

ACA GOVERNING COUNCIL MEETING

MINUTES

September 27-29, 1996

Call to Order

The ACA Governing Council meeting was called to order at 8:15 a.m., September 27, 1996, at the Marriott Residence Inn, Alexandria, Virginia. President Gail P. Robinson presided. Governing Council members present for all or part of the meeting were as follows:

Joyce M. Breasure, ACA Past President
Helen W. Chapman, North Atlantic Region
Rita Drapkin, AGLBIC Observer
Patricia B. Elmore, AAC
Donna M. Ford, Western Region
Queen D. Fowler, AMCD
Jane Goodman, NCDA
Harold L. Hackney, ACES
Betty S. Hedgeman, ACA Treasurer
James Hiatt, AMHCA
John L. Jaco, ACA Executive Director
Charlene Kampfe, AADA
Courtland C. Lee, ACA President-Elect
Donald C. Linkowski, ARCA
Don W. Locke, IAMFC
James J. Lukach, ASCA
Kay Monks, NECA
Gail P. Robinson, ACA President
Floyd Robison, ASGW
Emily Jean Runion, AHEAD
Suzanne Schmidt, Southern Region
Cynthia D. Sellers, ACCA
Howard B. Smith, ACA Parliamentarian
Virginia Sykes, ASERVIC
Christine Larson VanSlyke, Midwest Region
Nancy B. White, IAAOC

Other persons in attendance at the meeting as guests or observers included the following:

Nancy J. Benz, AMHCA President
Patty Farrell, ACA Government Relations Department
Lisa Findeisen, ACA Meeting Services
Jean Gaskins, ACA Meeting Services
Braden Goetz, ACA Director of Government Relations
Mark Hamilton, ACA Director of Professional Development, Continuing Education and Ethics
Kevin Hannon, ACA Marketing Director
Marcelett Henry, AMCD President-Elect
Glenda E. Isenhour, AMHCA Past President
Dennis Matos, ACA Director of Finance Department

Tom McCombs, ACA Meeting Services
Andrew Miller, ACA Meeting Services
Richard Mozier, ACA Chief Operating Officer, Chief Financial Officer
Yolande Nanayakkara, ACA Membership Marketing Manager
Carol Neiman, ACA Director of Association and Branch Relations
Ann Nolan, ACA Internal Auditor
Anne Parrish, ACA Meeting Services
Nancy Perry, ASCA Acting Executive Director
Michelle Poskaitis, ACA Director of Product Development
Jennifer Sacks, ACA Director, Public and Community Affairs
Carolyn Sheldon, ASCA President
Linda Tysl, ACA Director of Professional Practice and Advocacy
Laura Watson, ACA Director of Human Resources
Millie Wolesslagle, ACA Executive Assistant
Richard Yep, ACA Associate Executive Director

Seating of Official Observers

It was moved by Hackney and seconded by Locke that: The official observers from AGLBIC and ACEG be permitted to sit at the table and participate in the discussion. Motion passed. (It was understood that these observers do not have a vote on the Governing Council.)

1. Approval of Meeting Rules - Parliamentarian's Message

Parliamentarian Howard Smith called attention to the proposed Meeting Rules for the conduct of this Governing Council meeting. He pointed out several key points in the rules and responded to any questions from the group.

It was moved by Breasure and seconded by Hackney that: The Meeting Rules for the conduct of this Governing Council meeting be approved as presented. Motion passed.

2. Approval of Agenda

President Robinson called attention to the revised agenda that had been distributed to Governing Council members and asked for comments. In the discussion that followed, requests were made to remove several of the consent items from that listing and to act on those individually. It was agreed that this would be done.

Following the discussion, it was moved by Hackney and seconded by Ford that: The Governing Council approve the revised agenda as submitted by the President, with the agreement to move several items from the list of "consent items" to be acted on individually. Motion passed.

3. Approval of Minutes of Past Meetings

President Robinson noted that Minutes for the several Governing Council and Executive Committee meetings held since the April 1996 Governing Council had been distributed to members of the Governing Council for comments or corrections.

