

**CONSTITUTION OF THE NORTH CAROLINA ASSOCIATION
FOR BEHAVIOR ANALYSIS (NCABA)**

First edition: 1988

Second edition: May 1998

Third edition: November 2008

Article I - Name

The name of this organization shall be the North Carolina Association for Behavior Analysis, herein referred to as NCABA. It shall be chartered and exist as a nonprofit corporation in and under the laws of the State of North Carolina.

Article II – Purpose

1. The purpose of the organization shall be to promote the analytical science of behavior and its associated technologies within the State of North Carolina through the following means:
 - a. Serve as a professional reference group for all in the State of North Carolina whose work involves the principles and practices of behavior analysis.
 - b. Promote research that will advance the understanding of human behavior.
 - c. Identify and promote the use of effective and humane treatment procedures in meeting the educational and habilitative needs of persons within the State of North Carolina.
 - d. Organize and sponsor an annual conference that serves as a forum for presentation of technological achievements in behavior analysis.
 - e. Publish and distribute a newsletter devoted to dissemination of technological achievements within the scope of behavior analysis and other matters of interest to the membership.
 - f. Promote the development and expansion of education, training, and employment in the field of behavior analysis.
 - g. Support efforts of allied organizations in providing services to individuals with disabilities.

Article III - Membership

1. Categories of Membership

Membership is open to all persons interested in or actively engaged in teaching, research, and/or application of the principles and procedures of behavior analysis. Membership is not restricted to residents of the State of North Carolina. Members shall be:

- a. Full Member: Any individual interested in the study of behavior analysis or employed in any profession or vocation that utilizes the principles of behavior analysis
 - b. Paraprofessional Member: This is a category of membership that is available for individuals who are not academically trained in the study of behavior analysis. These individuals are eligible for reduced membership rates, but may neither vote nor hold elected office.
 - c. Student Member: Any individual pursuing formal training in the study of behavior analysis on at least a half-time basis but is not yet gainfully employed therein may apply for membership in this category. Such application must be accompanied by an endorsement of a Full Member certifying the applicant's student status. Student members may neither vote nor hold office except as provided below in Article IV (2 and 9).
2. Membership Status
- To remain a member in good standing, annual membership dues shall be required. The membership year runs from January 1st through December 31st.
3. Voting
- Each Full Member shall be entitled to one vote on all matters brought before NCABA. There shall be no proxy voting.

Article IV - Officers

1. All Officers (except the Student Representative) shall be Full Members of NCABA. These officers are President, President-Elect, Immediate Past President, Vice President, Secretary, Treasurer, and two Representatives-at-Large.
2. A Student Representative shall be elected by the student membership as an Officer of NCABA. [See Paragraph 9 of this Article]
3. The Officers of NCABA shall constitute the NCABA Executive Council, and shall serve as the officers and the Board of Directors of the Corporation for the time for which they are elected and appointed, and shall replace the initial Board of Directors designated in the Articles of Incorporation.
 - a. Each officer is entitled to vote as a member of the NCABA Executive Council at the NCABA Executive Council meetings held after the Annual Business Meeting in the year of his or her election of appointment.
 - b. The NCABA Executive Council shall serve as the governing body of NCABA, and conduct its business at meetings or by correspondence, and report its actions, or request the membership to take action, at the annual Business Meeting or by correspondence.
4. Each year the Voting Members shall elect a Vice-President, who will assume that office at the end of the Annual Business Meeting in the year of his or her election, and who will succeed to the office of President-Elect at the end of the following annual Business Meeting, and then to the office of President at the end of the next

annual Business Meeting. The President holds office for one year and succeeds to the office of Immediate Past President at the end of the next Annual Business Meeting. The Immediate Past President holds office for one year, and completes his or her term at the end of next annual Business Meeting.

