

AS OF JANUARY 2002

CONSTITUTION

- I. The name of the Association is The American Correctional Association.
- II. The Association is a corporation as defined in, Chapter 792, subparagraph (a) (5) of Sections 102 (Definitions) and 201 (Purposes) of the Not-for-Profit Corporation Law of the State of New York.
- III. The purposes and objectives of the Association are as follows:
 1. To provide a professional association of persons, agencies, and organizations, both public and private, who hold in common the goal of bettering the profession of corrections and enhancing their contribution to that profession.
 2. To encourage enrollment, as affiliates to the Association, of other organizations whose areas of interest, expertise, and concern have commonality with the field of corrections and whose goals and principles are consistent with those of the Association.
 3. To establish corporate missions and promulgate and promote national and international corrections policies consistent with the Association's Declaration of Principles.
 4. To develop standards for all areas of corrections and implement a system for accreditation for correctional programs, facilities and agencies based on these standards. Where feasible, standards shall be based on performance outcome.
 5. To support laws and administrative procedures to safeguard the rights of corrections workers, victims, and offenders in the adult and juvenile correctional process.
 6. To publish and distribute journals and other informative materials relating to criminology, crime prevention, and corrections and to encourage and stimulate research of these matters—such materials to include relevant statistical information, significant and validated research findings, forecasting trends, news of correctional programs and events, and discussions of concepts and ideas of current concern to the profession.
 7. To conduct or sponsor corrections conferences, congresses, institutes, forums, seminars, and meetings.
 8. To broaden and strengthen the support for Association goals by advocating Association policies, resolutions, positions, and standards to policymakers and the public and by forming coalitions with other professional organizations sharing these goals.
 9. To implement an information program for legislators, government leaders, and the public in order to promote rational legislation governing the criminal justice process for adult and juvenile offenders.

10. To promote recognition of corrections as a profession, and those who work in corrections as professionals, and to ensure validity of that recognition by encouraging the recruitment and development of highly qualified staff.

11. To ensure representation of minorities, women, and other protected classes in the ranks of corrections professionals and to inform policymakers and the public of the importance of such representation for a safe and effective corrections system.

12. To promulgate and promote a code of correctional ethics applicable to individuals and to public and private agencies, institutions, programs, and services throughout the correctional field.

13. To stimulate the establishment by universities and other educational institutions of on-campus and extension courses preparing interested persons for work in the correctional field and for assisting employed personnel in the enhancement and advancement of their careers.

IV. The business affairs and the programs of the Association shall be conducted on a non-discriminatory basis.

1. Membership shall be available to anyone regardless of age, race, religion, color, national origin, marital status, disabilities, or sex.

2. The Association shall require non-discriminatory activities and programs within its affiliates and chapters.

V. Individuals and organizations shall be admitted to membership in the Association as provided in the Bylaws.

VI. The Association is not organized for profit and no part of its net earnings shall inure to the benefit of any Governor, officer, employee or individual, and no Governor, officer, employee or individual of the Association shall receive or be entitled to receive any income of any kind therefrom, except for reasonable compensation for services rendered to or for the Association in effecting one or more of its purposes. No Governor, officer or employee of the Association or private individual shall be entitled to share in the distribution of the Association's property or assets in the event of liquidation or dissolution of the Association, whether voluntary or involuntary, and in such event all of the remaining property and assets of the Association shall, after deducting all necessary expenses of liquidation or dissolution, as the case may be, be distributed to such organizations as shall qualify under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), subject to an order of a Justice of the Supreme Court of the State of New York.

VII. This Constitution may be amended by the action of the general membership. Proposed amendments may be submitted to the general membership by joint agreement of the Delegate Assembly and the Board of Governors or by the petition of ten (10) percent or more members. Proposed amendments shall be presented to the general membership by mail ballot and upon majority vote of those voting the amendment shall be approved and the effective date of the

amendment shall be contained within the amendment.

VIII. The principal office of the Association is in the State of Maryland. The Association shall designate a registered office in accordance with the Not-for-Profit Corporation Law of the State of New York and shall maintain it continuously. The Association may have offices at such other places within and without the State of Maryland as the Board of Governors may from time to time determine.

BYLAWS

ARTICLE I

(Membership)

Section 1. Composition

The Board of Governors is authorized to adopt, modify and revoke such rules and regulations as it may deem necessary and appropriate with reference to the admission, classification, voting rights, and dues to the Members, provided that such rules and regulations shall not be effective until they have been ratified at the next meeting of the Delegate Assembly.

Section 2. Meetings

The Association shall hold an Annual Congress of Correction and Winter Conference at such time and place as shall be selected, consistent with guidelines approved by the Board of Governors. Special meetings may be called by the President or the Board of Governors and shall be called at the request of no less than five (5) percent of the Association's active membership.

ARTICLE II

(Elections)

Section 1. Election of Board of Governors and At-Large Members of the Delegate Assembly

Elections shall be by ballot mailed to each Member of the American Correctional Association eligible to vote and such ballots shall contain a double slate of candidates for each office or seat on the Board of Governors and Delegate Assembly drawn up by the Nominating Committee pursuant to Article VI, Section 2 of these Bylaws, as well as a provision for write-in votes. A plurality of the votes cast shall elect a candidate. In considering persons for nomination the Nominating Committee shall take into account the qualifications, discipline, race, sex, and geographical location of the prospective candidates. Procedures for counting the mail ballots will be established by the Board of Governors, in accordance with the procedure for a mailed secret ballot outlined in the parliamentary authority of the Association, *Robert's Rules of Order Newly Revised*. Ballots will be mailed to the membership eligible to vote at least thirty days prior to the closing date which shall be set no later than forty-five days prior to the annual meeting.

