

UTAH PSYCHOLOGICAL ASSOCIATION BYLAWS



ARTICLE I

Name

Pursuant to the provisions of the Utah Non-profit Corporation Act, this organization was incorporated on November 7, 1975 under the name of UTAH PSYCHOLOGICAL ASSOCIATION, hereinafter referred to in these Bylaws as the "Association" or as "UPA".

The UPA is affiliated with the American Psychological Association.

ARTICLE II

Purpose

The purpose of UPA shall be to advance psychology as a science and as a profession and to promote human welfare by the responsible encouragement of the development of psychology in all its branches in the broadest manner consistent with ethical and scientific standards.

It shall also be the purpose of UPA to improve the qualifications and usefulness of psychologists through high standards of education, competence, professional achievement, and professional ethics and conduct; to increase and disseminate psychological knowledge through meetings, reports, papers, discussions, personal contact with colleagues and organized education programs; to make available to the public the knowledge and expertise which scientific inquiry and professional experience has developed in the field of psychology; and to secure for the science and profession of psychology a stable position in the academic and community activities of the State of Utah.

ARTICLE III

Membership

Section 1. Membership Classification

There shall be two classes of membership: Full Members and Student Members.

- A. **FULL MEMBERS** of the Association shall be persons who are interested in the advancement of psychology as a science and as a profession and who have met the standards described below. Such FULL MEMBERS shall be entitled to the rights and privileges of the Association without restriction. The minimum standard for election to FULL MEMBER status shall be the receipt of the doctoral degree based in part upon a psychological dissertation, or the doctoral degree based on other evidence of proficiency in psychological scholarship from a program primarily psychological in content and conferred by a graduate or professional school that is regionally accredited, or that has achieved such accreditation within five years of the year the doctoral degree was granted, or one of equivalent standing outside the United States. The only exception to the doctoral degree requirement will be for those psychologists who were granted licensure via a grandfather provision. Candidates for FULL MEMBER status shall be engaged in the study, research or professional practice of psychology.

Under the **Full Member** classification, there shall be seven subcategories.

- Academician/Researcher
- Academician/Researcher with Special Assessment
- Emeritus/Practitioner
- Emeritus/Retired
- Non-licensed new Graduate/Psychology Resident Practitioner
- Practitioner
- Sustaining

Academician/Researcher Members shall be Members who are engaged full-time in psychology related teaching and/or research.

Academician/Researcher Members with Special Assessment shall be those who are engaged full-time in psychology related teaching and/or research and who are paid to provide other psychology services.

Emeritus/Practitioner Members shall be those who are older than 65 years and who continue to practice psychology for remuneration on a part or full-time basis.

Emeritus/Retired Members shall be those who are 65 years or older and no longer engage in the practice of psychology for remuneration, but may be providing voluntary psychological services without pay. If no longer licensed, they have previously met all requirements for licensure and have voluntarily relinquished such licensure.

Non-licensed new Graduate/Psychology Residents are those members who are (0-2 years) post-graduation and/or are practicing as psychology residents.

Practitioner Members shall be those licensed Members who are paid to provide psychological services.

Sustaining Members shall be Academician/Researcher or Practitioner Members in the Association who choose to pay an amount in excess of the assessed annual dues as a way of providing additional support to the Association.

- B. **STUDENT MEMBERS** shall be persons who are enrolled and registered as an undergraduate or graduate student of psychology in a school of recognized standing. STUDENT MEMBERS may vote for a Student Representative-Elect to the Board of Directors but may not otherwise vote or hold office (except as specified for the Student Representative and Student Representative-Elect), or serve as Committee Chairpersons in the Association (except for the Student Representative Committee). Student MEMBERS shall be entitled to all rights and privileges of the Association not specifically denied them in these Bylaws.

Section 2. Application for Membership

Membership eligibility shall be based on the data submitted to the Board of Directors of the Association. Such data will include information regarding employment status, student status, licensure, ethical sanctions, and criminal convictions, as requested by the Board of Directors through the Membership Committee.

Section 3. Inactive Status

Inactive status preserves the current membership status without payment of dues for a period not to exceed three years. Application for inactive status must be sent to the UPA Executive Director. Determination of inactive status will be decided by the Board of Directors. Inactive status may be granted for the following reasons:

- A. During acute or chronic illness or injury which prevents gainful employment; or
- B. During temporary reduction in professional activity which prevents full gainful employment.

After three years the member must resume payment of dues or forfeit membership unless the member qualifies for a waiver of dues because of retirement or permanent disability. During inactive status, members may not vote or hold office.