- a. The President shall open the Annual Conference (typically with a presidential address), preside at all NCABA Executive Council meetings and the annual Business Meeting, certify election results, oversee the election of the Student Representative, serve as Co-Chair of the Conference Program Committee, and exercise general supervision over the affairs of NCABA.
 - b. If the President is unable to preside over a meeting, that responsibility shall fall to the Immediate Past President. If he or she is unable to preside, the President-Elect shall assume this responsibility.
 - c. The President-Elect shall count nomination and election ballots as well as the ballots in any referenda submitted to the Voting Membership and shall assist the President as Co-Chair of the Conference Program Committee.
5. Each year the Voting Members shall elect one Representative-at-Large to the NCABA Executive Council for a two-year term of office. The person elected assumes office at the end of the Annual Business Meeting of the year of his or her election. Thus, the Voting Membership of the Executive Council shall include two Representatives-at-Large, serving overlapping terms of office. The Representatives-at-Large will serve as members on all established committees. One Representative-at-Large (elected on even-numbered years) shall serve on NCABA's Committee on Public & Professional Relations. The other Representative-at-Large (elected on odd-numbered years) shall serve on NCABA's Nominations & Awards Committee. Both Representatives-at-Large shall serve on NCABA's Conference Program Committee, as well as other committees as appointed by the NCABA Executive Council.
6. The Secretary shall be elected by NCABA membership in even numbered years for a term of two years, taking office at the end of the Annual Business Meeting of the year of his or her election.
- a. The Secretary shall keep the records of NCABA and the NCABA Executive Council; conduct official correspondence; serve ex-officio as a member of all Committees as deemed necessary by the Executive Council and issue programs of meetings; receive applications for membership and give notice of all inductions into membership.
7. The Treasurer shall be elected by NCABA membership in odd numbered years for a term of two years, taking office at the end of the Annual Business Meeting of the year of his or her election.
- a. The Treasurer and President shall have the responsibility for all funds of NCABA and shall have authority to disburse these funds for purposes authorized by the NCABA Executive Council. The Treasurer shall keep a record of all money received and all disbursements made and submit an

annual report of the financial status of NCABA to the membership at the Annual Business Meeting.

8. The Vice-President shall take office for a one-year term following the end of the Annual Business Meeting of his or her election. Following this term the Vice-President will succeed each consecutive year to the office of President-Elect, President, and Immediate Past-President, respectively. The Vice-President shall serve as a standing member of all committees. The Vice-President shall also serve in other capacities as directed by the President and Executive Council (including conference preparation and related duties).
9. There shall be one Representative to the Executive Council who shall be a student member. The student membership shall elect one Student Representative to the Council for a one-year term. There shall be a call for nominations through a student flyer prior to the annual conference. A ballot shall then be sent to the student membership and the representative shall be elected by a simple majority of votes. This Student Representative shall assume office at the end of the Annual Business Meeting. The current Student Representative votes on issues before Council as a Representative of Student concerns, organizes the Student Symposium (held each year at the Annual Conference) and presides over the election of the succeeding Student Representative, and promotes recruitment of student members.

Article V - Executive Council

1. Composition

The NCABA Executive Council shall consist of the elected officers as described above (President, President-Elect, Vice-President, Immediate Past President, Secretary, Treasurer, two Representatives-at-Large, and Student Representative).

2. Responsibilities

The Executive Council shall:

- a. function as the governing body of NCABA to insure that all activity is in concert with NCABA's Constitution.
- b. oversee Committee and/or specially appointed member activity representing NCABA interests.
- c. oversee fiscal responsibility for NCABA to insure that fiscal transactions are in concert with NCABA by-laws.

3. Affiliate Members to the Executive Council

The NCABA Executive Council shall annually appoint affiliate members (Full Members in good standing) to serve as non-voting members to the Executive Council in one of the following capacities:

- a. Liaison to the Association for Behavior Analysis International (ABAI)
- b. Publications Editor (e.g., Newsletter, Conference Announcement)

- c. Liaison (as part of the Committee on Public & Professional Relations) to other professional and allied organizations

These Affiliate Members to the Executive Council may be invited to participate in NCABA Executive Council discussions, at the discretion of the President. Nothing herein shall be construed to preclude an Affiliate Member from simultaneously holding elected membership on the NCABA Executive Council.