Section 2. Election of Members of the Commission on Accreditation for Corrections

The Nominating Committee shall nominate a double slate of candidates for each seat vacated or to be vacated on the Board of Commissioners, except those listed in Article V, Section 2, which shall be appointed as set out in that section. A plurality of votes cast shall elect a candidate. Elections shall be by a ballot mailed to each Member of the American Correctional Association eligible to vote. The procedures for counting the mailed ballots and for mailing them to membership shall be the same as those contained in Section 1.

ARTICLE III (The Board of Governors)

Section 1. Composition

The Board of Governors shall consist of the following:

A. The President, Immediate Past President, President-Elect, Vice President, Treasurer, and Executive Director. The Executive Director is a non-voting member.

B. Eighteen (18) members elected by members of the American Correctional Association.

1. The eighteen (18) elected members shall generally reflect the Association's disciplinary structure, the geographical distribution of its membership, and representation of ethnic minorities and women. Specific seats on the Board shall be assigned to broad areas of practice. No more than one (1) Board member shall represent a single area of practice. The areas of practice which shall be represented on the Board shall be selected from the following:

- a. At-Large Citizen (not employed in corrections)
- b. Correctional Administration (Adult)
- c. Correctional Administration (Juvenile)
- d. Institutions (Adult)
- e. Institutions (Juvenile)
- f. Probation (Adult)
- g. Probation (Juvenile)
- h. Parole or Post-Release Supervision (Adult)
- i. Aftercare or Post-Release Supervision (Juvenile)
- j. Community Programs (Adult)
- k. Community Programs (Juvenile)
- l. Detention (Adult)
- m. Detention (Juvenile)
- n. At-Large (Ethnic Minority) (3)
- o. Education
- p. Member At-Large

Section 2. Eligibility

All officers, Members of the Board of Governors, Delegate Assembly or Committees or Councils must be members of the American Correctional Association in good standing.

Section 3. Powers

The financial and internal affairs of the Association shall be governed by the twenty-four member Board with the following powers:

- A. To establish priorities and promulgate policies concerning the internal operations of the Association and to set priorities.
- B. To approve the Association's budget and maintain prudent fiscal controls;
- C. To provide oversight of the President and the Executive Director;
- D. To appoint and, if necessary, discharge for cause the Executive Director;

- E. To approve the President's charges to committees and the establishment of Ad Hoc committees.
- F. To establish and enforce ethical standards for the Association;
- G. To fill interim vacancies for the Board of Governors, At-Large Delegates, and Officers of the Association with the exception of the President;
- H. To set the time and place for the Annual Congress, Winter Conference, and any special meetings and to provide guidelines for the Congress program;
- I. To set membership rights, qualifications, and requirements including dues rates, subject to approval of the Delegate Assembly;
- J. To provide consent to the Delegate Assembly for ratification of Public Policy and Resolutions according to the definitions and procedures contained in Article VI, Section 4., A., and B.;
- K. To establish criteria and procedures for the affiliation and disaffiliation of other organizations or associations approved by the Delegate Assembly, and to jointly approve affiliation and disaffiliation;
- L. To establish correctional awards with the joint approval of the Delegate Assembly and the Executive Committee;
- M. To oversee the implementation of the Association's Public Policies, and to establish Association goals, plans and priorities, as approved by the Delegate Assembly; and,
- N. Such other powers as defined or as required in the Constitution and Bylaws or the not-for-profit corporation law of the State of New York.

Section 4. Term of Office

The term of each elected Governor shall be four (4) years and no Governor shall serve more than two consecutive terms or eight (8) consecutive years. At each biennial election nine (9) governors shall be elected to terms of four (4) years each.

Section 5. Meetings

A. Place of Meeting. The meetings of the Board of Governors shall be held at the principal office of the Association or at such other place, within or without the State of Maryland, designated in the notice of meeting.

B. Schedule of Meetings. The Board of Governors shall meet at least semi-annually, once during the annual Congress of Correction and once at the Winter Conference, as the Governors may designate. There may be such other regular meetings of the Board of Governors as may be scheduled by the Board. Special meetings of the Board of Governors may be called at any time by the President, Executive Director, or by not less than one-third of the Governors.

C. Notice of Meetings. Written notice of each meeting of the Board of Governors stating the place, date and hour of the meeting shall be given to each Governor, personally or by mail, not less than ten days prior to the date thereof. Any notice and any waiver of notice of the meeting of the Board of Governors need not specify the purpose of the meeting. Notice of any meeting of the Board of Governors need not be given to any Governor who submits a signed waiver of notice, or who attends the meeting without protesting.

D. Organization of Meetings. At each meeting of the Board of Governors, the President shall act as Chair. When the President is absent, the Vice President shall act as Chair. The Executive Director or, in his/her absence, a person appointed by the Chair of the meeting shall act as Secretary.

E. Quorum of Meetings. Twelve (12) Governors then qualified and serving shall constitute a quorum for the transaction of business.

F. Meetings Other. Meetings may be conducted by conference telephone and by other conferencing methods.

Section 6. Resignation/Removal

A. Any Governor may resign at any time by giving written notice to the President. Such resignation shall take effect at the time specified therein.

B. Any Governor may be removed from office either by a vote of the members or by a vote of the Board of Governors, provided there is a quorum of not less than a majority, including not less than three (3) elected officers of the Association, present at the meeting of the Board at which such action is taken.

