

Governing Council Rules of Procedure

1. First Meeting of New Governing Council

- a. At the first meeting of the Governing Council after commencement of a Governing Council term of office, the first order of business shall be the approval of the Governing Council Rules of Procedure.
- b. The President shall appoint a Parliamentarian and Process Observer, with the consent of the Governing Council.
- c. Multicultural and diversity training will take place at the beginning of the Fall Governing Council meeting.

2. Meetings

- a. The Governing Council shall meet a minimum of twice per year. A meeting will be held immediately prior to or following the ACA annual convention.
- b. Expenses incurred in participation in Governing Council meeting will be paid by ACA in accordance with ACA policies and procedures.
- c. The President of the association shall preside at meetings of the Governing Council and in the President's absence, the President-Elect shall preside.

3. Quorum

- a. A quorum shall be a majority of the voting members of the Governing Council.

4. Order of Business

- a. The order of business for meetings of the Governing Council shall be as follows:
 - i. Call to order by the President;
 - ii. Adoption of the Agenda for the meeting;
 - iii. Consideration of the items on the Agenda in order.

5. Agenda

- a. The proposed Agenda shall be prepared by the Executive Committee.
- b. Proposed agenda items should be submitted to the ACA President in sufficient time to be distributed to the Governing Council in advance of each meeting. The proposed agenda and all supporting documents shall be sent to all members of the Governing Council prior to each meeting of the Governing Council.

6. Substitution or Proxies

- a. Substitutes or proxies for elected Governing Council members are not permitted except as provided in the Bylaws and Policies of the Association.
- b. Exceptions may include the permanent replacement of the previously elected Governing Council member or the seating of a temporary observer having voice without vote. In the case of these exceptions, formal written notice by the Division President or ACA Region Chair must be made no later than 72 hours prior to the session of the Governing Council at which the person is to be seated.

7. Speaking and Voting Procedures

- a. Voting members of the Governing Council include: ACA Officers (President, President-Elect, Immediate Past President, except Treasurer and Executive Director who are ex-officio without vote) and one member of each Division or Region (Bylaws, Article X, Section 1). An Organizational Affiliate is entitled to ex-officio, non-voting participation in the Governing Council meetings (Bylaws Article V, Section 1). The Parliamentarian shall without vote advise the President and the Governing Council regarding parliamentary law and parliamentary procedure (Bylaws, Article XVI, Section 2).
- b. During a Governing Council meeting, any member of the Governing Council may speak on any matter which is brought before the assembly. Seated observers may have speaking rights, but no voting rights.
- c. Any member of ACA may attend Governing Council meetings, but may only speak with permission of the Presiding Officer. A special seating section will be provided for ACA members who are not members or seated observers of the Governing Council.
- e. A Governing Council member wishing to speak from the floor shall first secure recognition from the chair and address only the chair.
- f. Speakers shall indicate their purpose in accordance with parliamentary procedures.
- g. A Council member may not speak more than five minutes at any one time, nor more than twice on the same question (except when granted that privilege by majority, 2/3 vote of the Governing Council).
- h. The Governing Council may, in order to expedite business, limit equally the time or the number of speakers for each side of a question, or the total time for debate thereon, by a majority vote.
- i. Voting shall be by voice, show of hands, standing, or paper ballot as decided by the President.
- j. A vote by show of hands or standing can be requested by any one member of the Governing Council.
- k. A vote by ballot can be ordered by a majority vote.
- l. A roll call vote can be ordered by a majority vote.

