The member(s) charges with violations of Ethical Standards and the person(s) bringing those charges shall be notified by the FSCA President or appointed designee within 30 days in writing by certified mail of the final action taken by the Governing Board.

## **4. Dues Structure**

The dues structure is approved by the FSCA Board and the FSCA Delegate Assembly based on recommendations of the FSCA Governing Board.

## **5. Membership List Rental**

The FSCA President reviews and approves or disapproves all requests for list rental and distribution of materials produced by other organizations to FSCA members.

## **Section B: Florida School Counselor Association**

FSCA is organized in accordance with the FSCA Articles of Incorporation, FSCA Bylaws, and the Bylaws of ASCA, and as such, no Board Member may cause or allow conditions or practices that result in noncompliance with any of the above.

### **Article II: Treatment of Staff**

With respect to the treatment of paid and volunteer staff, no Board or Committee member may cause or allow conditions that are unfair, unsafe, or undignified.

### **Article III: Financial Planning and Budgeting**

Financial planning for any fiscal year or the remaining part of any fiscal year shall not deviate materially from the Board's Ends priorities (i.e., Goals), risk fiscal jeopardy, or fail to be derived from a multiyear plan.

## **Section A: Information**

The FSCA Financial Affairs Committee Chair shall not allow budgeting that contains too little information to enable credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.

# Florida School Counselor Association Policies

---

## **Section B: Net income**

The FSCA Board shall not allow budgeting that plans the expenditure in any fiscal year of more funds than are conservatively projected to be received in that period.

## **Section C: Reserves**

The FSCA Board shall not allow budgeting that reduces the current assets at any time to less than 50 percent of the current annual budget.

## **Section D: Board Prerogatives**

The FSCA Board shall not allow budgeting that provides less for Board prerogatives during the year than is set forth in the Cost of Governance policy.

## **Article IV: Financial Condition and Activities**

With respect to the actual, ongoing financial conditions and activities, the FSCA Board shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Board priorities established in Ends policies.

## **Section A: Board Member Responsibilities**

Directors of the Association shall assume a fiduciary duty and shall be entrusted by the membership to conduct the business of the Association in a fiscally responsible manner. In order to carry out that mandate, all persons who perform functions on behalf of the Association (elected leaders, appointed leaders, volunteers, and staff) shall know and adhere to the financial policies of the Association and shall carry out FSCA duties in a cost efficient manner.

## **Section B: Financial Affairs Committee Chair Responsibilities**

### **1. Debt Avoidance**

The FSCA Financial Affairs Committee Chair shall not expend more funds than have been received in the fiscal year unless a debt guideline is met.

### **2. Encumbrance**

The FSCA Financial Affairs Committee Chair shall not indebt the organization in an amount greater than can be re-paid by certain, otherwise unencumbered revenues within 60 days.

### **3. Reserves**

The FSCA Financial Affairs Committee Chair shall not use any long-term reserves.

### **4. Transfer of Funds**

The FSCA Financial Affairs Committee Chair shall not conduct interfund shifting in amounts greater than can be re-stored to a condition of discrete fund balances by certain, otherwise unencumbered revenue within thirty days.

### **5. Payment of Debts**

The FSCA Financial Affairs Committee Chair shall not fail to settle payroll and debts in a timely manner.

# Florida School Counselor Association Policies

---

## **6. Government Filings**

The FSCA Financial Affairs Committee Chair shall not allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.

## **7. Spending Limits**

The FSCA Financial Affairs Committee Chair shall not make a single purchase or commitment of greater than \$1,000 without Governing Board approval.

## **8. Real Property**

Board Members shall not acquire, encumber, or dispose of real property.

## **9. Accounts Receivables**

The FSCA Financial Affairs Committee Chair shall not fail to aggressively pursue receivables after a reasonable grace period.

## **Article V: Asset Protection**

The FSCA Financial Affairs Committee Chair shall not allow the assets to be unprotected, inadequately maintained, or unnecessarily risked.

## **Section A: Insurance**

The FSCA Board shall ensure that FSCA maintains the following insurance coverages.

1. Liability insurance on all directors and officers. This includes Governing Board members, committee chairs and committees. Any group working on behalf of FSCA and under official sanction of FSCA is included.
2. Property insurance on all equipment and materials in the FSCA office.

## **Article VI: Compensation and Benefits**

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the FSCA Board shall not cause or allow jeopardy to fiscal integrity or public image.

## **Section A: Staff Compensation**

The FSCA Board shall establish appropriate salaries and salary increases for FSCA staff. Salaries shall be included in the annual budget and become effective on the first day of a fiscal year as specified by Bylaws.

## **Article VII: Communication and Support to the Board**

FSCA Board Members shall not permit the Board to be uninformed or unsupported in its work.

# Florida School Counselor Association Policies

---

## **Article VIII: Contracts and Joint Ventures**

FSCA Board members may not enter into any grant or contract arrangements that fail to emphasize primarily the production of Ends and, secondarily, the avoidance of unacceptable means.

