

**NORTH CAROLINA
FOSTER AND ADOPTIVE PARENT ASSOCIATION
BY-LAWS**

ARTICLE I

NAME AND LOCATION

SECTION 1: The name of this association shall be North Carolina Foster and Adoptive Parent Association, hereinafter referred to as the Association or NCFAPA.

SECTION 2: The Association shall be located within the state of North Carolina.

ARTICLE II

PURPOSE

SECTION 1: The primary purpose of the Association shall be as set forth in the Articles of Incorporation, Number 203413 as filed with the North Carolina Secretary of State on August 8, 1975 and with the Davie County Register of Deeds, August 11, 1975 in Book 3, Page 383, and as follows: to establish a statewide organization bringing together all foster, adoptive, and kinship parents, foster and adoptive parent Associations, social service agency staffs and interested community citizens residing in or taking children from the state and who wish to work together for the same purpose. To accomplish this we must:

- (1) Establish organized communications between foster, adoptive and kinship parents and agency staff, and foster, adoptive and kinship parents and local, state, and national associations.
- (2) Improve competence of foster, adoptive and kinship parents and enhance their status within agencies and communities.
- (3) Educate the community through schools, churches, civic groups and news media about the role of the foster, adoptive and kinship home in children's lives.
- (4) Encourage and assist in training foster, adoptive and kinship parents and others about the field of foster care.
- (5) Encourage recruitment and retention of good foster, adoptive and kinship homes.
- (6) Promote Association interests and purpose with the National Foster Parent Association (NFPA).
- (7) Solicit, receive and disburse funds to accomplish the purposes as set forth above.
- (8) Not engage in any activities or exercise any powers that are not in the furtherance of the primary purposes of this Association.

ARTICLE III

MEMBERSHIP

SECTION 1: Membership in NCFAPA shall be limited to three (3) types:

- (1) **Regular Membership:** Shall be limited to foster and adoptive parents, or those who have been foster parents licensed by the State of North Carolina and who are in good standing with the North Carolina Division of Social Services. Any foster or adoptive parent may appeal to the Board of Directors if their application for regular membership has been denied because they were not considered to be in good standing. Regular members shall have full voting rights and shall be eligible to hold office.
- (2) **Associate Membership:** Shall be available to any individual or organization that does not qualify under Regular Membership. They shall have no vote in the proceedings of the Association but are expected to enter into discussions pertaining to the business of the Association as appropriate. They shall not hold office or serve as chairpersons of any committee.
- (3) **Honorary Membership:** Honorary membership may be awarded from time to time, only by a majority vote of board members of the Association present at a regular or special meeting. Honorary members shall not vote, hold office, or serve as chairpersons of any committee.

ARTICLE IV

OFFICERS AND DUTIES

SECTION 1: The officers of the Association shall consist of a President, four (4) Regional vice-presidents, Secretary, Treasurer, and Historian.

SECTION 2: The regular membership shall elect by a majority vote four (4) regional representatives from each of the four NCFAPA regions to the NCFAPA Board of Directors during Association proceedings. In the first meeting of the newly elected board members, the Board of Directors shall elect Officers. In even years the position of President, Historian, Region I Vice-President and Region III Vice-President will be open for election. In odd years, the positions of Treasurer, Secretary, Region II Vice-President and Region IV Vice-President will be open for election. The Board of Directors will vote for the positions of President, Treasurer, Secretary, and Historian. Only members of the Board of Directors who represent a specific region will vote for that region's Vice-President.

SECTION 3: The term of office for elected officers of the Association shall be two (2) years. No elected officer shall serve more than two (2) consecutive terms in the same office, without a waiver by an affirmative vote of two-thirds of the Board Members. An officer who has served more than one-half a term shall be considered to have served a term.

SECTION 4: Duties of the officers: All officers must forward all records and documents of their office to the incoming officers within thirty days.

- (a) **President:** The President shall be the chief officer of the Association and must be a Regular Member in good standing of the Association at the time of his or her election.