It was agreed by consensus that the Minutes of the following Governing Council and Executive Committee meetings are approved:

ACA Governing Council - April 16-18, 1996
ACA Executive Committee - June 15, 1996
ACA Governing Council - June 20, 1996
ACA Executive Committee - July 2, 1996
ACA Governing Council, July 8, 1996

4. Executive Director's Report

Executive Director John Jaco presented his report on the state of the Association. He highlighted a number of activities being carried out in the headquarters office and commented on the progress that has been made over the last two years in improving the financial condition of the Association. Mr. Jaco commented on ACA's efforts in legislation and on a number of programs that are being implemented to better serve the members and the profession. This report will be forwarded to Branches, Regions, Divisions, and Corporate Affiliates with the minutes, Annual Report, and Strategic Plan.

It was moved by Monks and seconded by Fowler that: That the Governing Council approve the goals of the Executive Director for FY 1997. Motion passed.

6. External Issues

President Robinson reported that she had contacted leaders in the Association to request their input on issues that are of concern to the profession and to ACA. Those issues that are perceived as "external issues" are listed under this agenda item and the Governing Council was asked to discuss them and to prepare outcome statements for each of the issues. The external issues that had been submitted and that were discussed under this item are as follows:

- a. Diversity
- b. Crisis/disaster response (including Church burnings)
- c. Recognition of professional counselors
- d. Public Awareness
- e. Consumer protection; especially against managed care legislation; client's rights
- f. Block grants: counselors participating in
- g. Parental Rights Bill at state/national level
- h. Advocacy training
- i. Licensure/reciprocity
- j. Privatization of licensure boards
- k. Children: at unacceptable level of risk

President Robinson indicated that she was not seeking action (motions) on these issues but rather she hoped that the discussion would result in preparation of outcome statements for each of the issues.

It was moved by Hackney and seconded by Goodman that: The Governing Council move into a Committee of the Whole to discuss the external issues before the body. Motion passed. (The intent of the discussion was to agree on "outcome statements" on the several issues presented.)

As a result of the discussion on these issues, the Governing Council agreed on a total of 36 outcome statements which were later rated as to importance and likelihood of accomplishing them. (The ranked list of Outcome Statements is attached to these Minutes as Appendix A.)

7. Discipline Ourselves

A. Proposed Governing Council Policies

It was pointed out that it is advisable to have established policies to govern the conduct of the Governing Council and that at the present time, there are no policy guidelines in place. There was considerable discussion of how such policies should be developed and the kinds of things that should be included in them.

As a result of the discussion, it was moved by Lee and seconded by Locke that: The Governing Council develop a set of policies to govern the process of Governing Council. Motion passed.

B. Conflict of Interest

The President called attention to the proposed conflict of interest policy. She noted that at the present time, there is no policy to deal with possible conflict of interest in the case of Governing Council members who represent the various entities encompassed by ACA.

It was moved by Monks and seconded by White that: The Governing Council adopt the Conflict of Interest policy as presented. Motion passed. The Conflict of Interest Policy, as adopted by this motion, reads as follows:

Governing Council members serve on the Council to conduct the business of the American Counseling Association. Governing Council members are gathered to be a representative group of the ACA membership. On those occasions when the best interests of ACA would be different than the best interests of the entities the Governing Council members represent, the members should make decisions that give primary consideration to the welfare of the counseling profession.

In cases where Governing Council members are unable to resolve the conflicts of interest between representing the division or region and representing ACA, notification should be given to the ACA president or his or her representative. After such notification, the member shall refrain from voting.

9. Strategic Planning Presentation

Strategic Planning Committee Chair Christine Larson VanSlyke presented the proposed Strategic Plan that the Committee had developed. She indicated that the Strategic Plan being submitted for adoption consists of Sections I through VII of the document given to the Governing Council. Section VIII of that document is not a part of the plan. She then responded to questions from the floor and there was discussion of various of the sections.

It was moved by Robison and seconded by White that: The Governing Council adopt the Strategic Plan as submitted by the Strategic Planning Committee. Motion passed. (The Strategic Plan as adopted by this motion is attached to these Minutes as Appendix B.)