8. Forms of Proposed Motions

- a. A motion calling for action by the Governing Council may be made by a member of the Governing Council and requires a second. Motions from divisions, organizational affiliates, ACA regions, branches, or standing CA committees do not require a second.
- b. The preferred content of such motions shall be:
 - i. If it creates or reconstitutes a committee: the purpose for which the committee is established, whether it is to be a standing committee or a special committee and in the latter case for what specific term, through what method the committee shall report, the number of members and the term of their appointment.
 - ii. If it modifies these rules: what rule is to be modified or the place where a new rule is to be added, the purpose or nature of the change, and the text of the rule in its new form.
 - iii. If it directs a limited or single action: the person, agency or committee who shall carry out the action unless this is evident in these Rules, and the action to be taken.
 - iv. If it expresses an opinion or a hope, or states a general policy not specifically implemented: that a resolution of appropriate form be clearly separated from other motions that specify actions.

- v. If it calls for the expenditure of funds: that it includes a statement calling for an item for the specified purpose to be included in the budget for the next year, or if enacted immediately, that funding be identified in the present budget.

It is the essence of orderly procedure that distinction be made between transitory legislation, such as (iii) and (v) above, and a continuing rule such as (i), (ii), and (iv).

- c. Motions must be presented in writing to the Presiding Officer as soon as they have been made. They shall be signed by the maker, who will also sign the name of the member who seconds the motion. Motions will be officially on the floor for discussion after the presiding officer has read the motion to the Governing Council.
- d. Amendments, when offered, must be germane to the subject under consideration.

9. Channels and Forms of Reports

- a. Action reports of regions, branches, divisions, organizational affiliates, committees and officers shall be in writing and furnished to Governing Council members in advance of the meeting at which they are to be acted upon. A report should distinguish clearly between the account of activities of the committee and problems discussed, and specific recommendations for action.
- b. Reports of officers, committees, members, or staff are presented to the Governing Council (preferably in written form). The Council has the following options:
 - i. To hear and receive the report without action,
 - ii. To adopt motions directing modifications of the report or further work upon it,
 - iii. To refer the committee to another body with or without instruction, or
 - iv. To fully adopt the report and have it become part of the formal policy of the Association.
- c. If the Governing Council wants to approve the full content of a report, have the recommendations implemented, or establish the content as a formal policy of the organization, a motion to adopt is the appropriate motion.
- d. The Treasurer's report is an exception. No action to adopt is required or even proper on a financial report unless it is of sufficient importance, as an annual report, to be referred to auditors, in which case it is the auditor's report that is adopted with the motion made by any member of the Governing Council other than the Treasurer.
- e. Proposals for motions for action made by a committee shall be transmitted to the Governing Council. A proposal may be returned to the originating source by the Governing Council once, but thereafter if resubmitted by the originating source, shall be considered by the Governing Council and some action taken.
- f. The Governing Council, in acting on proposals for action from a committee, shall determine that the motion:
 - i. ought to pass,
 - ii. ought to pass with the following amendments,
 - iii. ought to be substituted for by the following substitute motion, or
 - iv. ought not to pass.

10. Resolutions

- a. Resolutions originating from individuals or groups at the Governing Council meeting may be introduced under "Resolutions" on the agenda (after resolutions submitted in advance are reported and acted upon), or under "New Business," by any Governing Council member or his/her designee. No resolution originating from the floor shall be considered by the Governing Council unless it has first been presented to the Secretary of the Governing Council signed by the motion maker and the seconder.
- b. Resolutions should be presented in sufficient copies for each Governing Council member to have one or should be displayed on a large enough screen/monitor for all of those in attendance to see it clearly.

11. Bylaws Amendments

- a. All Bylaws amendments require previous notice and a two-thirds vote of the Governing Council members voting.
- b. The Governing Council can take final action on Bylaws amendments at any regularly scheduled meeting of the Governing Council.
- c. Bylaws amendments proposed by National Divisions, Branches, Regions, or individual members in accordance with the Association's Bylaws (Article XV) and submitted to the Governing Council through the Bylaws Committee will be finally acted upon under "Bylaws Amendments" on the meeting agenda. Previous notice is met by including the proposed amendment in the Governing Council materials sent to members prior to the meeting.
- d. Bylaws amendments originating in a Governing Council meeting can be proposed under "New Business." Such amendments, however, cannot be finally considered at that time, since they violate the "previous notice" rule above. The only action which may be allowed is that the proposed amendment can be discussed informally and briefly at the discretion of the presiding officer. It must then be forwarded to the Bylaws Committee and be processed as specified in the Bylaws for a final Governing Council vote at the next regularly scheduled meeting of the Governing Council.
- e. Bylaws amendments take effect immediately upon adoption unless the motion to adopt specifies otherwise.