Section 4. Termination of Membership

A member may submit a letter of resignation at any time to the Board of Directors, which has the power to accept or reject it. Such resignation shall become effective only after acceptance by the Board of Directors.

Membership in the Association may be terminated for non-payment of annual dues, fees, or special assessments.

Membership in the Association may be terminated upon conviction of a felony; upon the loss, forfeiture, or suspension of a state license to practice Psychology; or upon expulsion from APA.

If a person is denied membership, the individual may obtain due process upon appeal to the Board of Directors.

ARTICLE IV

Dues

Dues for all membership categories shall be reviewed and determined by the Association Board of Directors prior to the beginning of each fiscal year and shall be based upon a projected budget for that fiscal year.

Dues shall be paid annually. A late fee will be assessed after the stated deadline. Membership benefits shall be suspended for non-payment three months after the due date. Reinstatement may be made during the remainder of the membership year upon payment of the annual dues plus a late fee. Failure to reinstate membership during one membership year terminates membership. After termination for non-payment of dues an individual may reapply for membership according to [ARTICLE III, Section 2](#) of these Bylaws.

ARTICLE V

Boards and Elected Officers

Section 1. Board of Directors: Duties

The governing board of UPA shall be known as the Board of Directors. It shall consist of the officers of the Association, which include the President, President-Elect, Past President, Secretary, and Treasurer; Five Members-at-Large; a Representative from each UPA division; a Student Representative; a Student Representative-Elect; and the Representative to the Council of Representatives of the American Psychological Association. All Board members shall be members in good standing of UPA. The Executive Director and the Director of Professional Affairs shall be ex-officio members of the Board.

It shall be the duty of the Board of Directors to approve a budget; to conduct the business of the Association in the interim between meetings of the Association; to carry out the wishes of the Association as expressed by the members at meetings of the Association; to appoint committees and approve of committee chairpersons and committee members; and to take such other actions as may be appropriate to further the purposes of the Association. The Board of Directors may adopt no resolutions and policies for the regulation and management of the Association which are not consistent with the law, Articles of Incorporation, and Bylaws.

A majority of the elected members of the Board shall constitute a quorum for the transaction of the business of the Board. Voting by the Board may occur in person or through electronic means.

Section 2. Executive Board: Duties

The Executive Board consists of the President, Past-President, President-Elect, Secretary and Treasurer. The Executive Director and the Director of Professional Affairs shall be ex-officio members.

The Executive Board may meet at such times and places as it shall determine. A majority of the elected members of the Executive Board shall constitute a quorum for the transaction of the business of the Board. Any business transacted by the Executive Board shall be reported at the next meeting of the Board of Directors.

Section 3. Elected Officers: Duties

- The President shall be a FULL MEMBER of the Association in good standing who has served as President-Elect. The President-Elect shall automatically become President on July 1 in the year following election as President-Elect.
- It shall be the duty of the President to preside at all meetings; to act as chair of the Board of Directors and as a member of all committees with full voting privileges; to review the job performance of the Executive Director and the Director of Professional Affairs; to exercise supervision over the affairs of the Association with the approval of the Board of Directors; to recommend members of standing committees and to fill vacancies on such committees when they occur with the approval of the Board of Directors; and to perform such other duties as are pertinent to the office of President.
- The President shall take care to closely inform and counsel the President-Elect on all issues of importance.
- The President-Elect shall serve as a member of the Board of Directors and shall perform the duties of the President in the event of the absence or incapacity of the President. In the event the President does not serve a full-term for any reason, the President-Elect shall succeed to the unexpired remainder thereof and then succeed to the office of President.
- The Past President shall succeed to that office upon the completion of a term as President. The Past President shall serve as chairperson of the Nominating and Awards Committee, and as a member of the Legislative and Ethics Committees.
- The Secretary shall keep a permanent record of the proceedings of all meetings of the Association and of the Board of Directors; coordinate the organizational and business affairs of the Association; and shall perform such other functions as may be directed by the Board of Directors. The Secretary shall also serve as a registered agent of the Association.
- The Treasurer shall oversee all the funds of the Association, including collecting dues and paying accounts owed by the Association upon authorization from the Board of Directors. The Treasurer shall keep full and

accurate accounts of all receipts and disbursements by the Association. The Treasurer shall be in charge of the development of a budget for each fiscal year and shall chair the Finance Committee.