10. Consent Items

The next item on the agenda was consideration of those items that remained on the consent item list after the agreed upon removal of some of the item originally listed as a part of the agenda approval process. President Robinson pointed out that a vote to approve or disapprove the consent items would mean that the decision applies to all of the items on the consent agenda.

It was moved by Locke and seconded by Monks that: The Governing Council approve the following consent items as listed on the Agenda:

- B-1 (A & B) = Public Awareness and Support Committee Recommendations
- B-2 (A) = Public Policy and Legislative Agenda
- B-2 (B) = Resolution on Fair Access to Psychological Tests
- B-2 (C) = Government Relations Check-Off on Membership Form
- D = Recommendations from North Atlantic Region
- D-1 = Approval of 1997 North Atlantic Branch Leadership Assembly Location
- G-1 = Illinois Branch Bylaws Revisions
- G-2 = Colorado Branch Bylaws Revisions

Motion passed.

Although the above action approved all of these items, the motions on the specific items are listed here to clarify the action taken.

B-1 (A & B) = Public Awareness and Support Committee Recommendations

(A) Moved that: The Governing Council approve the recommendation from the Public Awareness and Support Committee that all entities within the American Counseling Association be urged to celebrate their respective “weeks” in April rather than in February or some other month. Motion passed.

(B) Moved that: The Governing Council approve the recommendation from the Public Awareness and Support Committee that the Gilbert and Kathleen Wrenn Award for a Humanitarian and Caring Person be the Counselor of the Year Award. Motion passed.

B-2 (A) = Public Policy and Legislative Agenda

Moved that: The Governing Council approve the ACA Public Policy and Legislative Agenda as submitted by the Committee. Motion passed.

B-2 (B) = Resolution on Fair Access to Psychological Tests

Moved that: The Governing Council approve the resolution regarding Fair Access to Psychological Tests submitted by the Public Policy and Legislation Committee. Motion passed. The Resolution, as approved by this motion, reads as follows:

WHEREAS, It is one of the missions of this Association to promote the effective use of assessment instruments; and

WHEREAS, Assessment instruments published by professional test publishers have for decades been ethically and effectively administered, scored, and interpreted by assessment professionals in many disciplines, including education, human resources, counseling, rehabilitation and psychology, who belong to professional associations, and in many cases are licensed or certified in various professional capacities; and

WHEREAS, These assessment professionals and their associations have established ethical standards dealing with the competent use of assessment techniques; and

WHEREAS, These instruments which include measures of mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, and motivations have been effectively used in a wide range of educational, employment, training, consulting, and clinical settings throughout the United States; and

WHEREAS, Professional test publishers have provided assessment professionals with access to these instruments on the basis of their education, training, and/or experience in administering, scoring and interpreting these assessment instruments; and

WHEREAS, These assessment professionals who are qualified by virtue of their educational training to use these assessment instruments, perform a valuable and essential service to the public in ethical and effective ways; and

WHEREAS, Recent efforts have been made in certain states through state licensure laws and business and professional codes to restrict access to and use of these assessment instruments only by psychologists who are credentialed in that state;

THEREFORE, BE IT RESOLVED, That it is the position of the American Counseling Association that qualifications to use assessment instruments should be based on appropriate education, training and/or experience and that access to assessment instruments should not be restricted exclusively to psychologists who are credentialed in a given state; and

BE IT FURTHER RESOLVED, That it is the policy of the American Counseling Association to oppose all efforts to restrict use of assessment instruments exclusively to psychologists credentialed in a given state or states, and that the American

Counseling Association shall monitor closely any attempts to restrict use based on credentialing as a psychologist, and shall intervene where appropriate to ensure open and equal access to the use of assessment instruments for all qualified professionals.

B-2 (C) = Government Relations Check-Off on Membership Form

Moved that: The Governing Council approve the establishment of a voluntary check off, the Professional Counselor Advocacy Fund, on the ACA dues application and membership renewal forms to expand and develop additional professional counselor advocacy activities. Motion passed.

D-1 = Approval of 1997 North Atlantic Branch Leadership Assembly Location

Moved that: The Governing Council approve the North Atlantic Region request to hold its 1997 Branch Leadership Assembly at the Willow Valley Resort in Lancaster, Pennsylvania, October 30-November 1, 1997. Motion passed.