Section 7. Vacancies

Any vacancy resulting from resignation or any other cause, except a vacancy in the office of President, shall be filled by the Board of Governors by a majority vote. The person filling the vacancy must come from the same discipline of the seat which was vacated as listed in Article III, Section 1, subsection (B), (2) (a.-p.).

ARTICLE IV

(Delegate Assembly)

Section 1. Composition

A. Definitions.

1. Professional Affiliate: A national or international organization or association representing a major professional discipline engaged in corrections or a related field.
2. Geographical Affiliate: An organization or association representing all disciplines engaged in corrections, or a closely related field, within a broad geographical region.
3. State Affiliate: An organization or association representing the entire continuum of corrections within a state of the United States, a province of Canada, or a similar formal territorial jurisdiction in another country.
4. Dual Membership Chapter: Denotes a state affiliate which, upon affiliation or thereafter, enters into an agreement with the American Correctional Association (ACA) which provides that each member of the state affiliate will hold membership both in the state affiliate organization and the American Correctional Association.

B. Types of Representation. The Delegate Assembly is composed of five types of representation.

1. Those Delegates designated by (a) state affiliates, (b) dual membership chapters, (c) geographical affiliates and (d) professional affiliates.
2. The Past Presidents of the American Correctional Association.
3. The members of the Board of Governors.
4. Representatives of each of the military services of the United States (Army, Navy, Air Force, Marines) designated by the Military Affairs Committee.
5. The At-Large Members representing the continuum of corrections, adult and juvenile, elected by the American Correctional Association membership biennially.

C. At-Large Representation. At-Large Members shall be elected from the following disciplines of the correctional continuum:

1. Correctional Administration (Adult)
2. Correctional Administration (Juvenile)
3. Probation (Adult)
4. Probation (Juvenile)
5. Probation—Line Level (Adult)
6. Probation—Line Level (Juvenile)
7. Parole or Post-Release Supervision (Adult)
8. Aftercare or Post-Release Supervision (Juvenile)
9. Parole or Post-Release Supervision—Line Level (Adult)

10. Aftercare or Post-Release Supervision—Line Level (Juvenile)
 11. Crime Victim Organization
 12. At-Large Ethnic Minority (3)
 13. Correctional Education Services (Adult) (2)
 14. Correctional Education Services (Juvenile) (2)
 15. Detention (Adult) (2)
 16. Detention (Juvenile) (2)
 17. Institutions (Adult) (2)
 18. Institutions (Juvenile) (2)
 19. Institutional Line Operating Personnel (Adult) (2)
 20. Institutional Line Operating Personnel (Juvenile) (2)
 21. Institutions of Higher Learning (4)
 22. Private Community-Based Correctional Organizations (4)
 23. Correctional Health (2)
 24. Mental Health (2)
- Total At-Large Representatives: 42

D. Affiliate and Chapter Representation.

1. Each affiliate and/or chapter is entitled to a minimum of one delegate and a maximum of five (5) delegates.
2. Each affiliate and/or chapter will be entitled to one additional delegate for each group of two hundred (200) ACA Members over the first two hundred (200) ACA Members, to a maximum of five delegates.
3. All delegates and their alternates shall be members of the American Correctional Association.

4. Each professional, geographical, and state affiliate shall file with the Executive Director of ACA a list of members ninety (90) days prior to a meeting of the Delegate Assembly if they wish to have additional delegates certified as voting members of the Delegate Assembly beyond the one delegate.

5. Canada and other countries shall be considered as a geographical affiliate until such time as membership within their provinces, states, or similar territorial jurisdictions is sufficient to form a state affiliation.

6. Affiliate and Chapter Organizations. Within the structure of the Association there are those professional, geographical, and state organizations which represent certain groups considered important to the total correctional continuum. They may be voted affiliation with the Association when the following conditions are met:

a. Professional Affiliates. Professional Affiliates are national or international groups that:

(i) Are commonly accepted as important elements of correctional service.

(ii) Have a membership that includes residents of not less than twenty-five (25) states or other countries, or a membership of at least fifty (50) persons.

(iii) Have Constitutions and Bylaws that conform with the principles of the American Correctional Association.

b. Geographical and State Affiliates. Geographical and state affiliates are groups that:

(i) Are engaged in corrections or a closely related field and have as their primary objective the improvement of correctional services within their state or geographical area.

(ii) Have only one ACA affiliate association representing their state or geographical area. The purpose of this requirement is to encourage the cooperative representation of the entire continuum of corrections within each state.

(iii) Have a membership of at least one hundred and fifty (150) persons. This requirement may be waived by a two-thirds (2/3rds) vote of the Board of Governors and Delegate Assembly.

(iv) Have Constitutions and Bylaws that conform with the principles of the American Correctional Association.

7. Dual-Membership Chapters shall meet the definition specified in Article IV, Section 1, subsection (A), 4. The American Correctional Association shall provide a formal program of chapter support and leadership development to each Dual-Membership Chapter, and may provide other support programs to state, geographical and professional affiliates, as needed. Each Dual-Membership Chapter shall present to the Executive Director annually a report of the Chapter's activities during the past fiscal year of its operation.