- Five Members-at-Large shall represent the membership of the Association. It shall be the duties of the Members-at-Large to participate in all governing functions of the Board of Directors. A second- or third-year Member-at-Large shall serve as a member of the Nominating Committee which shall solicit nominees for office and choose the final slate. Diversity among Members-at-Large is desirable.
- Divisional Representatives shall be elected from the Divisions in UPA in which they hold membership according to the rules established by those Divisions. No person already serving on the Board of Directors may also serve as a Divisional Representative. Duties of Divisional Representatives shall include representing the interests of their Divisions in matters brought before the Board.
- The Representative to APA Council of Representatives shall be a FULL MEMBER of UPA and a MEMBER or FELLOW of APA. It shall be the duty of the Representative to APA Council to present to the Board of Directors of UPA a summary of APA Council proceedings; recommend UPA action on pending matters; and represent UPA according to directions from the Board of Directors.
- The Student Representative shall serve as a member of the Board of Directors and shall represent the interests of students in matters brought before the Board of Directors and may serve as chairperson of the Student Representative Committee. The Student Representative-Elect shall automatically become the Student Representative on July 1 in the year following election as Student Representative-Elect.
- The Student Representative-Elect shall serve as a member of the Board of Directors and shall perform the duties of the Student Representative in the event of the absence or incapacity of the Student Representative. In the event the Student Representative does not serve a full term for any reason, the Student Representative-Elect shall succeed to the unexpired remainder thereof and then succeed to the office of Student Representative.

ARTICLE VI

Elections and Appointments to the Board of Directors; Terms of Office; Vacancies

Section 1. Elections and Appointments

The Nominating Committee shall select at least two nominees for each vacancy on the Board of Directors (except Divisional Representatives). Fewer than two nominees per office shall require approval by the Board of Directors.

Members shall be notified of electronic and paper ballot options no later than 21 days prior to the annual spring business meeting. Ballots shall be mailed or made available

on the UPA web site, or through other electronic means, at that time and must be received at the UPA office no later than 24 hours prior to the annual spring business meeting. Ballots shall be counted by the Secretary and by the Nominating Committee Chair, or their designated representative(s). In case of a tie vote, elections shall be by written ballot at that meeting.

Elections to the Board of Directors, except any Divisional Representative, shall be announced at the annual spring business meeting. The elected shall take office on July 1 following their election.

Divisional Representatives shall be elected by the Division they represent according to procedures adopted by Divisions.

The Board of Directors shall appoint a **Federal Advocacy Coordinator** to work in conjunction with the APA Practice Organization to organize and supervise the advocacy of Utah psychologists with their Members of Congress. The FAC will cultivate and strengthen relationships with each Member of Congress from Utah, be identified as an essential key contact on mental health issues before the Congress, and develop and maintain an effective grassroots network of psychologists within Utah. The Federal Advocacy Coordinator should be familiar with current federal issues affecting the practice of psychology and should have a general understanding of our political system. The Federal Advocacy Coordinator's term of appointment shall be for three years. The Federal Advocacy Coordinator must meet the qualification requirements listed in the SPTA FAC job description which are outlined in the UPA 'Policies and Procedures'. Reappointment is at the discretion of the Board of Directors.

Section 2. Nominating Committee

The Nominating Committee shall consist of the UPA Past President (who will serve as chair) and two other UPA members appointed by the Board.

It shall be the duty of the Nominating Committee to select nominees for each vacancy as specified in Section 1 of this Article, and to:

- Inquire of these nominees if they would be willing to serve if elected,
- Inform the potential nominees of the duties of the office including board meeting attendance requirements, and
- Ascertain if the nominees will agree to attend meetings of the Board of Directors before placing their names on the ballot.

Section 3. Terms of Office

Terms of office shall commence on July 1 following the elections and shall be as follows:

President-Elect: One year, automatically succeeding to President.
President: One year, automatically succeeding to Past President.
Past President: One year.

Treasurer: Three years.

Secretary: Three years.

Members-At-Large: Three years, one or two elected each year.

Divisional Representative: Term set by Division, but not to exceed three years.

APA Council Representative: Term to be set by APA Council of Representatives.

Student Representative-Elect: One year, automatically succeeding to Student Representative.

Student Representative: One year.

Section 4. Vacancies

Vacancies may occur on the Board of Directors upon the occurrence of any of the following:

- Termination of membership because of non-payment of dues;
- Termination of membership by resignation or by action of the Board of Directors
- The third consecutive absence in any fiscal year from meetings of the Board of Directors;
- Any four absences in one fiscal year; or
- Termination of term of office.

Vacancies shall be filled for the unexpired terms by the Board of Directors except for the office of President which shall automatically be filled by the President-Elect, Student Representative which shall automatically be filled by the Student Representative-Elect, and for vacancies by Divisional Representatives which shall be filled by the unrepresented Division.