G-1 = Illinois Branch Bylaws Revisions

Moved that: The Governing Council approve the revised Bylaws of the Illinois Counseling Association as submitted. Motion passed.

G-2 = Colorado Branch Bylaws Revisions

Moved that: The Governing Council approve the revised Bylaws of the Colorado Counseling Association as submitted. Motion passed.

10. A. Region Plans of Action

This item had been removed from the list of Consent items so that some clarification could be made, and some questions answered.

Following clarification, it was moved by Ford and seconded by Goodman that: The Governing Council approve the Region Plans of Action as submitted. Motion passed.

10. B.2.D. Legislative Grants

This item had also been removed from the list of Consent items for further clarification. During the discussion, it was felt that the legislative grant statements should not be limited to branches but should be stated in such a way to include all entities in the Association.

It was moved by Schmidt and seconded by Robison that: The Governing Council authorize the establishment of legislative grants as outlined in the proposal from the Public Policy and Legislation Committee with the revision to use the word "entity" instead of "branches" wherever it occurs. Motion passed.

11. C. & D. Treasurer's Report and Financial Affairs Report

Treasurer Betty Hedgeman reported on the current financial condition of the Association and responded to a number of questions from the floor. She commented on a number of specific areas of the budget and reported on the recent meeting of the Financial Affairs Committee and the actions recommended by that Committee. Treasurer Hedgeman called attention to several motions that the Financial Affairs Committee had submitted for Governing Council action.

It was moved by the Financial Affairs Committee that: A policy be adopted to state that if payments owed to ACA by any entity are over sixty (60) days late, ten percent (10%) interest will be assessed. If the debt accrues to ninety (90) days, monthly revenue payments will be withheld until the debt is liquidated. Motion passed. (It was noted that this policy will go into effect immediately.)

It was then moved by the Financial Affairs Committee that: The Governing Council approve the budget reallocations as recommended by the Financial Affairs Committee. Motion passed.

It was further moved by the Financial Affairs Committee that: The Governing Council approve the Financial Affairs Committee recommendation that ACA build a reserve(s) at a rate of at least \$100,000 per year in order to enhance the counseling profession and to create provisions for corporate safety nets. Motion passed.

Finally, it was moved by the Financial Affairs Committee that: Motions made during Governing Council meetings, without Financial Affairs review, will be pending until the financial review is completed.

There followed considerable discussion on this motion and what the effect might be on actions of the Governing Council. It was felt there is a need for further clarification as to how this would work. It was pointed out that the current motion control form provides for inclusion of information on financial impact for any motions that are submitted, and it was suggested that greater emphasis might be placed on requiring that information from entities/individuals who submit agenda items for Governing Council action. The general feeling was that before this motion could be adopted, there needs to be further information on the implications of such action.

Following considerable discussion, vote was taken on the motion that: Motions made during Governing Council meetings, without Financial Affairs review, will be pending until the financial review is completed. Motion defeated. (It was agreed that a stronger message will be included in the call for agenda items to emphasize the need to include financial impact information on any items submitted.)

10. B. Committee Plans of Action

It was pointed out that Plans of Action for all committees with the exception of the Public Policy and Legislation Committee had been approved previously.

It was moved by Hackney and seconded by Elmore that: The Governing Council approve the Plan of Action for the Public Policy and Legislation Committee. Motion passed.

10. B. 3. Interprofessional/International Collaboration Committee Recommendations

Attention was called to the two recommendations that had been submitted by the Interprofessional/International Collaboration Committee for Governing Council action.

It was moved by the Interprofessional/International Collaboration Committee that: The Governing Council directs the Interprofessional/International Collaboration Committee to explore possible alternatives for ACA to become involved in activities previously coordinated by the Joint Council on Family Therapy, with a report to be given at the April 1997 Governing Council meeting. Motion passed.

It was moved by Hackney and seconded by Elmore that: The Governing Council accepts the report of the Interprofessional/International Collaboration Committee and directs the Committee to define the fiscal implications of the National Tech Prep Network's request to cover lingering activity, and report at the April 1997 Governing Council meeting. Motion passed.