Section 2. Powers

Responsibilities of the Delegate Assembly include, but are not limited to:

- A. To initiate a Public Policy or a Resolution and provide final ratification according to the definitions and procedures contained in Article VI, Section 4, A., and B.:
- B. To make recommendations to the Board of Governors regarding the internal management and operation of the Association;
- C. To jointly approve with the Board of Governors the affiliation or disaffiliation of organizations or associations;
- D. To approve correctional awards recommended by the Board of Governors and the Executive Committee;
- E. To elect the members of the Nominating Committee from a slate provided by the Board of Governors and to approve procedures for the Nominating Committee;
- F. To determine legislative priorities and position statements for the Association;
- G. To elect two members of the Board of Governors to the Executive Committee;
- H. To remove a Delegate according to procedures contained in Article IV, Section 5, B.;
- I. To receive and consider a report from the Board of Governors summarizing its stewardship since the last Delegate Assembly; and,
- J. Such other powers as defined or as required in the Constitution and Bylaws.

Section 3. Term of Office

Delegates designated by professional, geographical, and state affiliates and dual-membership chapters shall not be limited as to the number of years they may serve as a Delegate. However, they must be designated by the affiliate or dual-membership chapter they represent. The term of office of At-Large Delegate Assembly Members shall be two years (or until the end of the respective term of the predecessor if the person shall have been appointed to succeed a person who shall not have completed the term). No At-Large Delegate Assembly Members shall serve more than eight consecutive years.

Section 4. Meetings

A. The Delegate Assembly shall meet at least twice annually, at the Congress of Correction and the Winter Conference of the Association. Additional meetings of the Delegate Assembly may be called by the President or by a majority vote of the Members of the Board of Governors.

B. Written notice of each meeting of the Delegate Assembly stating the place, date and hour of the meeting, shall be given to each Delegate Assembly Member who has paid annual dues, personally or by mail, not less than ten or more than sixty days prior to the date of the meeting. Notice of any special meeting of the Delegate Assembly shall indicate that it is being issued by or at the direction of the President and shall state the purpose or purposes for which the meeting is being called. Each notice of a meeting of the Delegate Assembly shall be directed to each Delegate Assembly Member at the address as it appears on the record of the Delegate Assembly or, if any Member shall have filed with the Executive Director of the Association a written request that such notices be mailed to another address, then to such other address. If a meeting is adjourned to a time and place certain, no subsequent notice is required.

C. Any corporate action (other than the election of officers and Governors) to be taken by a vote of the Delegate Assembly pursuant to the New York Not-for-Profit Corporation Law shall, unless otherwise required by law or the Constitution or Bylaws of the Association, be authorized by a majority of the votes cast, by those Delegate Assembly Members present, at a meeting of the Delegate Assembly entitled to vote therein. Alternates may be chosen for each affiliate or chapter Delegate Assembly Member. No other Delegate Assembly Member shall be permitted to appoint an alternate and no Delegate Assembly Member shall be allowed to vote by mail.

D. At each meeting of the Delegate Assembly, the President shall act as Chair. In his/her absence the Vice President shall act as Chair. The Executive Director or, in his/her absence, a person appointed by the Chair of the meeting, shall act as Secretary.

E. One-third of the Delegate Assembly Members certified by the Credentials Committee shall constitute a quorum for the transaction of business at any meeting and, except as otherwise provided by law or these Bylaws, the act of a majority of the Delegates present shall be the act of the Delegate Assembly. In the absence of a quorum, a meeting may be adjourned until such time as a quorum may be obtained.

Section 5. Resignation/Removal

A. Any Delegate may resign at any time by giving written notice to the President. Such resignation shall take effect at the time specified therein. In the instance of Delegate Assembly Members who represent an affiliate or chapter, written notice must also be submitted to the President of the affiliate or chapter.

B. Any Delegate may be removed from office by a majority vote of the delegates, provided there is a quorum, including not less than three elected officers of the Association present at the meeting of the Delegate Assembly at which such action is taken.

Section 6. Vacancies

Any vacancy resulting from resignation or any other cause shall be filled in the following manner: in the instance of a Delegate who represents an affiliate or chapter, the vacancy shall be filled by and in the manner designated by the affiliate or chapter. In the instance of an At-Large Delegate the vacancy shall be filled by the Board of Governors by a majority vote. The person filling the vacancy must come from the same discipline of the seat which was vacated as listed in Article IV, Section 1, subsection (C), (1-22).

ARTICLE V (Commission on Accreditation for Corrections)

Section 1. Composition

The Commission will be governed by a Board of Commissioners of no more thirty-six (36) and never less than three (3) persons who will be selected from the following categories:

1. Juvenile Correctional Agencies (1)
2. Council of Juvenile Correctional Administrators (1)
3. Association of State Correctional Administrators (2)
4. National Sheriffs' Association (2)
5. American Jail Association (1)
6. North American Association of Wardens and Superintendents (1)
7. International Community Corrections Association (1)
8. American Probation and Parole Association (1)
9. Association of Paroling Authorities International (1)
10. National Juvenile Detention Association (1)
11. American Bar Association (1)
12. American Institute of Architects (1)
13. National Association of Counties (1)
14. Correctional Health (Physician) (1)
15. Juvenile Probation/Aftercare (1)
16. Adult Probation/Parole (1)
17. At-Large (17)
18. Citizen At-Large (Not in Corrections) (1)

The number of Commissioners may be decreased or increased by 2/3's vote of the Board of Governors of the American Correctional Association.

Section 2. Eligibility and Method of Election

The Commissioners will be elected through a mail ballot by the membership of the American Correctional Association with the exception of the following: National Sheriffs' Association, American Bar Association and National Association of Counties. These three Associations shall appoint their Commissioner in accordance with criteria as established by the Commission. The remaining Associations representing a position on the Commission shall submit to the Nominating Committee a minimum of four (4) names for each Commission seat, from which the Committee shall select two for the ballot. If fewer than four names are submitted for each seat, the Nominating Committee is authorized to find qualified individuals to fill the ballot.