### **Section A: Contracts**

#### **1. Authority**

A majority of the FSCA Board shall approve partnerships, business relationships or sponsorships that are effective, prudent, and ethical as defined within the mission and vision of FSCA.

#### **2. Written Agreements**

Provisions of partnerships, business relationships, sponsorships and outsourced services are enumerated in written agreements or formal contracts, which are reviewed by FSCA's attorney, when necessary, and signed by the President's Council or the Council's designee.

### **Section B: Alliances**

#### **1. Authority**

The FSCA Executive Council or the Council's designee reviews and approves or disapproves all requests for use of FSCA's name and logo.

#### **2. Written Agreements**

FSCA Board members shall ensure that the use of FSCA's name and logo by other organization is done in accordance with written agreements.

## **GOVERNANCE PROCESS POLICIES**

The purpose of the Board, on behalf of stakeholders, is to see to it that the Florida School Counselor Association (1) achieves what it should and (2) avoids unacceptable actions and situations.

### **Article I: Governing Style**

The Board shall govern with an emphasis on (1) outward vision rather than internal preoccupation, (2) encouragement of diversity in viewpoints, (3) strategic leadership more than administrative detail, (4) clear distinction of Board and Committee Member roles, (5) collective rather than individual decisions, (6) future rather than past or present, and (7) proactivity rather than reactivity.

- The Board shall cultivate a sense of group responsibility. The Board, not the committee members, shall be responsible for excellence in governing. The Board shall be the initiator of policy, not merely a reactor to committee member initiatives. The Board shall use the expertise of individual members to enhance

# Florida School Counselor Association Policies

---

the ability of the Board as a body rather than to substitute individual judgments for the Board's values. The Board shall allow no officer, individual, or committee of the Board to hinder or be an excuse for not fulfilling Board commitments.

- The Board shall direct, control, and inspire the organization through the careful establishment of broad written policies reflecting the Board's values and perspectives about ends to be achieved and means to be avoided. The Board's major policy focus shall be on the intended long-term effects outside the organization, not on the administrative or programmatic means of attaining those effects.
- The Board shall enforce upon itself whatever discipline is needed to govern with excellence.
- Discipline shall apply to matters such as attendance, preparation, policy-making principles, respect of roles, and ensuring continuance of governance capability. Continual Board development shall include orientation of new Board members in the Board's governance process and periodic Board discussion of process improvement.
- The Board shall monitor and discuss the Board's process and performance at each meeting. Self-monitoring shall include comparison of Board activity and discipline to policies in the Governance Policies and Board-Committees Linkage categories.

## **Section A. Ground Rules for Board Meetings**

Governing Board Members shall abide by the following rules during Board Meetings.

1. Focus on ends policies.
2. Stay open to input and new ideas; be willing to move your position.
3. Agree on what important words mean and ask for clarification.
4. Challenge assumptions and preconceived notions; encourage the expression of dissent at Board meetings.
5. Listen in order to understand.
6. Bring disagreements to the meeting.
7. Base decisions on parameters that include monitoring data, the Ends Policies, and other relevant data.
8. Treat other Board members with respect, courtesy, fairness, and good faith.
9. Be brief, no war stories, don't repeat.
10. Focus on *what* is right, not *who* is right.
11. Respect confidentiality of Board meeting discussions, with exceptions agreed upon by the Board.
12. Respect confidentiality of Board decisions until those decisions are formally adopted by the Board, with exceptions agreed upon by the Board.
13. Limit discussions of Board business to the Board room.

## **Section B. Board Dispute Resolution Process**

The Board is responsible for holding itself accountable for its actions, including actions taken by individuals that may undermine the efforts of the organization, the Board or other individuals. The Board shall use the following process to resolve disputes. A Board



## Florida School Counselor Association Policies

---

member or a Committee member who perceives a problem or concern shall discuss it privately with the individual(s) involved. When a Board member is approached with a problem regarding another Board member, he/she should redirect the conflict to the person involved.

If a private discussion does not yield satisfactory results, an attempt shall be made to secure a mutually agreed-upon Board member(s) to serve as mediators(s)

If the issue is not resolved through mediation, the matter shall be brought before the whole Board and should not be discussed with others.

If an issue is brought to the Board, the disputants shall provide a written explanation that addresses:

- Problem, issue, or concern in question
- Behavior by an individual or group of Board members that exhibited the problem or issue
- Consequence of the behavior
- Impact on the organization and to the Board, specifically, does it hurt the organization, does it hinder the effectiveness of the Board, or is it a personal issue outside the bounds of the Board.

The Board shall

- Review written explanations
- Offer the disputants an opportunity to state what they are willing to do to resolve the problem
- Make/offer suggestions for possible resolution to problem
- Give disputants further opportunity to resolve the problem.

If a resolution still cannot be reached, the Board shall collectively agree on a course of action to address the problem, issue, or concern using the FRISK model.