A vacancy in the offices of President-Elect and Student Representative-Elect shall be filled by appointment of the President until a special election can be held.

ARTICLE VII

Divisions of the Association

Section 1. Organization

Divisions may be organized to represent major scientific and professional interests that lie within the Association.

Section 2. Establishment

A Division shall be established upon petition by ten percent of the FULL MEMBERS of the Association after approval of the Board of Directors. Approval is based upon evidence that (a) the Division represents an active, unitary interest of a group of members, (b) its objectives are consistent with the purposes of the Association as described in ARTICLE II, and (c) its establishment is not inimical to the welfare of any Division already established.

Section 3. Governance

Each Division is autonomous within its field in matters not reserved to the Association and the Board of Directors. It shall have such officers, bylaws, committees, dues and assessments as it may desire within such limits. It shall file with the Secretary a current copy of its bylaws, officers, and members.

Section 4. Membership

Each Division may establish its own qualifications for membership, provided that the designation of FULL MEMBERS or STUDENT MEMBERS as classes of membership shall be the same as those of the Association. Division members must remain in good standing as members of the Association.

Section 5. Finance

It shall be the responsibility of each Division to provide the Board of Directors with a copy of its annual budget and quarterly financial statements.

Section 6. Dissolution

A Division shall be dissolved by the Board of Directors when (a) the number of members within the Division falls below ten percent of the eligible members of the Association, or (b) the Division votes to recommend dissolution. The Board of Directors may also dissolve a Division if Division activities are no longer consistent with the Purpose of the Association as set out in ARTICLE 11. Notice must be given to the governing Board and members of the Division of an intended dissolution to ensure full opportunity to state reasons why dissolution should not be effected.

ARTICLE VIII

COMMITTEES and TASK FORCES

Committees and Task Forces of the Association shall consist of the standing committees described below and such task forces as may be established by the Association and/or the Board of Directors.

Each committee shall consist of at least three members, one of whom shall be the chair. All those who serve on committees must be members in good standing of the Utah Psychological Association.

Members of standing committees shall serve staggered three-year terms, unless otherwise provided. Members of task forces are appointed to terms that equal the proposed life of the task force. Committee members shall be appointed by the President, with the advice and consent of the Board of Directors.

Chairpersons of all standing committees and task forces, except as further provided, shall be appointed by the President with the advice and consent of the Board of

Directors at the first meeting of the Board after July 1. The term of appointment shall be for three years.

It shall be the responsibility of the Chair of each standing committee to ensure that the description of the committee contained in the Policies and Procedures Manual is accurate and current. Each committee chair shall submit an annual report to the Board of Directors at a time set by the Board.

Section 1. Standing Committees

- Communications Committee: Shall maintain or publish an Association newsletter, website, listserv, and/or other appropriate mechanisms for communicating information to the membership that is pertinent and relevant to advance the scientific and professional discipline of psychology.
- Development Committee: Shall be responsible for the development of funding opportunities to increase revenue of the Association. The Chairperson will also sit on the Finance Committee.
- Disaster Response Committee: Shall coordinate the operation of a state-wide Disaster Response Network (DRN) of psychologists who offer volunteer mental health assistance during disasters or public traumatic events; and shall partner with the American Red Cross and other community agencies in disaster response.
- Diversity Committee: Shall give attention to issues and integration of cultural sensitivity and commitment to diversity within the Association and the public communities we serve. Issues of diversity include, but are not limited to age, color, ethnicity, gender, language, national origin, race, religion, sexual orientation, ability/disability, and socio-economic status.
- Early Career Psychologists Committee: Shall provide early career psychologists with resources and information needed to establish and promote their careers. May include ways to deal with issues such as employment opportunities, professional identity development, mentoring, networking, early career advocacy, research and publication, debt from schooling, and economics of practice.
- Ethics and Professional Standards Committee: Shall receive complaints concerning alleged violations of the Ethical Principles of Psychologists; shall examine such information as is made available; shall act in accordance with the procedures set forth in the UPA Policies and Procedures Manual; shall assume a non-adversarial role and utilize an educational and supportive approach to address complaints; and shall render opinions as requested by third-party payers, recipients of services, and other relevant groups and individuals as to whether a practice or procedure in question is usual, customary, or reasonable. Reviews may result in a referral to DOPL for investigation.
- Finance Committee: Shall report to the Board of Directors the projected budget for each year; shall keep the Board informed on income and expenditures; and shall decide on prudent disposition of the assets of the Association. The Treasurer shall chair this committee, the President-Elect shall sit on this committee and the Executive Director shall be an ex-officio member.