Section 3. Powers

The accreditation procedures shall be promulgated and the awards of the Commission shall be granted by the Board of Commissioners. All standards shall be approved by a Standards Committee jointly appointed by the Chair of the Commission and the President of the American Correctional Association. The Constitution, Bylaws, and Rules of the Commission shall not conflict with the Constitution and Bylaws and public policy of the Association.

Section 4. Term of Office

Commissioners shall serve terms of four (4) years each. No Commissioner may serve more than eight (8) consecutive years.

Section 5. Resignation and Vacancies

Vacancies shall be declared by the Commission for the following reasons: resignation, inability to serve, no longer qualifies to represent the specified Commission category, or other reasons in accordance with its Bylaws. If the member is unable to represent the specific Commission category, he or she shall submit his or her resignation within one hundred eighty (180) days from the date the person is no longer employed in that field. A successor shall be nominated by the ACA Nominating Committee and elected to serve the remaining term by the general membership of ACA during the next regularly scheduled election of new Commissioners. The Commission may make interim appointments to fill vacancies pending the next election.

ARTICLE VI (Committees and Councils)

Section 1. Executive Committee

A. Composition. There shall be an Executive Committee which shall consist of the offices of the Association listed in Article VII, Sections 1 and 3, the immediate Past President and two members of the Board of Governors, who shall be selected by a vote of the Delegate Assembly from a list recommended by the Nominating Committee. A quorum of the Executive Committee shall be one-half of its members. The Executive Committee shall regularly report its proceedings to the Board of Governors at subsequent meetings of the Board. The President shall be the Chair of the Executive Committee and the Executive Director shall be its Secretary.

B. Powers. The Executive Committee may exercise all the powers of the Board of Governors during the intervals between meetings of the Board, except that it shall not have authority to

recommend amendment of the Constitution and Bylaws or submit to the Association any action requiring the approval of the Delegate Assembly or prohibited under New York Not-For-Profit Corporation Law. The Executive Committee shall fix the compensation of the Executive Director. The Executive Committee shall recommend to the Board of Governors and Delegate Assembly action on policy proposals.

C. Quarterly Meetings. The Executive Committee shall meet at least quarterly and shall be responsible for the affairs of the Association between meetings of the Board.

D. Meetings Other. Meetings may be conducted by conference telephone and other conferencing methods.

Section 2. Nominating Committee

There shall be a Committee, to be known as the Nominating Committee, which shall consist of no fewer than five (5) and no more than nine (9) members who are elected biennially by the Delegate Assembly. This Committee shall consist of a balanced representation from the juvenile and adult fields including all types of services in the continuum of corrections. The Chair shall be elected by the Committee members. The Committee shall nominate a slate of candidates to replace all elected officers, Governors, and Delegate Assembly Members listed in Article IV, Section C, and the seats on the Commission on Accreditation for Corrections. The Committee shall nominate at least two candidates for each position to be filled by election. The Nominating Committee shall determine an individual's eligibility to serve as a representative of the correctional areas specified based on criteria contained in the Bylaws. The Committee shall consider candidates who support the values of service and stewardship as demonstrated by attendance and participation at scheduled meetings. The Committee shall have such other functions and follow such procedures as may be determined by the Delegate Assembly.

Sections 3. Committee on Standards

There shall be a Committee which shall consist of twenty (20) members, including the Chair, to be known as the Committee on Standards. Twelve (12) members will be appointed by the President and eight (8) shall be appointed by the Commission Chair. The President shall appoint three (3) members annually to a four-year term. The President shall also designate the Chair of the Standards Committee. The Chair of the Commission shall biannually appoint eight (8) Commissioners to the Standards Committee for a two-year term. No member shall serve for more than four (4) consecutive years, unless they were appointed to replace a resigning member. The time served as a replacement member shall not apply to a four (4) year term. Inasmuch as possible, appointments should generally reflect the disciplines represented on the Board of Governors and Commission on Accreditation for Corrections. If a member of the Committee ceases to work in corrections and is not retired, the person will be required to resign. The resignation shall take place within one hundred eighty (180) days from the date the person is no longer employed in corrections. The President or Commission Chair shall appoint a replacement, if possible from the same field of corrections, to complete the remainder of the term. The Committee shall have the sole authority to approve all standards for the Commission on Accreditation for Corrections and the American Correctional Association.

Section 4. Advisory Committee on Resolutions and Policy Development. There shall be a committee known as the Advisory Committee on Resolutions and Policy Development, representing a cross-section of corrections and comprised of such members as may be designated

by the President.

A. Resolutions. A resolution is a formal statement regarding a desired course of action on a matter or issue related to the objectives of the Association. The Committee may receive resolutions from any member, committee, or organization with the Association. Resolutions shall be offered by the Committee to the Executive Committee for review and recommendation to the Board of Governors. Resolutions require joint approval by the Board of Governors and Delegate Assembly. A resolution from a member shall be presented to the Committee no later than seventy-two (72) hours prior to being offered for consideration at the meeting of the Board of Governors. The Committee on its own initiative may bring forward a resolution. A resolution, unless otherwise rescinded, shall remain in force for no more than three (3) years. A resolution may be offered for renewal.

