

Alabama Foster and Adoptive Parent Association, Inc.

## CONSTITUTION

### **Article I. Name**

The name by which the corporation shall be known is Alabama Foster and Adoptive Parent Association, Inc.

### **Article II. Purpose**

To act as a unified voice in serving, advocating, promoting and encouraging foster, kinship and adoptive parents as we serve Alabama's children and their families.

### **Article III. Nature of the Association**

1. This Association shall be incorporated, self-governing, non-profit, non-partisan, and non-sectarian. The Association shall solicit and receive funds for the accomplishment and furtherance of the Constitution and By-Laws.
2. The Association shall not engage in activities other than those that would be in furtherance of the purposes set forth in Article II of the Constitution, and in no event shall any such activities be in contravention of law or of provisions of the Internal Revenue Code.

### **Article IV. Officers**

1. The executive officers of the Association shall be a president, three (3) vice-presidents, secretary and treasurer. The duties of the officers shall be set forth in the By-Laws of the Association.
2. The board of directors shall consist of the six (6) elected officers and a minimum of six (6) regional representatives; the immediate past president; members-at-large chosen from throughout the state and elsewhere because of their interest in foster, kinship and/or adoptive care, as set forth in the by-laws of the Association; and no more than two (2) designated liaisons from the Alabama Department of Human Resources.

### **Article V. Meetings**

The Association shall meet at least one (1) time annually. Said meeting is to be held at the call of the Board of Directors, or as set forth in the By-Laws.

### **Article VI. Amendments**

Amendments to this Constitution may be made by a majority vote of the Alabama Foster and Adoptive Parent Association's Board of Directors at any scheduled or specially called meeting in person or through electronic means. Any changes to the Constitution or By-Laws will be made public through the AFAPA's means of communicating to the membership: AFAPA website and / or Facebook, Newsletter.

## ALABAMA FOSTER AND ADOPTIVE PARENT ASSOCIATION

# BYLAWS

### ***Article I. Name***

The name of the corporation shall be Alabama Foster and Adoptive Parent Association, Inc., referred to as the Association in these By-Laws.

### ***Article II. Membership***

#### Section I. Types of Membership

- (A) Regular Membership will be available to all individual foster and kinship parents approved and residing in the state of Alabama and adoptive parents residing in the state of Alabama and elsewhere which are known by the Alabama Foster & Adoptive Parent Association.
  
- (B) Supportive Membership shall be available to individuals and organizations wishing to support the purposes and efforts of this association. The benefits of this membership include attending business meetings and receiving all mailings. Supportive members do not have voting rights. Individual supportive members providing care to related children in their homes who do not qualify for Membership will not be required to pay dues. The request for supportive membership must be submitted to the Secretary of the Alabama Foster and Adoptive Parent Association.
  
- (C) Chapter Membership will be available to any foster, kinship and adoptive parent association in Alabama, approved by the Alabama Foster and Adoptive Parent Association Board of Directors. An association receiving chapter membership must operate in a consistent manner with the By-Laws and Constitution of the State Association. Benefits to local associations receiving chapter membership include attending meetings, receiving all mailings, and the State Association accepting tax-deductible contributions for the local association. All monetary contributions will go through the State Association treasurer and ninety percent (90%) of the funds returning to the local association. The retained funds will be used for the purposes of the Association as set forth in the By-Laws and Constitution of the Alabama Foster and Adoptive Parent Association, Inc. Guidelines and procedures will be provided to any qualified local association chapter membership.

**Section 2. Dues**

- (A) Dues of the Association may be changed by a two-thirds vote of the Board of Directors present at any called meeting.
- (B) Supportive membership shall be a minimum of \$10.00 per twelve (12) consecutive months except for related caregivers as provided in Article II, Section 1(B).
- (C) Chapter membership shall be a minimum of \$150.00.

**Section 3. Membership Year**

The membership year shall be for a period of twelve (12) months concurrent with the Association's accounting year October 1<sup>st</sup> to September 30<sup>th</sup>.