The President's duties are as follows:

- (1) Preside at all meetings of the executive board or executive committee and at all meetings of the Association.
- (2) Be a member of all committees.
- (3) Subject to confirmation by the executive board, appoint legal counsel.
- (4) Cast the deciding vote in the event of any tied issue at executive, or Association meetings.
- (5) Officially and publicly represent the Association.
- (6) Appoint a parliamentarian at his or her discretion.
- (7) Appoint chairpersons of all standing and Ad hoc committees as needed by the Association.
- (8) Provide written pre-approval to the Treasurer for all checks and to any members of the Board for legal contracts entered into by the Association.

- (b) **Regional Vice-Presidents:** The Regional Vice-Presidents will be the second officers of the Association and must be Regular Members in good standing of the Association at the time of their election.

The Regional Vice-Presidents duties are as follows:

- (1) It shall be the function of the Regional Vice-Presidents, by appointment of the President, to assume all the duties of the President at all meetings in the absence of the President.
- (2) In the event of a vacancy in the office of the President, a regional vice-president will be appointed by the Board of Directors to fulfill the term of the President. Appointments will automatically follow a rotating schedule beginning with Region I Vice-President in 2000, Region II Vice-President in 2001, Region III Vice-President in 2002 and Region IV Vice-President in 2003 and so on. In the event that the specified Vice-President is unable to fulfill the term, appointment will move to the next scheduled Vice-President.
- (3) Regional Vice-Presidents shall officially and publicly represent the Association in the absence of the President.
- (4) Each Regional Vice-President will act as a consultant to foster, adoptive and kinship parents in their Region as deemed appropriate.

- (c) **Secretary:** The Secretary must be a Regular Member in good standing of the Association at the time of his or her election. The Secretary's duties are as follows:

- (1) Keep all minutes of the Board of Directors and general Association meetings.
- (2) Submit to the President and or those designated by the President a copy of any and all minutes taken.
- (3) Keep a record of those present at all Board of Directors and general Association meetings.
- (4) Be prepared to inform the President of the number of voting members present at all meetings of the Board of Directors and of the General Association.

- (5) Compose all communications as directed and approved by the President, the Board of Directors or the Association.
- (6) Attend all Board and Association meetings.
- (7) Keep all grievances and recommendations on file.
- (d) **Treasurer:** The Treasurer must be a Regular Member in good standing of the Association at the time of his or her election. The Treasurer's duties are as follows:
 - (1) Be responsible for collecting and safeguarding all funds.
 - (2) Be responsible for disbursement of funds. The President must provide written pre-approval for all checks.
 - (3) Submit all financial records to the Board for audit.
 - (4) Make regular reports to the General Membership at the General Association meetings.
 - (5) Ensure fiscal agent is properly bonded.
- (e) **Historian:** The Historian must be a Regular Member in good standing of the Association at the time of his or her election. The Historian's duties are as follows:
 - (1) Keep records of events and activities of the Association.
 - (2) Take pictures of events and Executive Members.
 - (3) Save articles from newspapers, newsletters, pictures, and any other items that are relevant to the Association.

SECTION 5: An Association liaison shall be appointed from the staff of N.C. Division of Social Services. This liaison will preferably be the supervisor of foster care service for the Division of Social Services. Said liaison shall be an Associate Member. Appointment will be made by the Executive Board of the Association. The liaison shall establish communications between the NCFAPA and NCDSS and county departments throughout the state and keep all informed of the actions or requests, which are of interest to the Association and foster, adoptive and kinship parents in general.

SECTION 6: In the case of board vacancy, the Board of Directors by majority vote shall have the authority to appoint a Board Member from the general 'regular' membership to fulfill the vacant position's term.

ARTICLE V COMMITTEES AND DUTIES

SECTION 1: Standing Committees shall consist of:

- (1) Infrastructure and Organizational Committee
- (2) Finance and Budget Committee
- (3) Communications Committee
- (4) Program Committee
- (5) Ad Hoc committees may be appointed as required by the Association.
- (6) The Executive Committee shall consist of the officers of the Association and the immediate past president as a non-voting member.