12. Standing Rules

- a. *Robert's Rules of Order Newly Revised* shall be the Standing Rules of the Governing Council, except where they conflict with the Certificate of Incorporation, the Bylaws, or the Governing Council Rules of Procedure.

13. Amending and Suspending Rules of Procedure

- a. The Governing Council Rules of Procedure shall remain in force until they are amended or repealed.
- b. A majority vote at any regular meeting of the Governing Council shall be sufficient to amend these Governing Council Rules, to take effect at the close of the meeting at which the vote is taken (not at the end of the particular session, except the final one).
- c. Except that a two-thirds vote may suspend these Rules for a particular session of a meeting, or for the remainder of that meeting.

14. Information Regarding Meetings

a. Notification of Meetings:

ACA's Conference and Meetings department will e-mail each member of Governing Council a memo detailing information regarding the location and logistics of the Governing Council meeting. You will be responsible for completing the housing and travel information on the form and returning it to ACA Conference and Meetings by the designated deadline. Your hotel reservations will be made by the ACA Conference and Meetings department.

b. Travel:

Make your travel arrangements. You will be reimbursed by ACA for your travel expenses. ACA also has a travel service, ACA Travel Services – 866-825-4797 or www.acatvl.com, where you may bill your ticket directly to ACA.

c. Housing:

i. Fall Governing Council Meeting:

At the fall Governing Council meeting ACA will pay hotel cost for division and region representative as indicated in the information provided by ACA Conference and Meetings department. Each person is responsible for his or her own incidental costs.

ii. Spring Governing Council Meeting:

Before the ACA Annual Conference, ACA will contact each member of the Governing Council to make your hotel reservations. ACA will pick up the cost of your hotel room for the night before the Governing Council convenes, and each night Governing Council meets until 5:00 p.m. Your housing is not covered for those days when the meeting ends at Noon unless the President determines otherwise.

You are responsible for all hotel incidentals plus any additional nights you will stay at the convention.

You have the option to stay at the hotel where Governing Council convenes or at another of the ACA designated hotels. You may choose to stay at the ACA Headquarters hotel during the meeting and then move to another hotel after Governing Council adjourns. Be sure to clarify these specifics when contacted by ACA. ACA will accommodate whatever reservations you may require (at any official ACA conference hotel), however, only those nights – as specified above – will be placed on the ACA Master Bill.

d. Meals:

ACA provides most meals during Governing Council. There is usually one Group Dinner and one or two dinners on your own. ACA Per Diem is currently: Breakfast - \$9.00; Lunch - \$11.00; and Dinner - \$30.00.

e. Mileage:

ACA reimbursement for mileage is currently \$.50 per mile.

Travel and Expense Reimbursement Forms

At the meeting you will be provided with a Travel and Expense Reimbursement form. Fill it out and attach receipts, sign it and mail it to Holly Clubb, Director of Leadership Services, within 30 days of the meeting.

f. Preparing for the Meeting:

Before each Governing Council meeting you will receive the Working Papers and agenda for the meeting and a telephone call from the Executive Director to go over any questions you might have.