10. B. 4 Professional Development Committee Recommendations

The Governing Council discussed at length the plan for Regional Leadership Training that had been submitted by the Committee, and a number of questions were raised. It was felt that there needs to be further work on this document before the Governing Council can consider any action.

It was moved by Breasure and seconded by Schmidt that: The plan for framework for Regional Leadership Training as submitted by the Professional Development Committee, be reviewed by the Boards of the four Regions and by the Professional Development Committee, and returned, together with any feedback, to the April 1997 Governing Council meeting for further consideration. Motion passed.

10. C. Authorization for Revision of Association Policies and Procedures

It was moved by Robison and seconded by Lee that: The Governing Council authorize a revision of the ACA Policies and Procedures Manual. Motion passed.

President Robinson commented that she would welcome input from any Governing Council member concerning the revision of this document.

10. E. Deletion of Policy 9.9

President Robinson commented that legal counsel had advised that it would be in the best interest of the Association if the punitive actions were removed.

It was moved by Hackney and seconded by White that: Policy 9.9 in the ACA Policies and Procedures Manual be deleted.

In the discussion that followed, a number of questions were raised. Concern was expressed as to what the deletion of this policy would mean in light of the earlier Governing Council action concerning the intent to revoke charters of Divisions not in compliance.

After considerable discussion, it was moved by Lee and seconded by Ford that: A substitute motion be adopted to state that: All language in Policy 9.9 be deleted after the word "policies" in the first sentence, so that the policy would read: "The Governing Council, by a majority vote, can find a Division in noncompliance with the Association Bylaws and Policies." Motion passed (8 for; 4 against; 9 abstain).

Following further discussion, it was moved by Locke and seconded by Monks that: Policy 9.9 be removed from the Policies and Procedures Manual. Motion passed (10 for; 9 against; 4 abstain).

There was additional discussion following the passage of this motion, and as a result of that discussion, the following motion was proposed:

It was moved by Locke and seconded by Monks that: The President be charged with obtaining legal opinion concerning potential ramifications of finding entities in noncompliance and reporting same to Governing Council members. Motion passed.

10. F. Approval of Principles for the Provision of Mental Health and Substance Abuse Treatment

President Robinson reported that this document had been developed through the collaboration of several associations and that what is now being asked for is endorsement of the document by ACA. She noted that this is not yet a final document.

It was moved by Breasure and seconded by Lee that: The Governing Council endorse the "Principles for the Provision of Mental Health and Substance Abuse Treatment Services". Motion passed.

10. G. 3 Bylaws Committee Proposal for Rotational System on Bylaws Revisions

It was moved by Breasure and seconded by Lee that: A policy be established to have Branch, Division and Organizational Affiliate bylaws reviewed on a rotating basis. Motion passed.

10. H. Possible Addition to Policy 9.7

It was moved by Breasure and seconded by Lee that: A change be made to Policy 9.7 (3) as follows: Add a phrase in the third sentence of 9.7 (3). To state "not more than 180 days". The sentence would then read: "The referendum shall be held at any time not less than sixty (60) days nor more than one hundred and eighty (180) days next following receipt of the notice of intention of withdrawing." Motion passed. (It was noted that this would not be retroactive and therefore would not affect the two Divisions that are currently discussion disaffiliation.)

12. E. Ethics Adjudication Panel

It was pointed out that through the years, complaints to the Ethics Committee have been on the increase. It is deemed desirable to have a larger pool of experts available who can adjudicate ethics complaints.

It was moved by Breasure and seconded by Hackney that: The Governing Council adopt the following policy: "In order to promote public confidence and trust in the counseling profession, ACA will develop a plan to establish a panel of professional counselors to adjudicate ethical complaints brought against its members." Motion passed.

12. B. Counselor Identity

Attention was called to the draft definitions of professional counselor and of a professional counseling specialty that had been developed by the Professionalization Committee. There was some discussion of the draft, and Governing Council members were urged to give input to the Chair of the Committee with the intent to further refine this paper and bring it back for further action at a future meeting. There was no action taken on the paper at this time.