SECTION 2: Committees shall have the following responsibilities:

- (1) Infrastructure and Organizational Committee: Guide organizational development, including by-law revisions, grievance processes, and other issues relevant to maintaining the infrastructure of the Association.
- (2) Finance and Budget Committee: Monitor and maintain the Association's budget and finances and promote fundraising strategies including membership activities.
- (3) Communications Committee: Oversee both internal and external communications (including publicity and media relations).
- (4) Program Committee: Oversee program activities of the Association including training, education, technical assistance, and support activities.

ARTICLE VI BY-LAWS

SECTION 1: These By-Laws shall become effective by an affirmative vote of two-thirds of the regular members present at the time of voting.

SECTION 2: An amendment to these by-laws shall require an affirmative vote of two-thirds of the regular members present at the time of voting.

SECTION 3: A motion or a request to amend these by-laws can be made by at least five (5) regular members submitting a written request to the Board of Directors. The proposed changes must then be announced to the general membership. At least 60 days after the proposed changes are announced to the general membership, a motion for change may be made.

ARTICLE VII MEETINGS

SECTION 1: The Association shall meet annually at a date and place to be announced to regular members by mail or newsletter.

SECTION 2: The Board of Directors may call special meetings in addition to Section 1 of this article.

ARTICLE VIII BOOKS AND RECORDS

SECTION 1: The fiscal year of the Association shall be January 1 to December 31.

SECTION 2: The membership period shall be January 1 to December 31.

SECTION 3: The Association shall keep timely, correct and complete books and records of accounts and Association business which may be inspected at any reasonable time.

SECTION 4: All funds of the Association shall be deposited to the credit of the association's bank account in a timely manner.

SECTION 5: The Board of Directors may accept on behalf of the Association any contribution, gift, bequest or device for any purpose of the Association and shall provide for the proper acknowledgment of the same.

SECTION 6: The Board of Directors shall provide for the maintenance of federal and state tax-exempt status for the Association at all times and shall authorize such action necessary to procure and maintain such under federal and state law.

ARTICLE IX BOARD OF DIRECTORS

SECTION 1: The Board of Directors is legally and financially responsible for the NCFAPA and serves as the principal decision-making body for the Association.

SECTION 2: The Board of Directors shall be elected by the regular membership of the NCFAPA during NCFAPA Association Proceeding.

SECTION 3: The Board of Directors shall consist of four voting Representatives elected from each of the four regions of the Association. Members of the Board of Directors are elected for two-year terms. There is no upper limit to the number of years a board member may remain on the board as long as they are re-elected after each term.

SECTION 4: Quorum for the board of directors shall be fifty-one percent.

SECTION 5: When at least half of the Board of Directors perceives a Board Member to be unable to fulfill the duties and obligations of office as outlined in the appropriate job description, the President or person assigned by the President will counsel the Board Member regarding the existing deficiencies. If satisfactory resolution is not achieved to allow the Board Member to fulfill the duties and obligations properly, then the Board Member will be asked to resign the position. If the Board Member does not resign as requested within fourteen (14) days, a special meeting of the Board will be called to recommend Recall. The recall will become valid with a two-thirds or greater vote of the Board present. The Board Member being considered for recall may not vote. The results of the vote shall become a permanent record of the Board of Director's proceedings. The Board Member in question will be advised of the results of the vote as soon as possible, but no later than two weeks afterwards.

ARTICLE X

SECTION 1: Association meetings shall be governed by parliamentary procedures of Robert's Rules of Order.

BY-LAWS approved by the regular membership of NCFPA on September 13, 1975. Amended by majority vote of members present at the regular meeting of NCFPA on March 19, 1977. Further amended by majority vote of members present at regular meeting of NCFPA on March 22, 1980. Further amended by majority vote of members present at regular meeting of NCFPA on May 12, 1990. Further amended by majority vote of members present at regular meeting of NCFPA on November 12, 2000. Further amended by majority vote of members at regular meeting of NCFAPA on April 25, 2008. All amendments incorporated into this copy of By-laws.

These By-laws supercede all previous By-laws for this organization.