- *Fact*: State the facts of the action or event that occurred.
- *Rule*: State the rule or policy that the action or event violated.
- *Impact*: State the impact of the action or event on the Association.
- *Suggestion*: Suggest ways that the person should act to avoid or handle similar issues or situations in the future.
- *Knowledge*: Provide any knowledge, assistance, or training the person may need to carry out the suggestions.

After an issue has been resolved, the Board shall collectively agree on measures to prevent the problems from recurring in the future or a course of action to address the problem if it recurs.

The Board shall ensure that due process is afforded to all parties throughout dispute resolution proceedings. The Board shall handle/address disputes in Executive Session.

# Florida School Counselor Association Policies

---

## **Section C. Board Members' Code of Conduct**

### **1. Ethics**

Board members must adhere to the FSCA Adopted Ethical Standards for School Counselors.

### **2. Loyalty**

Board members must represent unconflicted loyalty to the interests of the Association. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs. It also supersedes the personal interest of any Board member acting as a consumer of the organization's services.

### **3. Conflicts of Interest**

Board Members must avoid conflict of interest with respect to their fiduciary responsibility as described in Appendix A: FSCA Conflict of Interest Policy.

### **4. Group Authority**

Board members may not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies.

### **5. Interaction with the Public**

Board members' interaction with the public, press or other entities must recognize the same limitations and the inability of any Board member to speak for the Board except to repeat stated Board decisions.

### **6. Interaction with Committee Members**

Board members may not attempt to exercise individual authority over nor judge the performance of any Committee Member, except through the Board-Committee Chair Liaison or as explicitly set forth in Board policies.

### **7. Confidentiality**

Members will respect the confidentiality of discussions in the Board meeting.

## **Article II: Governance Structure**

### **Section A: Delegate Assembly**

The Delegate Assembly shall serve as the highest governing body of the American School Counselor Association.

#### **1. Representation**

- a. The Delegate Assembly consists of voting members of the FSCA Governing Board, regular committee chairs, and delegates of any regional, divisions, or chapters as described in the FSCA Bylaws Article IV, Section 1.

# Florida School Counselor Association Policies

---

## **2. Meetings**

- a. The Delegate Assembly shall meet annually in conjunction with the FSCA annual conference. Additional meetings may be called by majority vote of the Delegate Assembly or the Governing Board.
- b. Two-Thirds of the members of the Delegate Assembly must be present to constitute a quorum.
- c. Each member of the Delegate Assembly shall have one vote. Decisions of the Delegate Assembly shall be made by a simple majority vote except in cases involving issues that require a greater majority, as defined in the Bylaws and FSCA policies that address governance.
- d. Meetings of the Delegate Assembly shall be conducted in accordance with standing rules adopted by the Delegates.

## **Section B: Governing Board**

The Governing Board shall serve as the legislative body of FSCA. The principal duties of the Governing Board shall be to set policy and to give direction to the Association.

1. The Board shall produce the link between the organization and the membership.
2. The Board shall produce written governing policies that, at the broadest levels, address each category of organizational decision.
3. The Board shall produce assurance of committee member performance.

## **Section C. Board Member's Roles**

The Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members. Board members shall strive to:

- a. speak with one vision and one voice
- b. ensure that FSCA supports school counselors
- c. give back to FSCA
- d. help future generations of school counselors
- e. advocate for the profession and the Association
- f. provide direction to the Committee Members
- g. ensure that the Association remains viable
- h. bring issues from constituents
- i. be knowledgeable about FSCA's bylaws, policies and Board decisions and communicate, clarify and support them to constituency
- j. support the fulfillment of FSCA's vision
- k. support the continuous improvement of the Association
- l. be prepared for meetings
- m. represent school counselors
- n. identify and encourage future leaders
- o. Draw on the experience of senior and out-going Board members to mentor other Board members and to meet the goals of the Association.

# Florida School Counselor Association Policies

---

## **1. President**

The President ensures the integrity and fulfillment of the Board's process and represents the Board to outside parties. A President who does not retire, but ceases to be employed as a professional school counselor, director of guidance/student services, counselor educator or a comparable position in the school counseling profession as determined by the Board, may be asked to resign. Specific responsibilities of the President include the following.

- a. Perform duties as directed by the Bylaws, Delegate Assembly, and Governing Board in accordance with FSCA's Strategic Plan.
- b. Preside at all meetings of the Delegate Assembly and Governing Board.
- c. Represent FSCA at meetings and conferences of other organizations and with media at the national, state, and local levels.
- d. Submit regular and periodic reports of activities and accomplishments to the Governing Board.
- e. Contribute to the annual report submitted to the Delegate Assembly.
- f. Coordinate and communicate with Governing Board and other appropriate leaders.
- g. Write articles for each issue of *The Florida School Counselor* and other publications as requested.
- h. Maintain and communicate activities report and travel itinerary.
- i. Coordinate with the President's Council of FSCA the agenda and the working papers for Delegate Assembly and Governing Board meetings.