**Article III. Officers and Duties**

**Section 1. Enumeration and Qualification**

- (A) The elected officers of the association shall be a president, three (3) vice-presidents, secretary, and treasurer. Each officer must be a member in good standing of the Alabama Foster and Adoptive Parent Association, Inc. during their term of office.
- (B) The immediate past president of the Association will serve on the Board of Directors in an advisory capacity only for one term immediately following their last term of office, provided he/she has completed the full term of office as president.
- (C) Regional Representatives are chosen by the AFAPA's Executive Committee. Each Regional Representative must be a member in good standing of the Alabama Foster and Adoptive Parent Association during their term of office.
- (D) Members-at-large may be appointed to the Board by the AFAPA's Executive Committee for a minimum term of two (2) years. Member-at-large representatives will be individuals who have demonstrated an interest in the welfare of foster, kinship, adoptive and birth families and their children. Each member-at-large representative will be a voting member of the AFAPA Board receiving one (1) vote.
- (E) Two (2) state liaisons, one (1) each from the fields of foster care and adoption, will be designated by the Alabama Department of Human Resources, with approval of the Association's Board of Directors. The state DHR liaisons will serve in an advisory capacity as a non-voting, ex-officio member and will attend meetings and conferences as requested.

**Section 2. Duties of the Officers**

Officers must forward all records of their office to the incoming officer by the first day of the next accounting year October 1<sup>st</sup>.

(A) The president shall be the chief executive officer whose duties and responsibilities include:

1. Preside at all meetings of the Association, the Board of Directors and state conferences.
2. Be responsible for the general management and supervision of the affairs and operations of the Association.
3. Have the authority to appoint the committee chair of all standing committees and appoint committees as needed by the State Association.
4. Be a member ex-officio with one (1) vote on all contracts or obligations authorized by the Board of Directors.
5. Sign all contracts or obligations authorized by the Board of Directors.
6. Represent the State Association officially and publicly.
7. Perform other duties as provided by the By-Laws and Constitution as designated by the Board of Directors.
8. Have one (1) vote in the event of a tie vote of the Board of Directors.

(B) The 3 vice presidents shall be:

One (1) Vice President of Foster Care Affairs shall be an approved foster parent.

One (1) Vice President of Adoption Affairs shall be an adoptive parent.

One (1) Vice President of Kinship shall be a kinship parent.

1. Act in the absence of the president. Should the presidency be declared vacant, the Board of Directors shall appoint one (1) vice president to complete the term of office.
2. Serve as committee chairs of the annual training conference.
3. The vice-presidents shall coordinate works on all committees and submit quarterly reports on their activities to all board members at each board meeting. Coordinate all activities concerning foster care and adoption.
4. Perform other duties as designated by the President or the Board.
5. Coordinate all training with regional representatives.
6. Each vice president has one (1) vote.

**(C) The secretary shall:**

1. Keep all records and documents of the Executive Board, Board of Directors and general membership meetings.
2. Submit to the president and others the president might designate, a copy of any and all minutes taken within four (4) weeks after said meeting.
3. Be prepared to inform the president of the number of qualified members at any and all meetings.

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4. Update the Constitution and By-Laws of the Association making necessary changes as directed by the Board of Directors.
5. Be responsible for all official Association correspondence.
6. Serve as Chair of the Membership Committee.
7. Serve as the official liaison to local associations concerning Chapter Membership.
8. Perform other duties as designated by the President of the Association or the executive board.
9. Have one (1) vote.

**(D) The treasurer shall:**

1. Be responsible for collecting and safeguarding all funds of the association.
2. Be responsible for the timely disbursement of association funds as authorized by the President of the Association and the Board of Directors.
3. Submit all financial records to the Board of Directors for audit on call.
4. Make regular reports to the general membership at the annual meeting.
5. Be properly bonded at the discretion of the Board of Directors.
6. Provide monthly financial reports to the Executive Board and quarterly reports to all Board members.
7. Be responsible for all personnel and tax records of any employees of the Association.
8. Have the financial records ready for an audit committee of no less than three (3) members of the Association and/or board members at the end of each membership year.
9. Perform other duties as designated by the President or the Executive Board.
10. Have one (1) vote.