12. C. Role of Executive Committee

It was moved by White and seconded by Chapman that: The Governing Council adopt the following policy: "(1) The Executive Committee shall act for the Governing Council to address those issues which are necessary for the efficient operation of ACA where the time requirements necessitate immediate action; (2) The Executive committee shall be responsible for conducting the evaluation of the Executive Director on an annual basis, for negotiating renewal of his/her contract, and for determining the recommended salary of the Executive Director; (3) The Executive Committee shall carry out administrative activities to free the Governing Council to focus on issues facing the profession and the Association."

There was considerable discussion of the motion and the fact that there has been discussion of restructuring of the association. Feeling was expressed that action such as this should be postponed until the restructuring issues are considered.

Following the discussion, the motion that: The Governing Council adopt the following policy: "(1) The Executive Committee shall act for the Governing Council to address those issues which are necessary for the efficient operation of ACA where the time requirements necessitate immediate action; (2) the Executive Committee shall be responsible for conducting the evaluation

of the Executive Director on an annual basis, for negotiating renewal of his/her contract, and for determining the recommended salary of the Executive Director, (3) The Executive Committee shall carry out administrative activities to free the Governing Council to focus on issues facing the profession and the Association." was withdrawn. (Helen Chapman and Harold Hackney were asked to look at this issue and bring further information to the April 1997 Governing Council meeting.)

12. D. Representation in Governance (From Regions)

It was moved by Schmidt and seconded by VanSlyke that: The Governing Council move to give Regions equity in representation by using the current formula of one vote per 7,000 members to determine Regional representation.

In discussing this motion, it was suggested that it would be best to postpone this action in view of the fact that there is likely to be action on the whole area of governance restructuring.

It was moved by Kampfe and seconded by Hiatt that: This motion be tabled until the next session of the Governing Council. Motion passed, and the motion was tabled.

12. F. Accountability - Governing Council

There was some discussion of how the Governing Council operates and some ideas expressed on ways in which its operation might be improved.

It was moved by Kampfe and seconded by Schmidt that: At the next Governing Council meeting a group process observer be hired from outside of ACA to assist us in our process during Governing Council.

There was further discussion of this matter and a number of opinions were noted as to the kind of person this should be, whether the person should come from inside or outside of the Association, etc.

After further discussion, the motion that: At the next Governing Council meeting a group process observer be hired from outside of ACA to assist us in our process during Governing Council, was withdrawn. (It was agreed that President Robinson will look into this possibility to see how this might be handled.)

12. F. 5. Leadership Training

It was moved by Schmidt and seconded by Ford that: The Regional funding be increased with the use of funds to be determined by Regional leadership. Motion referred to the Financial Affairs Committee for further study. (It was noted that this proposal has financial implications and therefore it would need to be looked at by the Financial Affairs Committee before any action could be considered.

12. A. CACREP Future Structure

President-Elect Courtland Lee discussed the three models being proposed by CACREP and commented on how each would work. He asked the Governing Council to provide input to him as to the merits of each of these models. This work is to be completed by the end of 1996 and therefore, the input is needed as early as possible. There was no Governing Council action on this item.

12. F. 4. Disaffiliation

The Governing Council agreed to permit the Presidents of AMHCA (Nancy Benz) and ASCA (Carolyn Sheldon) to address the body, and to bring information as to their concerns or present proposals to try to resolve the issues surrounding possible disaffiliation.

The two Division Presidents brought forth a proposal and the ramifications of that proposal were discussed at length. Many questions were raised and opinions voiced. The discussion included suggestions as to possible ways to proceed, issues that might be discussed and hopefully resolved, and ways in which the best possible result might be achieved.

As a result of the discussion, it was moved by Lee and seconded by VanSlyke that: A Task Force be selected by the President and President-Elect and ratified by the Executive Committee in consultation with the governing Council, to prepare models for the restructuring of ACA that encompass key aspects of the generated Governing Council options related to this issue no later than January 15, 1997. Motion passed.

President Robinson requested that Governing Council members submit suggestions for persons to serve on the Task Force as quickly as possible.

Adjournment

The ACA Governing Council meeting was adjourned at 1:00 p.m., on September 29, 1996.

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