B. Public Policies. A public policy is a position statement on a criminal justice issue consistent with the Association's Declaration of Principles that will guide and determine present and future decisions of the Association and give direction for criminal justice practices. A policy may be initiated by any member, committee or organization in the Association. Upon the initiation of a policy proposal, the Committee shall review the proposed policy to determine their recommendation. The Committee shall bring the policy concept to the Executive Committee, Board of Governors and the Delegate Assembly for their joint approval. Upon approval, the proposed policy shall be put into the policy development process which has been established by the Committee and approved by the Board of Governors. The Committee will then forward to the general membership for their review. After general membership comment the policy may be refined by the Committee and then shall be sent to the Executive Committee for their recommendation. Ratification requires joint approval by the Board of Governors and Delegate Assembly. A ratified policy will be reviewed every five (5) years by the Committee and the Governing Bodies of the Association.

Section 5. Committee on Affirmative Action

There shall be a Committee on Affirmative Action, which shall be comprised of such members as may be designated by the President. The Committee shall represent the interests of ethnic minorities and women. The Committee shall advise the Executive Committee regarding policies which the Association should consider with respect to preventing discrimination against persons because of age, race, religion, color, national origin, marital status, disabilities, or sex. It may also submit to the Executive Committee proposals for the improvement of the status of members representing minority groups employed by correctional agencies and for the protection of the human rights of offenders in the custody or under the supervision of correctional agencies, public or private. The Committee may conduct such training and other activities as may be approved by the Board of Governors.

Section 6. Committee on Constitution and Bylaws

There shall be a Committee on Constitution and Bylaws comprised of such members as may be designated by the President. The Committee shall recommend to the Executive Committee, Board of Governors and the Delegate Assembly action to be taken by the membership on proposed amendments to or revision of the Constitution and Bylaws.

Section 7. Committee on Military Affairs

There shall be a Committee on Military Affairs which shall provide interface with the American Correctional Association to promote and foster understanding of Military Corrections Programs.

The Committee shall represent all aspects of correctional military service and members shall be appointed by their military branch. The Chair shall be designated by the Committee.

Section 8. Committee on International Relations

There shall be a Committee on International Relations which shall be appointed by the President. It shall have the responsibility of promoting dissemination and exchange of information among correctional practitioners throughout the world. It shall advise the Executive Committee concerning actions which the American Correctional Association may initiate, subject to Board of Governors approval, to further international communications.

Section 9. Committee on Membership

There shall be a Committee on Membership which shall be appointed by the President. The Committee shall promote the recruitment of Association members from all sectors of the field of corrections, public and private, and shall make recommendations to the Executive Committee regarding membership issues including the dues structure for membership, subject to Board of Governors approval. It shall also recommend to the Board action upon requests for organizational affiliation and disaffiliation with cause.

Section 10. Committee on Correctional Awards

There shall be a Committee of eleven members for Correctional Awards which shall be appointed by the President and be broadly representative of the field of corrections. Members shall serve no more than (2) two consecutive terms of two years. It shall meet at the Summer and Winter Conferences to review nominations for awards established by the Association and shall select the most qualified candidates according to the criteria of the Board of Governors for that award. An award may be proposed by any member, committee, or organization in the Association. The Committee shall have the sole authority to review and recommend to the Executive Committee, Board of Governors, and Delegate Assembly creation of awards. Establishment of the award requires approval of the Executive Committee, Board of Governors, and Delegate Assembly.

Section 11. Committee on Ethics

There shall be a Committee on Ethics with members appointed by the President from the Board of Governors and Delegate Assembly. The Committee shall recommend to the Executive Committee, revisions and additions to the ethical standards of the Association, subject to Board of Governors approval. Complaints of violation of the Ethical Standards of the American Correctional Association shall be submitted to the Committee who shall make their recommendation to the Board of Governors.

Section 12. Credentials Committee

A. There shall be a Credentials Committee appointed by the President comprised of at least three (3) but not more than five (5) members. Members of the Committee shall be members of the Delegate Assembly.

B. The Association staff shall prepare a list of the certified Delegate Assembly Members entitled to vote as well as a list of their alternates for the Committee and present such a list to the President at the opening of any Delegate Assembly.

C. Each affiliate and/or chapter shall present to the Executive Director at least ninety (90) days

prior to the meeting of the Delegate Assembly those persons designated as their Delegate Assembly Members or their alternates.

D. The Association staff shall verify memberships and certify a list of Delegate Assembly Members and alternates at least fourteen (14) days in advance of the meeting and supply this list to the Committee.

E. Each affiliate and/or chapter shall be notified of those Delegates and alternates certified.

F. The Committee shall certify voting members at the Delegate Assembly meeting and decide all disputes regarding certification.

Section 13. Committee on Legal Issues

There shall be a Committee on Legal Issues appointed by the President. The membership shall include attorneys engaged in the active practice of Corrections Law on behalf of correctional agencies, institutions, field services or community programs. Other members shall be knowledgeable about legal matters affecting corrections.

The Committee shall advise the Executive Committee of developments in the law relating to corrections and shall, with approval of the Board, develop materials on correctional legal topics useful to the field.

Section 14. Committee on Congress Program Planning

There shall be a Committee on Congress Program Planning which shall be appointed by the President, and inasmuch as possible, appointments should generally reflect the disciplines represented on the Board of Governors and Delegate Assembly. The Committee shall consist of a total of 12 members. Under guidelines approved by the Board of Governors, the Committee shall be responsible for the development of the structure and content of the Annual Congress of Correction. The Committee shall solicit input for the Congress program from all affiliates, chapters, councils, and standing committees of the Association. The Committee Chair shall assist the Association staff in the development of the Winter Conference Program.

Section 15. Council of Dual-Membership Chapters and State and Geographical Affiliates

There shall be a Council of Dual-Membership Chapters and State and Geographical Affiliates composed of the presidents of such chapters/affiliates or designated alternates selected by the chapter/affiliates.