**(E) Regional Representatives shall:**

1. Represent the interests of foster, kinship and adoptive parents within their regions.
2. Assist in the development and growth of local foster, kinship and/or adoptive parent associations with the region.
3. Perform other duties as designated by the President or the Executive Board.
4. Have one (1) vote per representative.

**Section 3. Nominations and Elections**

The term of office for each officer shall be for a period of two (2) years.

- (A) Elections of the executive officers of the Association will be held at the annual training conference. The terms of the officers-elect will begin on the first day of the next accounting year October 1<sup>st</sup>.
- (B) A nominating committee, which shall be appointed by the president will be composed of five (5) board members. The committee shall present a slate of officers to the voting constituency and Board of

Directors for consideration and proposed election.

- (C) Any member nominated must be present to verify their eligibility and accept their nomination.
- (D) Any elected officer or committee member may be relieved of duties and removed from office because of misconduct of a nature that reflects discredit on her/himself or on the Association by a two-thirds (2/3) vote of the Board of Directors present. If for any reason an elected officer cannot complete a term, the Board of Directors shall appoint a person to complete the term.

#### **Section 4. Employment Positions**

- (A) Upon approval of the Board, employees may be hired at the discretion of the Executive Committee. No active Board of Directors member may fill any paid employee position.
- (B) Employment is at will and as funds are available.
- (C) Employees may serve on the board of directors in an advisory capacity only.
- (D) Have no voting privilege

#### **Article IV. Board of Directors and Committees**

**Section 1.** The executive authority of the Association shall be vested in the Board of Directors, which shall be responsible for the management and property of the Association. The Board of Directors shall consist of the following members: president, (3) vice presidents, secretary, treasurer, regional representatives, the immediate past president, members-at-large and designated liaisons of the SDHR.

**Section 2.** All members of committees shall be members in good standing of the State Association and local association, where applicable.

- (A) Finance Committee shall work to identify funding sources for the operation of the Association and in developing the annual budget. The Finance Committee shall consist of the Treasurer and three (3) to five (5) board members.
- (B) Conference Committee shall consist of the three vice-presidents and two (2) or more additional board members. The Committee will plan and implement the annual conference of the Association and other duties as designated by the Board of Directors.
- (C) Training and Education Committee will coordinate with the Conference Committee and with Regional Representatives to assist in scheduling workshops and other training opportunities sponsored by the Association.
- (D) Legislative Committee shall promote and support favorable legislation whether local, state and national that pertains to all children, whether foster, kinship and adoptive issues. The Committee will advise all members of the Association as to recommended action to be taken concerning such legislation.

- (E) Constitution and By-laws Committee will propose any changes as needed in the Constitution and / or By-Laws. Any member may make proposals to this Committee regarding changes. Changes in the Constitution and By-Laws will first be submitted to the Executive Committee for its recommendation and then voted on by a majority of board members, whether in person or through electronic means. Any changes voted and approved will become effective immediately and the Constitution or Bylaws will be changed accordingly. Changes will be submitted to the known membership of the association through normal means of communication; email, website or newsletter within (30) days of approved changes.
- (F) Membership Committee will develop ways to track and increase Chapter Memberships of the Association. The Committee will be responsible for sending membership forms to current and former chapter members sixty (60) days before the beginning of a new membership year when applicable.
- (G) Executive Committee shall consist of the Executive Board. They shall be responsible for appointing Members-at-Large and Regional Representatives. With the Board of Director's approval, they shall be responsible for the hiring and management of any employees.
- (H) Public Relations Committee shall be responsible for preparing and releasing information to all media outlets on behalf of the Association with the approval of the Executive Board. They shall be responsible for the awards recipient process and the awards given at the annual training conference.
- (I) Scholarship Committee will be responsible for securing grants and donations to provide funds for academic and/or vocational scholarships for youth in foster care, adoptive, kinship and birth children of foster families and children adopted through Alabama DHR.  
Secure funds for scholarships for the professional development for members of the Association and Board of Directors.
- (J) Advocacy Committee will be responsible for advocating on behalf of foster, kinship and adoptive parents, the children in foster care and their families. They will be responsible for empowering/training foster, kinship and adoptive parents, and empowering the age appropriate children in foster care and their families to advocate on their own behalf. They will be responsible for maintaining confidentiality at all times.