To prepare for the meetings:

- i. Read the materials provided
- ii. Formulate any questions

Parliamentary Procedures

AMERICAN COUNSELING ASSOCIATION

Diagram of Parliamentary Motions in Order of Precedence
Prepared by Mark Pope, ACA Parliamentarian (2000-2002)

<u>PRIVILEGED</u>	<u>Fix Time to Adjourn</u> <u>Adjourn</u> <u>MOTIONS</u> <u>Call for Orders of the Day // 1</u> <u>Take Recess</u> <u>Question of Privilege // 1</u>	
<u>INCIDENTAL</u>	<u>APPEAL THE DECISION OF THE CHAIR // 1</u> <u>Division of the Assembly // N2, 1</u> <u>Division of the Question</u> <u>To Create Blanks // N2</u> <u>Objection to Consideration // 2/3, 1</u> <u>MOTIONS</u> <u>Make Nominations // N2</u> <u>Close Nominations // 2/3</u> <u>Parliamentary Inquiry // N2, 1</u> <u>Point of Information // N2, 1</u> <u>Point of Order // N2, 1</u> <u>Suspend the Rules // 2/3</u>	
<u>SUBSIDIARY</u>	<u>Lay on the Table</u> <u>Previous Question // 2/3</u> <u>Limit or Extend Debate // 2/3</u> <u>POSTPONE TO A DEFINITE TIME</u> <u>MOTIONS</u> <u>REFER TO A COMMITTEE</u> <u>AMEND THE AMENDMENT</u> <u>AMENDMENT</u> <u>POSTPONE INDEFINITELY</u> <u>RECONSIDER // 1</u>	
<u>MAIN MOTION</u>		

Legend

ALL CAPITALS = debatable motions

Small Letters = non-debatable motions

2/3 = Motions requiring a 2/3rds vote

N2 = Motions not requiring a second

1 = May interrupt a member who has the floor

Motions to amend the bylaws as required by the existing bylaws

OR previous notice and 2/3rds vote of those present and voting

OR majority of entire membership.

Based on Robert's Rules of Order Newly Revised (10th ed.) (2000).

PARLIAMENTARY PROCEDURE DEFINITIONS

Privileged Motions

Motions which are of such importance to the assembly that they must be acted on at once, regardless of the other business that may be pending.

- Fix Time to Adjourn – a motion to set an adjournment time
- Adjourn – a motion to end the deliberations of the assembly
- Call for Orders of the Day – a motion to return to the agenda which has been previously agreed to by the assembly
- Take Recess – a motion to take a break from the assembly's deliberations
- Question of Privilege – a motion having to do with the rights or comforts of the assembly or any member of the assembly (better ventilations, temperature, lighting, room to be cleared of visitors); when another member asks permission to do something or to have something done which he/she could not do or could not have done under the ordinary rules of procedure.

Incidental Motions

1. motions which are incidental to the main motion and do not apply directly to it;
 2. are permitted to interrupt any other business and are usually acted upon at once;
 3. these motions takes precedence over the main motion because the member wants action taken before the vote is taken on the main motion.
- APPEAL THE DECISION OF THE CHAIR – a motion to appeal the decision of the Presiding Officer to the assembly. Division of the Assembly – a motion to have the votes cast by standing, roll call, or actually moving to different sides of the room.
 - Division of the Question – a motion to vote on designated parts of a main motion.
 - Filling Blanks – a motion to propose several alternatives to be voted on by the assembly; requires a "blank" be created by a previous motion; the alternatives to fill the blank are then proposed; a vote taken on the alternatives; and a final vote is taken on the main motion with the blank filled in. E.g. – "Resolved, that ACA sell its building for no less than \$_____."
 - Objection to Consideration – a motion to prevent any discussion on a motion when either the motion itself or the discussion on it is quite objectionable to a large majority of the assembly; takes a 2/3rds vote in the negative "should this motion be considered by the assembly?" May be made only before any discussion on the motion commences.
 - Make Nominations – a motion to nominate a person for an elected position; no second required, but it is allowable to show support.
 - Close Nominations – a motion to close the nominating process, but should not be allowed until all nominations have been made; requires second and 2/3rds vote.
 - Parliamentary Inquiry – a question directed to the Presiding Officer to obtain information on a matter of parliamentary law or the rules of the assembly bearing on the business at hand; can interrupt a speaker.
 - Point of Information – a request directed to the Presiding Officer, or through the Presiding Officer to another officer or member, for information relevant to the business at hand but not related to parliamentary procedure; it must always be in the form of a question; can interrupt a speaker.
 - Point of Order – a motion made when a member believes that the Presiding Officer has made a mistake or a wrong decision in the parliamentary process; "I rise to a point of order"; the Presiding Officer rules on this situation and proceeds based on the ruling; can interrupt a speaker. Presiding Officer's ruling can be appealed.
 - Suspend the Rules – a motion to not use the adopted rules of procedure for the purpose specified in the motion; 2/3 vote.