The Council shall promote the efforts of member organizations and shall inform the Board of Governors of proposals designed to strengthen the ability of the chapters and affiliates to serve their members and to promote the objectives of the Association. No Chair shall serve for more than four (4) consecutive years.

Section 16. Council of Professional Affiliates

There shall be a Council of Professional Affiliates, composed of the president of such affiliate, or the designated alternates selected by the organization. No Chair shall serve more than four (4) consecutive years.

The Council shall coordinate activities of professional affiliates in efforts to achieve the objectives of the Association, and shall make recommendations to the Board of Governors concerning the role of professional affiliates within the Association.

Section 17. Research Council

There shall be a Research Council composed of fifteen (15) persons who are recognized in the field of correctional research. The members shall be appointed by the President for a six (6) year term. No Chair shall serve more than four (4) consecutive years. The Council shall advise the Executive Committee and Board of Governors regarding basic research policies.

Section 18. Council on Professional Education

There shall be a Council on Professional Education of fifteen (15) persons from accredited institutions of higher education. The members of the Council shall be appointed by the President for six (6) year terms. The Council shall consider the professional education and personnel requirements of the corrections field and make recommendations to the Executive Committee, subject the approval of the Board of Governors. No Chair shall serve more than four (4) consecutive years.

Section 19. Legislative Affairs Committee

There shall be a Legislative Affairs Committee which shall be appointed by the President. The Committee will monitor legislation and assist in the development of legislative position statements on priorities established by the Association.

Section 20. Other Committees

The President, with the approval of the Board of Governors, shall appoint ad hoc committees as may be desirable in forwarding the work of the Association. Standing Committees are those established by Bylaws to fulfill the Constitutional mandates of the Association and provide for the continuing existence of its programs. Ad Hoc Committees may be appointed in order to consider a special issue, or to provide a forum for addressing a contemporary correctional subject. Such committees shall be given specific charges by the President, the completion of which shall be reported to the Board of Governors.

The tenure of such committees shall not exceed the two-year term of the President and shall not be extended except with approval of the Board of Governors upon the recommendation by the incoming President.

Section 21. Committees and Councils—Powers

All Committees and Councils shall perform only such duties and responsibilities as the Board of Governors may direct and in accordance with charges prepared by the President and approved by the Board.

Each Committee or Council shall report to the Board and the President on its activities after each meeting and shall file annual reports in writing with the Executive Director.

Section 22. Eligibility

All committee and council members must be members in good standing.

Section 23. Committee Liaison

There shall be a liaison from the Executive Committee or the Board of Governors appointed by the President to each Committee or Council. The Liaison shall serve as a policy liaison between committees and councils and the Executive Committee and the Board of Governors. Each Liaison and/or Committee Chair may present reports to the Board of Governors and the Delegate Assembly.

ARTICLE VII (Officers)

Section 1. Number

The Members shall elect a President, a President Elect, a Vice President and a Treasurer, who shall have such powers and perform such duties as may be provided by these Bylaws, the parliamentary authority of the Association, or as the Board of Governors may determine.

Section 2. Term of Office

The term of President and President-Elect shall be limited to two years (or until the end of the respective term of the predecessor if the person shall not have completed such term) and until the election and qualification of a successor. The Vice President and the Treasurer are elected for two-year terms and may serve two consecutive terms, or four (4) consecutive years.

Section 3. Appointment of Executive Director

The Board of Governors shall contract with and appoint an Executive Director. The contract may be revised or terminated for cause by the Board of Governors with 90 days notice. No later than one year prior to the completion of the contract, the Board of Governors shall determine whether a new contract will be offered and the Executive Director shall immediately be notified of the Board's decision. The Executive Director may request the termination of the contract within 90 days after having given notice to the Board.

This officer shall be a nonvoting member of the Board of Governors, the Executive Committee, and the Delegate Assembly.

Section 4. Resignation

Any officer may resign by giving written notice to the Board of Governors or to the President. Such resignation shall take effect at the time specified therein and acceptance shall not be

necessary to make it effective.

Section 5. Vacancies

A vacancy in any office except that of President because of resignation, or any other cause, may be filled for the unexpired portion of the term of that office by the Board of Governors.

Section 6. The President

The President shall be responsible to the Board of Governors. Except as otherwise provided in these Bylaws or ordered by the Board of Governors, the President shall appoint all committees and councils and the chairs of the committees and councils other than those committees appointed by the Board and those elected by the Delegate Assembly. In the appointment of Standing Committees the President shall give due consideration to the geographical representation of their membership as well as the representation of ethnic minorities and women. To ensure continuity in the work of such committees, the President shall consider for re-appointment members who have previously participated actively in their work. The President shall be an ex-officio voting member of all committees and councils and shall be given notice of and shall have the right to attend, all committee and council meetings. However, unless the President is designated by these Bylaws or by the Board of Governors or the Executive Committee as a regular member of the committee, the President shall be under no obligation to attend such meetings and shall not be counted to determine the number necessary to make a quorum or to determine whether or not a quorum is present. The President is the official spokesperson for the Association during his/her term of office. The President shall perform such other duties as may be assigned to him/her from time to time by the Board of Governors.

Section 7. The President Elect

The President Elect shall have such general administrative and other duties as may be assigned by the Board of Governors or the President.

Section 8. The Vice President

In the absence or disability of the President, the Vice President shall have the powers and duties of the President. In the event of a vacancy in the office of President, the Vice President shall succeed to that office for the unexpired portion of the term. The Vice President shall also have general administrative duties under the direction of the President and such other duties as may be assigned by the Board of Governors.