**Section 3.** The Board of Directors shall hold regular quarterly meetings. Newly elected officers will set the date of the first quarterly meeting within thirty (30) days of taking office. At each quarterly meeting the date of the next quarterly meeting will be set. Board members will be notified of intended agenda items at least seven (7) days prior to the board meeting. All board meetings are open to Association members. Any Board Member missing two (2) consecutive board meetings, without permission, is subject to termination of their-position upon

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the decision of the Executive Committee. The Executive Board will appoint a replacement for each Regional Representative. The board of directors will vote on all positions that have been elected.

**Section 4.** The Board of Directors may, without in-person meetings hold quarterly meetings, transact business by mail, email, telephone and known or unknown electronic means by voting upon proposed resolutions with the approval of the President.

**Section 5.** Duties of the board of directors shall be:

- (A) To interpret and enforce the provisions of the Constitution and By-Laws of the Association.
- (B) To promote by attitude and action constructive social action needed to bring about changes and improvements in the child welfare systems and in legislation pertaining to all children and families.
- (C) To act as an information center and research body regarding constitutional matters, finance, education, legislative actions and to disseminate such information.
- (D) To provide a vehicle for communication among foster, kinship and adoptive parents, local foster, kinship and adoptive parents, or foster, kinship and/or adoptive associations and child welfare agencies.
- (E) To cooperate with other organizations which have similar objectives in whole or part to those of this Association.

**Article V. Meetings**

**Section 1.**

The members of the Association shall meet annually at the Association training conference. The Board of Directors shall determine the location. Members may hold a special meeting as deemed necessary by the Board of Directors or a group of fifty (50) members of the Association may call for a special meeting of the Association. The President will set the date and location.

A special meeting of the Board of Directors may be called by any three (3) members of the Board of Directors.

**Section 2.**

Notice of special meetings of the Association will be sent to all members at least fourteen (14) days prior to the meeting.

Notice of special meetings of the Board of Directors will be sent to all members of the Board at least five (5) days prior to the meeting.

**Section 3.**

Roberts' Rules of Order shall be the procedure in all meetings of the association.

**Section 4.**

Except as otherwise provided by the Articles of Incorporation, the Constitution, or By-Laws, a simple majority of those board members present and entitled to vote shall carry the question at any board or specially called meetings.



Members of the Association shall not be permitted to vote by proxy at any meeting of the members.

**Article VI. Policy**

**Section 1.**

The Association shall be self-governing, non-profit, non-partisan, and non-sectarian and shall not discriminate against any person as a result of sex, race, creed, religion or national origin.

**Section 2.**

The Association shall solicit and receive funds for the accomplishment and furtherance of these By-Laws.

**Section 3.**

The Association shall not engage in any activities or exercise any powers that are contrary to the law or to the primary purposes for which this association was formed.

**Article VII. Amendment**

The By-Laws of the Association may be added to, amended, repealed or revised in whole or in part by majority vote of the current and active members of the AFAPA Executive Committee, Board of Directors, and Regional Representatives, provided that each such member has received notice of the intent to change either by written notice, email, phone call or at a board meeting.

**Article VIII. Dissolution**

In the case of dissolution of the association, all assets and property of the Association will be disbursed with payment being made to creditors and all remaining assets being distributed to other 501(c)(3) non-profit Foster, Kinship or Adoptive Parent organizations in the State of Alabama.

Revised November, 2021 by AFAPA Executive Committee & Board of Directors / Signed: Keith Lowhorne, AFAPA Board Secretary

Revised May, 2021 at AFAPA Annual Conference Shocco Springs / Signed: Keith Lowhorne, AFAPA Board Secretary