Subsidiary Motions

Motions which are subsidiary to the main motion and have no purpose by themselves, their only purpose is to affect the main motion.

- Lay on the Table – a motion to “table” a main motion (also, appeals, reconsideration, and privileged motions), is in order for urgent matters only and, if passed, ceases all discussion of the main motion until the main motion is removed from the table; no debate or amendment.
- Previous Question – a motion to stop debate and move the assembly to a vote, a member may either 1) “call for the question,” if there are no objections, the Governing Council will proceed with the vote on the main motion which is pending; OR 2) the motion for the “previous question” may be made (requires a second, no debate, 2/3 vote) and, if the motion for the “previous question” receives the required 2/3rds majority, all debate on the main motion which is pending is stopped and a vote is immediately taken.
- Limit or Extend Debate – a motion to either limit or extend debate; requires a second, no debate, 2/3rds for passage
- POSTPONE TO A DEFINITE TIME – a motion to put off deliberation of a main motion to a specified time; 2/3rds vote; debatable only as to propriety of postponement; if passed, the main motion becomes a general order of the day for the specified meeting.
- REFER TO A COMMITTEE – a motion to send a main motion to a committee for additional work; debatable both as to instructions to the committee and as to the advisability of commitment; if no standing committee exists or is specified, the motion should include the size of the committee and the method of selecting the members.
- AMEND THE AMENDMENT – a motion to amend another amendment so as to change the words used; an amendment to an amendment cannot be amended (no 3rd degree amendments, take care of the other amendments before allowing another amendment).
- AMENDMENT – a motion to change the wording of a main motion.
- POSPONE INDEFINITELY – a motion to take no action at this time.
- RECONSIDER – a motion to consider a main motion previously considered and disposed of; the maker of this motion must have voted on the prevailing side of the original vote.

MAIN MOTION

1. is the main idea or resolution that an assembly is working on, such as “I move that we have a bake sale;”
2. all the work of the assembly is organized around this one motion;
3. you can have only one such main idea before the assembly at one time, otherwise, you would have great confusion both in the discussion and the voting;
4. therefore, the main motion has the lowest rank or “precedence” of all the motions because a main motion can be moved only when there is nothing else before the assembly.

Agenda No. _____

**AMERICAN COUNSELING ASSOCIATION
GOVERNING COUNCIL**

MOTION CONTROL FORM

SUBJECT:

IT IS MOVED:

RATIONALE/NEED:

FINANCIAL IMPACT (POLICY 3.14):

Fiscal:

Impact on the Profession:

PERSON/ENTITY RESPONSIBLE FOR FOLLOW-UP:

FOLLOW-UP REPORT TO BE SUBMITTED TO GOVERNING COUNCIL BY (DATE):
(POLICY 7.1)

MOVED BY:

SECONDED BY:

RECEIVED BY:

DATE:

American Counseling Association Governing Council Completing a Motion Control Form

To present a motion for consideration by the ACA Governing Council, follow the format outlined below. Typed motions are preferred if being prepared in advance.