## **2. President-Elect**

The President-Elect fulfills the President's obligations in the President's absence and prepares to assume the office of President. A President-Elect who does not retire but ceases to be employed as a professional school counselor, director of guidance/student services, counselor educator or a comparable position in the school counseling profession as determined by the Board, may be asked to resign. Specific responsibilities of the President-Elect include the following.

- a. Perform such duties as may be directed by the Bylaws, Delegate Assembly, and the Governing Board.
- b. In the absence of the President, assume the role of the President with all of its authority and responsibility.
- c. Prepare for Presidential year.
- d. Represent FSCA at meetings and conferences of other organizations and with media at the national, state, and local levels.
- e. Submit regular and periodic reports of activities and accomplishments to the Governing Board.
- f. Contribute to the annual report submitted to the Delegate Assembly.

## **3. Immediate Past President**

The Immediate Past President provides historical perspective and guidance to the Board. Specific responsibilities of the Immediate Past President include the following.

- a. Perform such duties as may be directed by the Bylaws, Delegate Assembly, or the Governing Board.

# Florida School Counselor Association Policies

---

- b. Coordinate nominations and elections process.
- c. Represent FSCA at meetings and conferences of other organizations and with media at the national, state, and local levels.
- d. Submit regular and periodic reports of activities and accomplishments to the Governing Board.
- e. Contribute to the annual report submitted to the Delegate Assembly.
- f. Advise the Governing Board regarding Policy Governance.
- g. Review a sample of FSCA's monthly credit card statements no less frequently than twice each year.

## **4. Level Vice Presidents**

Level Vice Presidents shall be elected for two-year terms to bring the perspective of professional school counselors in Elementary, Middle/Junior High, High School, District Level Supervisor, Postsecondary work settings.

The Vice Presidents for Elementary, Middle, District Level Supervisor for School Counseling and Regions 2 and 4 shall be elected in even numbered years by ballot and begin office in July 1 of the subsequent year. The Vice Presidents for High School, Post-Secondary Regions 1, 3, and 5 shall be elected in odd numbered years by ballot and begin office in July 1 of the subsequent year.

A Level Vice President who does not retire but ceases to be employed as a school counseling professional at the work setting level to which he or she was elected may be asked to resign.

Specific responsibilities of Level Vice Presidents include the following.

- a. Perform duties as directed by the Bylaws, Delegate Assembly or Governing Board.
- b. Represent the interests, needs, and concerns of school counselors in respective work level settings.
- c. Generate interest in activities within respective work level settings.
- d. Represent FSCA at meetings and conferences of other organizations and with media at the national, state, and local levels.
- e. Submit regular and periodic reports of activities and accomplishments to the Governing Board.
- f. Contribute to the annual report submitted to the Delegate Assembly.
- g. Write articles as appropriate for *The Florida School Counselor* and other publications.
- h. Facilitate level-sharing sessions at annual conference.

## **5. Regional Vice-Presidents**

Regional Vice-Presidents shall be elected for two-year terms to bring the perspective of professional school counselors in FSCA's five regions.

A Regional Vice President who moves to another region or does not retire but ceases to be employed as a professional school counselor, director of guidance/student services,

# Florida School Counselor Association Policies

---

counselor educator, or comparable position in the school counseling profession as determined by the Board may be asked to resign.

Specific responsibilities of Regional Vice Presidents include the following.

- a. Perform such duties as may be directed by the Bylaws, Delegate Assembly, or Governing Board.
- b. Act as special liaisons to the members within his/her region and keeping them informed of Governing Board actions and other issues
- c. Represent FSCA at meetings and conferences of other organizations and with media at the national, state, and local levels.
- d. Represent the interests, needs, and concerns of the respective region and conduct environmental scanning.
- e. Communicate the policy and concerns of FSCA to the region's counselors.
- f. Provide FSCA visibility and increase FSCA membership.
- g. Promote the professional role of the counselor.
- h. Promote, stimulate, and support professional development activities.
- i. Submit regular and periodic reports of activities and accomplishments to the Governing Board.
- j. Contribute to the annual report submitted to the Delegate Assembly.
- k. Write articles as appropriate for *The Florida School Counselor* and other publications.
- l. Lead Regional Caucus at Delegate Assembly.
- m. Review FSCA grant applications.

## 6. Parliamentarian

A Parliamentarian may be appointed to a one-year term by the President. If appointed, specific responsibilities of the Parliamentarian include the following.

- a. Advise the Governing Board regarding Bylaws and parliamentary procedure.
- b. Review and submit proposed standing rules to each Delegate Assembly.
- c. Attend all official meetings of the Delegate Assembly and the Governing Board.

## 7. CHAPTERS

A. Local regional chapters are created and chartered in accordance with FSCA's policies. Chapter charters shall be reviewed and periodically reissued.

B. Organization of Chapters. Any group of Association members residing or working within a particular area or region may apply for a Chapter charter, provided that the group consists of at least 10 FSCA members.

