

## Proposed Bylaw Changes for June 2020

The following Bylaw changes have been approved by the Executive Committee and are now presented for review and action by the membership. They are grouped into 4 separate votes; with each vote representing amendments proposed for similar reasons. Each vote will be conducted to approve all proposed changes within the block as described below.

### **Vote 1: These items reflect changes to mirror NACAC language and policy:**

#### **Article I.1**

1. The name of this Association shall be the Pennsylvania Association for College Admission Counseling (PACAC), a chartered state affiliate of the National Association for College Admission Counseling (NACAC). The governing document of this Association shall be consistent with that of NACAC. Within two years of any amendment to the NACAC Bylaws, this (PACAC) constitution will be reviewed and appropriate amendments may be adopted to maintain consistency.

**Proposed Change:** Change two years to one year.

1. The name of this Association shall be the Pennsylvania Association for College Admission Counseling (PACAC), a chartered state affiliate of the National Association for College Admission Counseling (NACAC). The governing document of this Association shall be consistent with that of NACAC. Within ~~two years~~ one year of any amendment to the NACAC Bylaws, this (PACAC) constitution will be reviewed and appropriate amendments may be adopted to maintain consistency.

Rationale: To align with new standards in the Affiliate Agreement and Affiliate Policy with NACAC.

#### **Article X**

The Bylaws may be amended at any general membership meeting of PACAC by a vote of two-thirds of the members attending, provided that notice of any proposed amendment has been sent to each member at least two weeks prior to the date of said meeting.

**Proposed Change:** Add the following paragraph

The Officers and At-Large Delegates shall have the authority to amend these Bylaws by a five-eighths (5/8) vote, provided that any such amendments are made in response to a government investigation, order, decree, or other action; pending or threatened litigation; or any other circumstance that presents an imminent threat to the continued viability of the Association, in the reasonable opinion of that group. The President shall notify the members of any Bylaw amendments made by the Officers and At-Large Delegates within two weeks after adoption of such amendments.

Rationale: This is a similar amendment to one that was adopted by NACAC, and made in order to protect the association in the face of an imminent threat. The Officers and At-Large Delegates are all elected by the membership and serve on the Governance and Nominating Committee. The Officers are additionally charged with the fiduciary responsibility of the Association.

**Vote 2: These changes eliminate compliance and enforcement of Statement of Principles of Good Practice/Code of Ethics and Professional Practice of NACAC as recommended by NACAC.**

#### **Article I.2.e**

e. To promulgate and to promote ethical and social responsibility through adherence to the Statement of Principles of Good Practice of NACAC.

#### **Proposed Change**

e. To promulgate and promote ethical and social responsibility **as described in the code of ethics supported by NACAC and PACAC.**

Rationale: Removes adherence and compliance requirement as need by the Consent Decree from the DOJ. Changes SPGP, which is no longer used, to a generic representation of code of ethics allowing future iterations to be promoted without Bylaw changes.

## Article II.1

1. All members shall be in agreement with the purposes of PACAC and comply with NACAC's Statement of Principles of Good Practice (SPGP) to ensure high professional standards in the recruitment of students and the transition to postsecondary education

### Proposed Change

1. All members shall be in agreement with the purposes of PACAC and ~~comply with NACAC's Statement of Principles of Good Practice (SPGP) to~~ ensure high professional standards in the recruitment of students and the transition to postsecondary education

Rationale: Removing compliance with NACAC's SPGP as this document no longer exists and compliance is no longer enforceable.

## Article II.5

5. Membership in PACAC may be terminated by action of the Executive Committee for:
  - a. Failure to comply with the Statement of Principles of Good Practice adopted by NACAC.
  - b. Failure to maintain status as an institution, school, organization, district or individual qualifying for membership under Sections 1 or 2 of this Article of the PACAC Bylaws.
  - c. Failure to abide by the guidelines for payment of dues established by the Membership Committee and approved by the Executive Committee.