1. **SUBJECT:** Consider this a topic sentence describing the issue addressed by the motion.
2. **IT IS MOVED:** This is where you will write the actual motion that will be considered by the Governing Council. Use as much space as necessary.
3. **RATIONAL/NEED:** List why the motion is needed. Use as much space as necessary.
4. **BACKGROUND:** In this section, include an explanation of the issue, current status, and the context for the motion. Use as much space as necessary.
5. **FINANCIAL IMPACT:** According to ACA policy, the Financial Affairs Committee must approve all motions that have a fiscal impact of more than \$500 before being forwarded to the Governing Council for consideration. This section must include the following:
 - a. What is the fiscal impact of this motion if approved by Governing Council?
 - b. Has the Financial Affairs Committee received information on this motion (via communication to the ACA Treasurer)?
6. **IMPACT ON PROFESSION:** Use as much space as necessary to explain how this motion will benefit the professional and/or association.
7. **ADDITIONAL SUPPORTING INFORMATION:** Be sure to indicate if you are attaching additional information.
8. **GOVERNING COUNCIL LIAISON:** The appropriate Governing Council liaison for this subject area must be notified of this proposed action. This insures that there is at least one person in the Governing Council meeting who is knowledgeable about the motion.

FREQUENTLY ASKED QUESTIONS (FAQs)

Who are the voting members of the Governing Council?

ACA Officers (President, President-Elect, Immediate Past President except Treasurer and Executive Director who are ex officio without vote) and one member of each Division or Region.

(Bylaws, Article X, Section 1). An Organizational Affiliate is entitled to ex officio, non-voting participation in the Governing council meetings (Bylaws, Article V, Section 1). The Parliamentarian shall without vote advise the President and the Governing Council regarding parliamentary law and parliamentary procedure (Bylaws, Article XVI, Section 2).

Who may speak during Governing Council?

Any member of the Governing Council may speak on any matter that is brought before the assembly. Seated observers may be granted speaking rights, but no voting rights. Any other person who is present may request to speak. All requests to speak must be made through the ACA President, who chairs the Governing Council meetings.

Who may attend Governing Council meetings?

Any member of ACA may attend Governing Council meetings, but may only speak with permission of the Presiding Officer. A special seating section will be provided for ACA members who are not members or seated observers of the Governing Council.

What is a quorum?

A "quorum" is the minimum number of members of the Governing Council who are required to be in attendance in order to conduct business. A quorum is the majority of all voting members of Governing Council. The continued presence of a quorum is presumed unless the Presiding Officer or another member notices that a quorum is no longer present. Any member noticing the apparent absence of a quorum can make a point of order at any time as long as they do not interrupt a person who is speaking. Debate on a pending question can continue until the point of order is raised.

When voting on resolutions or matters that come before the Governing Council, what is the criterion for passage?

A majority vote means more than half of the votes cast by persons legally entitled to vote, excluding abstentions. A 2/3 vote means more than 2/3rds of the votes cast by persons legally entitled to vote, excluding abstentions, at a regularly called meeting at which a quorum is present. For a 2/3 vote there must be twice as many in favor as opposed.

What is "information" in the "point of information" motion?

The "information" referred to is a specific question of the chair or the person who currently has the floor. The person who has the floor may decide to not yield to the question. The chair will ask, "What is your question?"

What is "order" in the "point of order" motion?

The motion concerning a "point of order" relates specifically to parliamentary process or parliamentary order.

What is "privilege" in the "point of privilege" motion?

The "privilege" referred to has to do with the rights or comforts of the assembly or any member of the assembly (better ventilation, temperature, lighting, room be cleared of visitors).

How are bylaws amended?

2/3rds majority of the Governing Council members voting is required for passage of an amendment to the ACA Bylaws. Proposed amendments may be originated by the Governing council or presented at the Governing Council by a National Division, a Branch, a Region, an ACA Standing Committee, or by an individual member (with 50 signatures of members in good standing). Must be submitted in writing to the Bylaws Committee no later than 12 weeks prior to the Governing Council meeting at which the change may be considered. Bylaws Committee will transmit to the Governing Council such proposed amendments with or without a recommendation regarding each proposed change at least 6 weeks before the next regularly scheduled meeting of the Governing Council.