C. Formation of Chapters. Groups that desire to form a Chapter must submit a Chapter Charter application to the Governing Board. An application considered by the Governing Board shall, upon acceptance, be submitted to the Delegate Assembly for final approval.

D. The FSCA Governing Board must approve the applicant's Bylaws, or other similar governance document, and shall make a recommendation concerning them to the

## Florida School Counselor Association Policies

---

Delegate Assembly. Such Bylaws or other similar document of a Chapter must not be in conflict with the FSCA Bylaws and any formal relationship mutually developed between the applicant and any other school counseling association or branch.

E. Chapter Charters are granted to local or regional school counselor associations and FSCA will charter no more than one school counselor association per county or district.

F. Chapter Leadership. FSCA State Chapter Presidents and Presidents-Elect must be members of FSCA.

### **G. Benefits**

1. FSCA supports its chapters, and promotes chapter membership and activities.
2. FSCA includes state chapter delegates to the Delegate Assembly in accordance with Article IV, Delegate Assembly, of the FSCA By-Laws.
3. FSCA promotes chapter leadership communication through its website and listserv for chapter presidents, past presidents and presidents-elect.
4. FSCA chapter leadership may participate in any leadership development activities and may received reduced fees at such workshops or conferences.
5. FSCA provides materials and resources for distribution to chapter members.
6. FSCA leaders provide professional development, keynote addresses and other presentations at local conferences, workshops or meetings at cost.
7. Chapters may host FSCA's annual conference, LDI or other meetings.

### **H. Responsibilities**

1. State chapters shall support FSCA, and FSCA's mission and FSCA's programs.
2. Chapter leaders shall act ethically and with integrity in a professional manner.
3. Chapters shall promote membership in FSCA.
4. Chapters shall submit their bylaws to FSCA for review and approval periodically and upon request. Chapter by-laws must not be in conflict with FSCA bylaws.
5. Chapters shall submit a list of leaders, including board members, officers and committee chairs each year.
6. Chapters shall submit the names of all members who are FSCA members each year.
7. Chapters shall submit a list of all state chapter members, with contact information, to FSCA each year.
8. Chapters shall submit dates and locations of conferences and other meetings to FSCA each year.
9. Chapters shall submit an annual report for inclusion in Delegate
10. Assembly working papers.
11. Chapters shall promote leadership opportunities in FSCA.
12. Chapters shall not hold conferences, seminars or other meetings or engage in activities that conflict or compete with FSCA activities without prior approval from FSCA.
13. Chapters shall agree to fulfill the responsibilities stated herein.

# Florida School Counselor Association Policies

---

## H Revocation of Chapter Charter

1. Reasons for Revocation. Chapter charters may be reviewed and revoked at any time under one or more of the following conditions:
  - a) Chapter is no longer operating under bylaws submitted to and current with FSCA.
  - b) The number of FSCA members in a Chapter is less than 10.
  - c) A Chapter is no longer considered an active association by holding meetings and by regularly attending FSCA's Leadership Development Institute and/or Delegate Assembly.
  - d) A Chapter does not fulfill the aforementioned agreed upon responsibilities.
  - e) Any other reason deemed by the Governing Board or Delegate Assembly to be in the best interests of FSCA.

### 2. Revocation Process

The following process shall be used to settle disputes regarding Chapter Charters.

- a) Parties in dispute must first attempt to reach an informal resolution of their differences following the initiation of a dispute and before submitting a revocation proposal to FSCA. Parties in dispute must sign and submit a notarized statement to the effect that they have diligently tried and failed to reach an agreement.
- b) A request to revoke a charter must be made in writing, with a statement of the specific reasons why revocation is sought, and sent to the FSCA Executive Director by certified mail. The charges must be made over the signature of at least 5 FSCA members in good standing in the region involved, or one or more members of the FSCA Governing Board.
- c) Before final action may be taken with respect to the revocation of a Chapter charter, a notice of intent to revoke must first be passed by a majority of the FSCA Governing Board members present and voting and the Chapter in question must be advised in writing of the reasons for the proposed action. The FSCA Governing Board shall allow the chapter a reasonable period to effect remedial measures.
- d) The Chapter charged in a dispute shall be given 30 days to respond in writing to the charges and to submit the response by certified mail to the FSCA President or designee.



