



**Affiliate Policies**

*Approved by the NACAC Board of Directors on March 5, 2011*

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**I. Applying for Affiliate Status**

An Affiliate's territory is the area covered by voting membership eligibility. Voting membership eligibility must be limited to the location where the member institutions or organizations are located or where individual voting members perform the majority of their professional duties. Retired members may be the exception to this requirement.

Please see NACAC's Bylaws for additional information on the process for establishing a new Affiliate.

**II. Maintaining Affiliate Status**

NACAC Affiliate Associations ("Affiliates"), as defined in the NACAC Bylaws, must remain in compliance with applicable provisions of the NACAC Bylaws and the policies and procedures for Affiliates approved by the NACAC Board of Directors. Should NACAC approve amendments to the applicable sections of the NACAC Bylaws or should the NACAC Board of Directors approve changes to the policies and procedures for Affiliates, each Affiliate must bring its governing documents and practices into compliance as soon as possible, no later than one year after the effective date of such changes. NACAC shall annually provide each affiliate president, president-elect, immediate past president and, if appropriate, chief staff officer, with a copy of the NACAC Bylaws, Certificate of Incorporation, a copy of the executed Affiliate's Affiliation Agreement, and these Affiliate policies.

A. The governing documents of each Affiliate, (for example, its Articles or Certificate of Incorporation and its Bylaws for those Affiliates organized under the laws of the United States or a state or territory), must remain consistent and in compliance with the requirements for such documents, as set forth in the NACAC Bylaws and these Policies.

1. Copies of the Affiliate's Articles or Certificate of Incorporation or official documents filed with the appropriate state or government authority must be provided to NACAC and continue to evidence the following:
  - a. The Affiliate is established as an independent legal entity.
  - b. The Affiliate is organized and operated as a not-for-profit organization, exclusively for charitable or educational purposes.
  - c. The mission of the Affiliate must remain consistent with that of NACAC. NACAC's current mission statement provides: *"Empowering college admission counseling professionals through education, advocacy, and community."*
  - d. For those Affiliates organized under the laws of the United States or a state or territory, the Affiliate must continue to use the words "Association for College Admission Counseling" as part of its formal legal name. In the case of an Affiliate organized outside the United States, the official documents must continue to provide a reasonably close alternative as part of the Affiliate's formal legal name.
2. An Affiliate organized under the laws of the United States or a state or territory must establish and continue to maintain its status as an organization recognized by the Internal Revenue Service as Section 501(c)3 organization.
3. An Affiliate organized outside of the United States must continue to be recognized as a charitable organization under the laws of the appropriate government or authority.
4. All Affiliates shall also provide to NACAC:

- a. Any proposed amendments to their governing documents prior to their adoption,
  - b. Copies of final amendments to their governing documents
  - c. Tax exemption determination letter from the Internal Revenue Service,
  - d. Any adverse notices received from any governmental agency (e.g. Internal Revenue Service, state secretary of state or corresponding agency).
- B. Annually, each Affiliate shall provide NACAC:
1. A current list of names and contact information of the Affiliate's officers and other board members. The list must include a president, past-president and president-elect, each of whom must be a NACAC voting member in the Affiliate. The list of current officers and board members must be reported to NACAC the earlier of two weeks after annual membership business meeting(s) or July 15.
  2. A copy of all membership meeting minutes. The minutes must be reported to NACAC no later than 30 days of the Affiliate's membership business meeting(s) where the minutes were approved.
  3. A current list of Affiliate chairs, no later than 60 days in advance of the NACAC National Conference.
  4. A current list of Affiliate committee members, no later than 60 days in advance of the NACAC National Conference.
  5. A copy of the public version of the Affiliate's *IRS Form 990, Return of Organization Exempt from Income Tax*, no later than 30 days after the filing date, assuming the Affiliate is required to file such form.
- C. Each Affiliate must provide updated information to NACAC if it changes its fiscal year.
- D. The Affiliate's current bylaws and other written governing policies or documents must continue to include the following provisions.
1. Affiliate President, President-Elect and Immediate Past President Requirements: The president, president-elect and immediate past president must be NACAC voting members in good standing.
  2. Membership Categories:
    - a. Voting Membership Categories: Each Affiliate must continue to extend voting membership to those categories of individuals, organizations, and institutions eligible for voting membership in NACAC. Each Affiliate may also establish additional voting membership categories,
    - b. Nonvoting Membership Categories: Each Affiliate may establish classes of nonvoting membership for those individuals, organizations, agencies, and institutions which are in agreement with the purpose of NACAC.
  3. Committees: Each Affiliate must maintain a committee or individuals charged with the responsibility of collaborating with the national Admission Practices Committee on the continuing education of members regarding the recommended ethical and professional practices.
- E. Recommended Ethical Practices: Each Affiliate should continue to align with and promote the recommended ethical practices that foster ethical and social responsibility among institutions, organizations and individuals assisting students in the transition to college as outlined in NACAC's *Guide to Ethical Practice in College Admission Counseling*.
- F. Affiliate Presidents Council Meetings and Leadership Training Opportunities: Each Affiliate's president, president-elect and immediate past president shall continue to participate fully in the NACAC Affiliate Presidents Council business meetings and training programs.