**Proposed Change** – ~~Delete the whole section and re-number the sections after it.~~

Rationale: Compliance with the SPGP will no longer be enforced by PACAC.

**Vote 3: These changes reflect changes to membership language and categories so that PACAC offers the same categories as NACAC, as required by Affiliate Agreement.**

**Article II.3.a**

- a. Two-year and four-year colleges and universities and other postsecondary institutions: A member school in this category shall be represented by a person charged with the responsibility for admitting its students.

**Proposed Change**

- a. **Not-for-profit** Two-year and four-year colleges and universities and other postsecondary institutions: A member school in this category shall be represented by a person charged with the responsibility for admitting its students.

Rationale: PACAC must offer the same membership types as NACAC. This change aligns with NACAC's new membership category in the New Membership Model.

**Article II.3**

**Proposed change: Add Article II.3.j**

**j. Individuals who work for voting member eligible institutions and CBOs that have not joined PACAC, as well as school district and university system administrators.**

Rationale: PACAC must offer the same membership types as NACAC. This change aligns with NACAC's new membership category in the New Membership Model.

**Vote 4: This change removes language that is approved by the Executive Committee and is contained in PACAC's Responsibilities of Leadership handbook. It needs to be removed because of references to ethics compliance and enforcement.**

Article IX.2

2. Purposes of the PACAC Standing Committees:

- a. The Admission Practices Committee educates admission and counseling professionals and their institutions regarding ethical college admission standards adopted and promoted by NACAC through the Statement of Principles of Good Practice. The committee assists institutions in complying with these procedures and practices. In addition, the Chair monitors compliance with the Statement of Principles of Good Practice by Pennsylvania institutions. The committee also works to promote awareness of ethical admission standards to all affected persons, most especially students and their parents. The Chair of Admission Practices or a designee also serves as a Delegate to the NACAC Assembly and is to be included in the Delegate slate mentioned in Article VII.1.
- b. The College Fairs Committee helps high schools and colleges coordinate college fair dates by geographic region. In addition, the Committee administers a series of regional fairs around the state sponsored by PACAC.
- c. The Communications Committee supports the Association by facilitating, enhancing and supporting the flow of critical information among PACAC members and most importantly, between PACAC and the individuals it serves.
- d. The Conference Planning Committee designs, plans and executes the annual conference of the Association.
- e. The Finance and Budget Committee assists with the development and monitoring of PACAC's annual budget and serves as an advisory body on matters of investment strategy and fiscal policy.
- f. The Governance and Nominating Committee reviews governing documents and related policies and recommends amendments to the membership. The committee works with NACAC to bring its governing documents into compliance with NACAC's within two years of any changes. This Committee nominates a slate of nominees for each Executive Committee office.
- g. The Government Relations Committee informs and updates the membership on local, state and federal educational issues which relate to admission, college counseling and financial aid. The Chair of Government Relations or a designee also serves as a Delegate to the NACAC Assembly.

- h. The Inclusion, Access, and Success provides leadership within PACAC to promote the awareness, sensitivity and appreciation of human differences and to ensure fair treatment of all students and professionals.
- i. The Membership Committee maintains, monitors and seeks ways to enhance memberships for the Association. The committee makes recommendations to the Executive Committee for membership criteria and investigates membership eligibility questions.
- j. The Professional Development Committee seeks to encourage and foster professional growth among the members of PACAC while striving to enhance and promote the standing of our profession outside our organization.
- k. The Secondary School Counseling Committee seeks to encourage membership and foster professional development opportunities specifically for secondary school counselors including public, private, and parochial high school counselors and independent school counselors, and those who counsel students to post-secondary education. Members of this committee will collaborate with other standing committees from the lens of high school counselors in order to support their work.

**Proposed Change** – Delete the entire section and renumber the sections after it.

Rationale: Committee descriptions are listed in the PACAC Responsibilities of Leadership and are approved by the Executive Committee. This also removes references to compliance and enforcement of the SPGP, which is no longer maintained.