## Florida School Counselor Association Policies

---

- e) A Chapter charged in a dispute and representatives of the claimants shall be given the opportunity to appear before FSCA's Governing Board or a mutually agreed upon impartial body consisting of not less than three nor more than seven individuals selected by the President with the concurrence of the Governing Board. Such impartial body shall exclude ASCA members of the State Chapter and FSCA members of other parties involved in the dispute and shall present its findings and recommendations to the Governing Board within 30 days following the hearing and gathering of all evidence.
- f) If a hearing is held, a Chapter charged in a dispute shall have the opportunity to question witnesses against the Chapter. If either party desires legal representation at the hearing, the FSCA President or designee must be notified in writing by certified mail within 30 days prior to the hearing in order to advise the other party to this action.
- g) A recommendation to the Delegate Assembly to revoke a Chapter charter must be approved by two-thirds of the votes cast by the members of the FSCA Governing Board. Any member(s) of FSCA's Governing Board who is from the state involved, who brings the charge initially or who is involved in the dispute in any way, shall refrain from voting or taking part in the consideration of the issue.
- h) A written report and recommendation shall be made by the Governing Board to the Delegate Assembly at the first meeting following the vote of the FSCA Governing Board.
- i) Revocation of a Chapter charter must be approved by two-thirds of the votes cast by the members of the Delegate Assembly. Any members of FSCA's Delegate Assembly who are from the region involved, who bring the charge initially or who are involved in the dispute in any way, shall refrain from voting or taking part in the consideration of the issue.
- j) Decisions made by the Delegate Assembly considering charges to the revocation of a Chapter charter shall be considered final.
- k) The parties in dispute shall be notified by the FSCA President or designee within 30 days, in writing, by certified mail of the final action taken by the Delegate Assembly.

### **Section D: Nominations and Elections**

#### **1. Nominations and Elections Process**

The Governing Board shall maintain direction of the Nominations and Elections process.

- a. Nomination packets are submitted by individuals interested in seeking an office.
- b. The Nominations and Elections Committee reviews the packets and list of individuals who meet the requirements for eligibility.

# Florida School Counselor Association Policies

---

- c. Votes are cast by mail ballot. New Board members are selected by simple majority.

## **2. Eligibility for Office**

Members seeking nomination for an FSCA office shall meet the following specifications.

- a. Nominees must be professional members of FSCA, as stated in the Bylaws, Article III, Section 4 and Operational Parameters Article 1, Section A-1-a of FSCA policies.
- b. Nominees for level vice presidents shall be employed as school counseling professionals at the work setting level for which they are seeking office.
- c. Nominees for regional vice presidents must be employed as a school counseling professional in the geographic region for which they are seeking office.
- e. Nominees for president-elect must be employed as a professional school counselor, director of guidance/student services, counselor educator or a comparable position in the school counseling profession as determined by the FSCA Board.

## **3. Campaign Policies**

The goal of the campaign policies is to maintain a healthy professional environment. Campaigning shall be kept to a minimum and in accord with the following:

- generate member interest in submitting candidate packets,
  - permit creativity in campaigning,
  - ensure a fair election for all candidates, and
  - increase membership votes in the election.
- a. Campaign policies are effective upon application of candidates to the Nominations and Elections Committee.
  - b. The Association, and its regions shall not contribute, budget, nor appropriate organizational funds for support of any candidates for FSCA office.
  - c. FSCA involvement in campaigns shall be limited to the following:
    1. Written candidacy information shall be published in the election issue of *The Florida School Counselor* and shall accompany the ballot.
    2. At the annual conference, FSCA may schedule a reception for all candidates where candidate campaigning is allowed.
  - d. FSCA involvement in campaigns shall be limited to the following:
    1. FSCA shall not endorse any candidates.
    2. Districts and Regions may use only the FSCA-approved candidates' statements to publish information about candidates in newsletters, on websites, and at conferences.

## Florida School Counselor Association Policies

---

- e. Candidate involvement in campaigns shall be limited to the following:
  - 1. Candidates shall not accept campaign funds or other campaign support, including in-kind support, from associations, divisions, regions, schools, commercial firms, corporations, or foundations.
  - 2. Candidates shall not use FSCA resources such as web sites, listservs, logos, equipment or supplies to solicit votes or support.
  - 3. Candidates may produce and distribute pins, fliers, brochures, and other materials at their own expense.
  - 4. All candidates shall refrain from using any FSCA listservs after ballots have been mailed and until the deadline for receipt of ballots.

### **4. Ballot Policies**

- a. The order of the candidates' names for all positions on the ballot shall be determined by lot. The lot shall be chosen by the Chair of the Nominations & Elections Committee and witnessed by two designees.
- b. The ballot shall be mailed individually to members of the Association via first class mail at least four weeks (4) weeks prior to the ballot return deadline.

### **5. Violations of Policies**

Violation of the Nominations and Elections Policy shall subject candidates to possible invalidation of their eligibility as candidates. Authority to withdraw the said candidate rests with the Nominations and Elections Committee with ratification by the Governing Board.