4. Meetings

The Executive Council shall have at least one annual meeting, at the time and location of the Annual Conference. It shall meet at such other times and locations as may be deemed necessary by the President. A meeting of the Executive Council may also be called by action of three members of the Council who shall notify the remaining members at least two weeks in advance of the proposed meeting.

5. Quorum

For purposes of transacting business of NCABA, a quorum shall consist of five members of the Executive Council. Decisions arising from the NCABA Executive Council must be supported by at least a simple majority of the council membership. Issues affecting a proposed revision to the NCABA Constitution must be sent to the voting membership of NCABA, with at least three-fourths of the NCABA Executive Council supporting the proposal. Changes to the constitution shall be submitted to a vote of the NCABA membership with ratification dependent upon a two-thirds majority of responding voters. At least 20 percent of the voting membership must respond for such a vote to be accepted.

6. Removal and Replacement

Members of the Executive Council who fail to maintain membership in good standing in NCABA [i.e., failure to remit dues by February 15th] are subject to removal by majority vote of the remaining members of the Executive Council. A tie-vote shall be construed as affirmation for removal. Positions vacated for any reason shall be replaced by majority vote of the remaining members of the Executive Council by an existing officer or a non-elected Full Member nominee. The replacement will serve until the end of the original term of the originally elected officer.

Article VI - Nominations and Elections

1. Nominations

A minimum of two nominees for each vacant office shall be sought from the Voting Membership. A nominee must be a Full Member, may be nominated by self-nomination or by another Full Member, and must give consent prior to being nominated. Nominations will be requested through NCABA's Newsletter. Nominations will be reviewed by the Nominations & Awards Committee to ensure

all nominees are Full Members in good standing. Under circumstances as such that only one candidate is nominated after effort of recruitment is made, the election may proceed with one candidate on the ballot. Ballots shall include the names of all nominees and shall include a space to permit the name of "write-in" candidates to be entered for each vacant office.

2. Elections

Elections shall occur by ballots mailed out at a minimum 30 days prior to the annual conference. Only full members of NCABA shall be eligible to vote in elections to determine office holders. An individual shall be declared elected upon receipt of a simple majority of the votes cast. In the event that no candidate receives a majority of votes, the candidates receiving the least votes shall be eliminated and a second ballot cast. In the event of a tie on the second ballot, the winner shall be decided by simple majority vote of the Executive Council.

3. Terms

Officers and members of the Executive Council shall assume office upon the close of the Annual Business Meeting and shall hold office until their successors are elected and assume office in their stead. All newly elected officers shall assume office effective at the end of the Annual Business Meeting or on the 15th of March if no Annual Business Meeting is held. All officers that are exiting the Board (except for the Secretary and Treasurer) shall pass materials of their post to the newly elected officers within 2 weeks of assuming office. The exiting Secretary and Treasurer shall complete all post-conference wrap up activities, prepare the materials to present to the Board at the first executive meeting following the Annual Business Meeting, and train the newly elected Secretary or Treasurer before the end of the first executive board meeting after the Annual Business Meeting. All materials of their post should be passed at the end of the first executive board meeting for both the Secretary and Treasurer. The office of President is a four-year term commencing with the election for one year as Vice President, followed by three sequential one-year terms as President-Elect, President, and Past-President. Representatives-At-Large each serve a two-year term. Secretary and Treasurer each serve a two-year term. The Student Representative serves a one-year term.

3. Recall

Any Officer of NCABA or Member of the Executive Council may be recalled in accordance with the following procedure:

- a. **A petition for recall bearing the names of at least 20% of the Full Members in good standing at the time of submission shall be presented to the Executive Council.**
- b. **The Secretary shall certify the petition with respect to the validity of the signatures. In the event the Secretary is the Officer subject to recall, the Immediate Past President shall assume his or her duty.**
- c. **Upon validation of the petition, the President or his/her designate shall cause a mail ballot to be prepared and distributed to the membership**

having voting qualifications. The ballots shall be received and tabulated by the Immediate Past-President who shall certify each to be valid.