- Insurance Committee: Shall have concern with insurance and other reimbursement programs; shall keep the Association fully informed on such related issues; and shall raise public awareness regarding psychology as it influences insurance reimbursement and related programs.
- Legislative Committee: Shall keep the membership of the Association informed on legislative matters that may affect the purpose of the Association; shall recommend to the Board of Directors actions on legislative matters affecting psychology or the general public welfare. The Director of Professional Affairs and the Federal Advocacy Coordinator shall be ex-officio members.
- Long Range Planning Committee: Shall be responsible for thoughtful analysis of the structure and goals of the Association and recommend changes to meet future needs.
- Membership Committee: Shall present applications for membership in the Association; shall coordinate with the Executive Director the notification of members of late dues or expired memberships; shall take action to publicize the benefits of membership in the Association and recruit new members. The Treasurer shall be a member of this committee; the Executive Director shall be an ex-officio member of this committee.
- Nominating and Awards Committee: Shall organize the selection and presentation of nominees for election and shall nominate UPA members for other awards as requested by the Board of Directors. The immediate Past President shall chair the committee. Shall act in accordance with the procedures set forth in ARTICLE VI, Sections 1 and 2.
- Prescriptive Authority Committee: Shall pursue and coordinate legislation or statute changes, surveys of members, information about training, and other activities necessary to enable qualified psychologists to prescribe psychotropic medication in the State of Utah.
- Professional Education Committee: Shall develop and implement programs of continuing education for psychologists and other mental health professionals. The Committee shall also approve continuing education credits for professional conferences.
- Public Education Committee: Shall promote understanding of the field of psychology, access to information psychologists possess, and increase frequency and quality of interaction between psychologists and the public.
- Student Representative Committee: shall represent students who are applicants for an undergraduate, graduate or professional degree in psychology or related field in a school of recognized standing so long as they are currently registered. The elected Student Representative to the Board of Directors may chair this Committee.

Section 2. Task Forces

Task Forces may be established by the Board of Directors for purposes consistent with the aims of the Association. Task Forces exist for one year, unless extended by Board vote. Members of task forces are appointed to terms that equal the proposed life of the task force.

ARTICLE IX

Executive Director; Director of Professional Affairs; and Consultants

The Board of Directors may contract with an Executive Director, a Director of Professional Affairs or other paid consultants on an on-going or temporary basis in order to carry out the functions mandated by the Board and to assist Board Members. The job description, salary, and performance evaluation procedures for any contracted positions shall be outlined in a Policies and Procedures Manual.

The Executive Director is the administrative agent of the Utah Psychological Association. This person is responsible to the President and the Board of Directors for the implementation of policies and programs approved by the Board. The Executive Director shall attend meetings of the Board of Directors, Executive Board, and assigned Committees as an ex-officio member.

The Director of Professional Affairs (DPA) will be responsible for (1) legislative advocacy including coordination of legislative activities; (2) solidifying and establishing relationships and liaisons with other professional and lay groups; and (3) monitoring regulatory boards and administrative activities. The Executive Director shall attend meetings of the Board of Directors, Executive Board, and assigned Committees as an ex-officio member.

ARTICLE X

Meetings; Programs; Notice

There shall be an annual spring business meeting, the time and place to be selected by the Board of Directors in consultation with the Professional Education Committee.

Notice of the annual business meeting shall be given by mail or electronic means, posted no later than 21 days prior to the date of the meeting.

Additional special business meetings may be called by the Board of Directors or by a petition signed by one-fourth of the members of UPA. Notice for such additional business meetings shall be given by mail or electronic means posted 14 days in advance of such meeting and shall state the purpose.

Programs such as workshops, lectures, seminars, etc. must be authorized by the Board of Directors and shall meet the purposes of the Association as set forth in ARTICLE II. Keesey's Modern Parliamentary Procedure shall be used as the guide for conducting Board meetings.

At business meetings, a quorum shall consist of a majority of the elected officers of the Board.

ARTICLE XI

Amendment

Amendment(s) to these Bylaws may be adopted by electronic voting or voting at any business meeting of the Association provided that notice of the proposed amendment(s) is sent to voting members, by mail or electronic means, no later than 14 days before such electronic vote or meeting and that the proposed amendment(s) receive at least two-thirds of the votes cast.

Amended 05/17/2002

Amended 10/11/2002

Amended 05/09/2003

Amended 05/21/2004

Amended 04/01/2005

Amended 06/03/2005

Amended 01/11/2008

Amended 06/10/2016