Section 9. The Executive Director

A. The Executive Director shall be the chief administrative officer of the Association and is authorized to speak for the Association to communicate Association policies, standards, resolutions, and positions. This office shall be responsible to the Board of Governors for the administration and the business affairs of the Association.

B. The Executive Director shall discharge the usual duties of a corporate secretary and record or cause to be recorded in books provided for the purpose, the proceedings of the meetings of the Association, including those of the Delegate Assembly, the Board of Governors, the Executive Committee and shall provide staff support to committees at the discretion of the Executive Director; shall see that all notices are fully given in accordance with the provision of these Bylaws and as required by law; shall be custodian of the records and of the Corporate Seal of the Association; shall see that the books, reports, statements, certificates, and all other documents and records required by law are properly kept and filed; and shall perform such duties as may from time to time be assigned to him/her by the Board of Governors or Executive Committee. The Executive Director shall be an ex-officio voting member of all committees and councils and shall be given notice of and shall have the right to attend, all committee and council meetings. However, unless the Executive Director is designated by these Bylaws or by the Board of Governors or the Executive Committee a regular member of the committee, the Executive Director shall be under no obligation to attend such meetings and shall not be counted to determine the number necessary to make a quorum or to determine whether or not a quorum is present.

C. The Executive Director shall be the financial administrator of the Association and shall be responsible for the custody and disbursement of Association funds and assets. The Executive Director shall give bond for the faithful discharge of his/her duties as the Board of Governors may require, at the expense of the Association.

Section 10. The Treasurer

The Treasurer shall be the legal custodian of the financial records of the Association's investments and Association's funds, subject to the direction and approval of the Board of Governors on the status of the Association's financial affairs, and make such recommendations regarding the Association's fiscal policies and practices as may be recommended by the financial auditors employed by the Association, or which may otherwise be indicated.

Section 11. Conflict of Interest Statement

All officers and Board of Governors shall sign and abide by a Conflict of Interest Statement that requires disclosure of any potential conflict that an office or Board member's private financial interests may have with the Association as a legal entity.

ARTICLE VIII (Miscellaneous)

Section 1. Contracts and Instruments

The Board of Governors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any contract or any other instrument in the name of and on behalf of the Association, and such authority may be general or confined to specific instances. No purchase, sale, or mortgage of real property shall be made unless authorized by two-thirds vote of the Board of Governors.

Section 2. Checks, Drafts

A. All checks, drafts, or other evidence of indebtedness issued in the name of the Association shall be signed or endorsed by such officer or officers, employee or employees, of the Association as shall be determined from time to time by the resolution of the Board of Governors. Each of such officers or employees shall give such bond as the Board of Governors may require, at the expense of the Association.

B. Checks issued for General Fund disbursements in excess of \$50,000 with the exception of printing, publication costs and bank transfer shall be authorized in writing by the Treasurer. The signature of the Treasurer, or Executive Director, or Executive Director's designee shall be required on all checks other than those which must be signed by the Treasurer.

C. The funds of the Association shall be disbursed only for those purposes set forth in the approved budget of the General Fund and the Government Projects Fund. All disbursements of funds from the Government Projects Fund shall be in accordance with the terms and conditions of approved grants and contracts and the financial budgets which are part thereof.

Section 3. Deposits

All the funds of the Association not otherwise employed shall be deposited from time to time to the credit of the Association in such banks, trust companies or other depositories as the Executive Director may from time to time designate, subject to the direction or approval of the Board of Governors, or as may be designated by any officer or officers, agent or agents of the Association to whom such power may be delegated by the Board of Governors for the purpose of such deposits.

Section 4. Loans Prohibited

No funds of the Association shall be loaned to any Governor or officer of the Association, or to any corporation, firm, association or other entity in which any Governor or officer of the Association is a director or officer or holds a substantial financial interest.

Section 5. Seal

The Corporate Seal shall have inscribed thereon the name of the Association, the year of its organization and the words, "Corporate Seal, New York."

Section 6. Fiscal Year

The fiscal year of the Association shall be from October 1 through September 30.

Section 7. Nonaffiliated Groups

The American Correctional Association for the benefit of the Association may enter into agreements with nonaffiliated groups. However, these groups shall not have representation on the Delegate Assembly.

ARTICLE IX (Annual Report)

At the annual meeting of the Delegate Assembly of the Association, the Board of Governors shall, pursuant to the provisions of Section 519 of the New York Not-for-Profit Corporation Law, present a report, verified by the President and the Treasurer or by a majority of the Board, or certified by an independent public or certified public accountant or a firm of such accountants selected by the Board, showing in appropriate detail the following: independent auditor's report, audited financial statements, and other audited financial information as required by generally accepted accounting principles and federal, state, or local agencies.

ARTICLE X (Parliamentary Authority)

1. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with the Constitution and Bylaws and any special rules of order the Association may adopt.
2. Meetings of the Executive Committee, Board of Governors, and Delegate Assembly shall be open unless attendance is restricted by majority vote. The Executive Committee, Board of Governors, and Delegate Assembly may vote to go into Executive Session. The Executive Session is limited to members from each body unless a majority of that body invites specific persons to participate.

ARTICLE XI (Amendments)

Section 1.

These Bylaws may be amended by the action of the general membership.

Section 2.

Proposed amendments may be submitted to the general membership by joint agreement of the Delegate Assembly and the Board of Governors or by the petition of ten (10) percent or more members.

Section 3.

Proposed amendments shall be presented to the general membership by mail ballot and upon majority vote of those voting the amendments shall be approved and the effective date of the amendment shall be contained within the amendment.