### III. NACAC Logo

As more fully set forth in the Affiliation Agreement between NACAC and each Affiliate, NACAC grants each Affiliate a limited, revocable, non-exclusive license to use the NACAC logo in connection with the Affiliate's name, acronym and solely in connection with the charitable and educational activities authorized under the Affiliation Agreement and according to NACAC policies and procedures. Affiliates are encouraged to use the NACAC logo but must adhere to the following requirements:

- A. An Affiliate may use the NACAC logo in conjunction with the Affiliate's own logo on printed and electronic materials to show the relationship between NACAC and the Affiliate. Materials may include

newsletters, brochures, Web sites, and stationery.

- B. The logo must not be revised or altered in any way and must be displayed in the same form as produced by NACAC.
- C. The NACAC logo may be placed next to, but may not be incorporated into, any other logo or graphic design. Likewise, the logo may not be combined or placed over other design elements such as photography, type or borders. The NACAC logo's original horizontal-to-vertical proportions must remain intact and the logo's color should not be changed. The logo's association title and/or tagline must remain legible.
- D. When used on Web sites, the NACAC logo must be hyperlinked to the NACAC Web site home page.

#### **IV. Due Process**

**Failure to Comply:** An Affiliate may be placed on probation, suspended or terminated for the Affiliate's failure to comply with the requirements of the NACAC Bylaws, NACAC's policies and procedures or the Affiliation Agreement, or for other good cause upon the affirmative vote of at least two-thirds (2/3) of the entire Board of Directors. Any Affiliate proposed for probation, suspension or termination shall be provided due process as follows

- A. **Probation:** The NACAC Board of Directors shall notify the Affiliate in writing of the board's intention to place the Affiliate on probation. The notice shall provide specific reasons for the proposed action and identify specific actions that the Affiliate must take to correct its non-compliance. Copies of the notice shall be sent to the Affiliate's president, president-elect and immediate past president of record at NACAC and, if applicable, the Affiliate's chief staff officer. The Affiliate shall have the right to respond to the board's notice, both in writing and in person at the board meeting at which the probation shall be considered. Written responses by the Affiliate to NACAC must be received electronically or postmarked within 60 days from the date of the notice. If the board votes to place the Affiliate on probation, the Affiliate shall be given six months to correct its non-compliance to the board's satisfaction. If the Affiliate fails to correct the non-compliance identified by the board during the probationary six-month period, the board may then decide to continue the probation or suspend or terminate the Affiliate's status as set forth below.
- B. **Suspension:** The NACAC Board of Directors may decide to suspend the Affiliate until the Affiliate corrects its non-compliance. The NACAC Board of Directors shall notify the Affiliate in writing of the board's intention to suspend the Affiliate. The notice shall provide specific reasons for the proposed suspension and identify specific actions that the Affiliate must take to correct its non-compliance. Copies of the notice shall be sent to the Affiliate's president, immediate past-president and president-elect of record at NACAC and, if applicable, the Affiliate's chief staff officer. The Affiliate shall have the right to respond to the board's notice, both in writing and in person at the board meeting at which the suspension shall be considered. Written responses by the Affiliate to NACAC must be received electronically or postmarked within 60 days from the date of the notice. If the board votes to suspend the Affiliate, the Affiliate shall not have the rights of Affiliates as provided in the NACAC Bylaws, policies and procedures and Affiliation Agreement for the period of the suspension and shall not be allowed to participate in NACAC activities, including but not limited to the Affiliate Presidents Council, and NACAC Affiliate training programs, during such suspension.
- C. **Termination:** The NACAC Board of Directors may decide to terminate the Affiliate status of an Affiliate for non-compliance. The NACAC Board of Directors shall notify the Affiliate in writing of the board's intention to terminate the Affiliate's status. The notice shall provide specific reasons for the proposed termination. Copies of the notice shall be sent to the Affiliate's president, president-elect and immediate past president of record at NACAC and, if applicable, the Affiliate's chief staff officer. The Affiliate shall have the right to respond to the board's notice, both in writing and in person at the board meeting at which the termination shall be considered. Written responses by the Affiliate to NACAC must be received electronically or postmarked within 60 days from the date of the notice. If the board votes to terminate the Affiliate, the Affiliate shall no longer have the rights of Affiliates as provided in the NACAC Bylaws, policies and procedures and Affiliation Agreement and shall not be allowed to participate in NACAC activities including but not limited to the Affiliate Presidents Council, and NACAC Affiliate training programs.