- a. The Nominations and Elections Committee shall make recommendations to the FSCA Governing Board regarding violations of Nominations and Elections policies. The decision of the Governing Board shall be final.
- b. A nominee or candidate charged with violating the FSCA Nominations and Elections Procedures shall be given notice via certified mail of the precise nature of the charge by the Nominations and Election Chair within 14 days of receipt of the charge.
- c. The Nominations and Elections Committee may review any charges made by a nominee or candidate against another nominee or candidate, any charges made over the signature of five members in good standing and any election activities that the Nominations and Elections Committee believes may not be in accord with the Election Policies.
- d. A nominee or candidate charged with a violation shall be given the opportunity to present written evidence to defend the charge(s). This evidence must be received by the Nominations and Elections Chair via certified mail within fourteen (14) calendar days after notification of charges.
- e. A nominee or candidate charged with violating the Nominations and Election Policies shall be given the opportunity to present evidence through witnesses or otherwise, shall be given the opportunity to question witnesses, shall have the right to appeal and shall have the right to a hearing before the Governing Board.
- f. If a nominee is disqualified prior to an election, the nominee for the same position with the next highest vote total shall be added to the ballot. If the

# Florida School Counselor Association Policies

---

candidate is disqualified after an election, the candidate with the next highest vote count shall be declared the winner.

## **6. Recount Petition**

- a. A recount of election results may be requested only by the candidate involved in the recount and must be in writing to the FSCA President.
- b. The request for recount must be received by the FSCA Governing Board via certified mail by 4:30 p.m. EST no later than fourteen (14) calendar days after notification of results.
- c. Costs of a recount that changes the election result in favor of the petitioner shall be paid by FSCA. Costs of a recount that does not change the election result in favor of the petitioner shall be paid by the petitioner.
- d. Observers are permitted to watch, but not participate in, a petition recount. Observers are designated by the petitioner and provided at the petitioner's expense.
- e. In the case of an approved petition recount, the results of the recount shall be the final result and no further count shall be undertaken.

## **Section E: Committees and Appointments**

Board committees shall be assigned so as to reinforce the wholeness of the Board's job.

### **1. Appointments**

- a. Committees and task forces of the Association shall be created to accomplish specific tasks within specific time frames, with the exception of the three Standing Committees of the Association, which shall be the Bylaws, Ethics and Nominations, and Elections committees.
- b. Liaisons: A liaison may be appointed by the President to act as an ongoing contact with another organization. Liaisons must submit an annual report of their activities and accomplishments to the Governing Board for inclusion in Delegate Assembly working papers. The Liaisons length of service continues as long as the relationship meets with the mission and vision of FSCA and the connection is appropriate.

### **2. Bylaws Committee**

The Bylaws Committee annually reviews the Bylaws of the Association and makes recommendations concerning revisions to the Governing Board.

Specific responsibilities of Bylaws Committee Chair include the following.

- a. Serve as consultant to the FSCA Board in regards to bylaws questions and revisions.
- b. Review FSCA's Bylaws on an annual basis.
- c. Perform such duties as may be directed by the Bylaws, Delegate Assembly, or Governing Board.
- d. Submit regular and periodic reports of activities and accomplishments to the Governing Board.
- e. Submit annual report to the Delegate Assembly.

# Florida School Counselor Association Policies

---

- f. Assure Bylaws compliance with the ASCA.
- g. Write articles as appropriate for *The Florida School Counselor* and other publications.
- h. Receive proposed amendments to FSCA's bylaws and submit to the Governing Board.
- i. Coordinate the resolutions process.

### **3. Ethics Committee**

The Ethics Committee annually reviews the Ethical Standards of the Association and assists the membership in understanding ethical practices.

Specific responsibilities of Ethics Committee Chair include the following.

- a. Provide leadership in promoting FSCA's Adopted Ethical Standards.
- b. Review Ethical Standards annually and recommend revisions.
- c. Perform such duties as may be directed by the Bylaws, Delegate Assembly, or Governing Board.
- d. Submit regular and periodic reports of activities and accomplishments to the Governing Board.
- e. Submit an annual Report to the Delegate Assembly.
- f. Write articles for *The Florida School Counselor* and other publications.
- g. Act as a liaison to the membership at large.
- h. Assist membership in understanding ethical practices.

### **4. Nominations and Elections**

The Nominations and Elections Committee oversees the election of FSCA's Governing Board members.

The Nominations and Elections Committee shall consist of the Immediate Past President, who shall serve as Chair, the President-elect, and two members of the Governing Board, each serving alternating two-year terms. The Committee shall follow the guidelines for selecting candidates for the Association in accordance with FSCA Bylaws and the Nominations and Elections policies.

Candidates for any office shall not serve on the Nominations and Elections Committee. Board members on the Nominations and Elections Committee who decide to run for an office must resign from the committee as soon as their intentions are made known to the Governing Board.

Specific responsibilities of Nominations and Elections Committee Chair include the following.