- d. The officer whose incumbency is under challenge shall be recalled only by two-thirds vote of those members eligible to vote.
- e. An office whose incumbency is recalled shall be filled by majority vote of the Executive Council by an existing officer or a non-elected nominee (Full Member); the replacement shall serve until the term would have ended for the originally elected officer.

Article VII - Meetings

1. Annual Business Meeting

There shall be at least one Annual Business Meeting of NCABA. This meeting shall be held in conjunction with the Annual Convention of NCABA except in the event of no Annual Conference in which case, the meeting shall be held in conjunction with a regularly scheduled meeting of such other group or association as shall be designated by the Executive Council. Notice of the Annual Business Meeting of NCABA shall be given to all members in good standing not less than two months prior to the scheduled date.

2. Quorum

A quorum at the Annual Business Meeting shall consist of not less than ten percent of Full Members-in-good- standing present.

Article VIII - Committees

1. Committees

The committees of NCABA shall consist of the Nominations & Awards Committee, the Committee on Public & Professional Relations, the Conference Program Committee and other committees which are established by vote of the Executive Council. Membership of all committees shall include the President and at least one of the Representatives-at-Large [See Article IV (5)] and other members who are appointed by the Executive Council.

- a. The Nominations & Awards Committee shall announce calls for nominations for awards and for nominations for election to the Executive Council. The Chairperson of this Committee shall present the results of the calls for nominations to the President and the Executive Council and submit brief descriptions of credentials for each nominee for use on election ballots as requested by the Executive Council.
- b. The Committee on Public & Professional Relations shall organize efforts on behalf of NCABA to promote, support, defend, and extend the influence of behavior analysis within North Carolina. The Chairperson of this committee shall present the recommendations of this committee to the President and the Executive Council. The Members of this committee shall

also keep the membership apprised of developments within the state that may affect behavior analysis or that may warrant membership action. The Chairperson of this committee shall maintain a current list of committee objectives, which shall be available to any voting member upon request.

- c. The Conference Program Committee shall be Co-Chaired by the President and President-Elect and shall plan, organize, and coordinate all aspects of the Annual Conference. This committee shall coordinate any solicitation for Conference Sponsors under the guidance of the Executive Council.

Article IX - Dues

1. Dues

Dues for membership shall be established by simple majority vote of the Executive Council. This action can be rescinded by a two-thirds majority vote of those present and voting at the Annual Business Meeting of NCABA in which event the Executive Council shall propose an alternate schedule of dues for approval by simple majority of those present and voting.

2. Collection

Dues shall be payable in the time and manner prescribed by the Executive Council and published to the membership at large at least three months prior to the due date.

3. Arrears

Any member who shall have failed to remit dues by February 15th of that calendar year will be declared in arrears. That member shall be subject to suspension of privileges of membership in NCABA, including, but not limited to, voting, receipt of the Newsletter, and eligibility for election to the Executive Council.

Article X - Amendments

1. Process

Amendments to the NCABA Constitution may originate either by simple majority vote of the Executive Council or by Introduction from the floor at the Annual Business Meeting. In either case, a copy of the proposed amendment shall be distributed to all Full Members along with a ballot to vote for or against the amendment. The Constitution and by-laws may be amended only by a two-thirds vote of all responding Full Members with the requirement that 20 percent of the Full membership responds.

Article XI - Dissolution

In the event of dissolution, the residual assets of NCABA will be turned over to one or more organizations which themselves are tax-exempt as organizations described in the Internal Revenue Code or corresponding sections of any prior or subsequent Internal Revenue Code or the Federal, State or local government for exclusive public purposes in the field of human services, and whose purpose is consistent with that of NCABA.

Approved: May 5, 1998

Revisions Approved by Executive Council: November 04, 2008

Revisions Approved by Vote of the NCABA Membership: November XX, 2008