- a. Perform such duties as may be directed by the Bylaws, Delegate Assembly, or Governing Board.
- b. Carry out the responsibilities as listed in the Nominations and Elections Guidelines

## Florida School Counselor Association Policies

---

- c. Encourage members to seek nomination by presentations at the Leadership Development Institute, articles in *The Florida School Counselor*, personal contact, telephone calls, letters, and FSCA website.
- d. Screen candidates' information packets for completion of all requirements and determines eligibility.
- e. Inform all nominees of eligibility status.
- f. Submit resumés and candidates' statements to FSCA office for inclusion on the ballot.
- g. Solicit and select additional candidates for the final ballot if a sufficient number of candidates do not apply.
- h. Submit candidates' resumés and statements to the editor of *The Florida School Counselor*.
- i. Send original candidate packets to the FSCA office for the files.
- j. Oversee election activities and respond to questions or charges of violations concerning the election activities of candidates. Members of the Nominations and Elections Committee may raise questions concerning candidate actions when appropriate.
- k. Inform candidates of election results by telephone and letter.
- l. Review and update nominations and elections procedures annually.
- m. Facilitate the process of selecting qualified candidates for FSCA office.
- n. Include activity update in Immediate Past President's reports to the Governing Board.
- o. Submit an Annual Report to Delegate Assembly.
- p. Write articles as appropriate for *The Florida School Counselor* and other publications.
- q. Attend and carry out responsibilities as requested at Governing Board meetings, the Leadership Development institute, and other special meetings.

### **5. Professional Interest Networks (PINS)**

FSCA may offer Professional Interest Networks (PIN) as a service to members who share common interests. PIN contact people are responsible for responding to inquiries from members, providing updates and concerns to the FSCA President-Elect, and submitting an annual report to Delegate Assembly.

Each year the President-elect shall solicit applications from those members who wish to become or continue to serve as PIN contacts.

PIN contacts must reapply each year.

The publication of PIN's information does not imply the endorsement or recommendation of materials, services, or activities of the network contact person by the Florida School Counselor Association.

**6. Membership Committee** shall consist of FSCA members who are interested in assisting with membership recruiting and retention. Specific responsibilities of the Membership Committee shall be to

# Florida School Counselor Association Policies

---

1. ensure that membership policies and by-laws are upheld
2. review and recommend changes to membership categories
3. develop and implement member recruitment and retention plans
4. oversee processing of member enrollment and renewal processing including correspondence regarding membership and materials provided to new and renewing members

## **Section F: Cost of Governance.**

Because poor governance costs more than learning to govern well, the Board shall invest in its governance capacity. Governing Board and Committee Members shall be reimbursed for approved meeting attendance or other agreed upon budget items.

### **1. Meetings**

- a. The Governing Board shall meet at least once per year. Additional meetings may be held at the call of the president or of a majority of the Governing Board
- b. All meetings of the Governing Board, except executive sessions, shall be open to any member of FSCA. Copies of the minutes of all meetings of the Governing Board shall be distributed to members of the Board within thirty (30) days after the close of the meeting and shall be available to FSCA members.
- c. Governing Board members shall attend all Governing Board meetings, FSCA's annual conference, and Board Orientation/Training meetings.

### **2. Board Training and Orientation**

Board members shall attend training and orientation meetings each year they are on the Board.

## **BOARD- COMMITTEE RELATIONSHIP POLICIES**

The Board's sole official connection to the operating organization, its achievement, and conduct shall be through Board-Committee Liaisons.

### **Section A: Unity of Control**

Only decisions of the Board acting as a body are binding on Committee Chairs.

### **Section B: Delegation to the Board-Committee Liaison**

The Board shall instruct Board-Committee Liaison through written policies that prescribe the organizational Ends to be achieved and describe organizational situations and actions to be avoided, allowing the Board-Committee Liaison and respective committee to use any reasonable interpretation of these policies.

### **Section C: Monitoring Committee Performance**

Systematic and rigorous monitoring of Committee job performance shall be based solely against the expected Committee job outputs: organizational accomplishment of Board

## Florida School Counselor Association Policies

---

policies on Ends and organizational operation within the boundaries established in Board policies on Committee Limitations.



# Florida School Counselor Association Policies

---

## Appendix A: FSCA Conflict of Interest Policy

### FLORIDA SCHOOL COUNSELOR ASSOCIATION

#### Conflict of Interest Policy

First Approved and adopted by the Governing Board July 6, 2007

Reviewed and Reaffirmed February 12, 2011

#### Article I Purpose

The purpose of the conflict of interest policy is to protect Florida School Counselor Association's (FSCA) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of FSCA or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

#### Article II Definitions

##### 1. Interested Person

Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

##### 2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which FSCA has a transaction or arrangement,
- b. A compensation arrangement with FSCA or with any entity or individual with which FSCA has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which FSCA is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

#### Article III Procedures

##### 1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

##### 2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

##### 3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

# Florida School Counselor Association Policies

---

d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

## **4. Violations of the Conflicts of Interest Policy**

- a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate corrective action.

## **Article IV Records of Proceedings**

The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

## **Article V Compensation**

- a. A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

## **Article VI Annual Statements**

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy.
- c. Has agreed to comply with the policy. and
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

## **Article VII Periodic Reviews**

To ensure that FSCA operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

# Florida School Counselor Association Policies

---

## **Article VIII Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

Approved by the FSCA Board October 21, 2006

Updated March 15, 2008

Updated February 12, 2011