



National Certification Council for Activity Professionals

National Center for Montessori and Learning
3015 Upton Drive
Kensington, Maryland 20895 USA
T: 757-552-0653 E: info@nccap.org

National Certification Council for Activity Professionals (NCCAP)

A Nonprofit Corporation

BYLAWS

(2/27/2018)

In response to the requirements of the Omnibus Budget Reconciliation Act (OBRA) of 1987, the National Association of Activity Professionals (NAAP) established the National Certification Council for Activity Professionals (NCCAP) to offer the highest-level credential of qualification as a Certified Activity Professional. NAAP and NCCAP work jointly for the shared mission of advancing the Activity Profession.

ARTICLE I: NAME

The name of this body shall be the National Certification Council for Activity Professionals, hereinafter in this document to be referred to as “the Council”.

ARTICLE II: PURPOSES AND FUNCTIONS

Section 1. Purposes: The purposes of the Council shall be to:

- A) Promote quality of life for persons in our care
- B) Establish national evaluative standards for the certification and recertification of individuals who attain the required competencies of the activity profession.
- C) Grant certification to persons who apply and meet the standards.
- D) Develop other certifications that add value to or advance the Activity Profession.

Section 2. Functions: The functions of the Council shall be to:

- A) Establish and monitor criteria, policies, procedures, and fiscal accounts necessary to effect Council operation.
- B) Empower committee members to act upon certification/recertification applications.
- C) Research, formulate, and evaluate periodic review to assure maintenance of competencies relevant to the practice of the activity profession and those that promote quality of life for persons in our care.
- D) Disseminate credentialing information to certified Activity Professionals.
- E) Maintain and make available a summary of credentialing activities to include a registry of certified personnel.
- F) Actively pursue liaison with health certifying agencies and professionals who serve Activity Professional personnel.
- G) Inform and educate across the public, private and nonprofit sectors on the activities profession credentialing process, and
- H) Provide evidence that the evaluative tools are properly developed.
- I) directly provide opportunities for, and information about, certification thereby enabling individuals to pursue professional development.



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ARTICLE III: CERTIFIED ACTIVITY PROFESSIONALS

Section 1. Classes of Certified Activity Professionals: The Council shall have classes of Certified Activity Professionals as necessary and appropriate to meet the needs of the Activity Profession. These classes shall include: Activity Consultant Certified, Activity Director Certified, Activity Assistant Certified, as well as other certifications as determined by the Board of Directors to add value to or advance the Activity Profession such as Home Care, Adult Day Services and Engagement.

(A) NCCAP Specializations: The Council shall establish “specialization” designations based upon current industry and consumer needs.

Section 2. Specialty Tracks: The Council shall offer specialty tracks in addition to any level of basic certification as listed in Article III, Section 1. Specialty Tracks will be set and adjusted by the Board of Directors to reflect the changing needs of the industry.

Section 3. Selection of Certified Activity Professionals: Certified Activity Professionals shall be those individuals who meet established standards of the organization.

Section 4. Voting Rights: Each Certified Activity Professional shall be entitled to one (1) vote on each matter submitted to a vote of the Certified Activity Professionals.

Section 5. Termination of Certification: The Board of Directors, by affirmative vote of the majority of all the members of the Board, may terminate the certification of any Certified Activity Professional who fails to meet the certification criteria of who has presented false or incorrect information in the certification or recertification process, or who shall be in default in the payment of fees.

Section 6. Resignation: Any Certified Activity Professional may resign and terminate his/her certification by filing written notice thereof with the administrator of the Council.

Section 7. Appeal: Any Certified Activity Professional may choose not to accept the decision of the Certification Review Committee by filing a written statement of appeal with the Council administrator; the statement shall not relieve the Certified Activity Professional so doing of the obligation to pay the appropriate processing fee.



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Section 8. Renewal: Each Certified Activity Professional must renew their certification as outlined in the specific requirements of the certification and including the required number of clock hours of continuing education.

Section 9. Transfer of Certification: Certification in this organization is not transferable or assignable.

Section 10. Reinstatement: Certified Activity Professionals who do not renew their certification within one year of the expiration of their certification date must file as a new applicant.

ARTICLE IV: MEETINGS OF CERTIFIED ACTIVITY PROFESSIONALS

Section 1. Annual Meeting: An annual meeting of the Certified Activity Professionals shall be held for the purpose of transaction of business. The specific date of the meeting shall be determined by the Board of Directors.

Section 2. Special Meeting: Special meetings of the Certified Activity Professionals may be called by the President of the Board of Directors, a quorum of the Board of Directors, or not less than one-half of the Certified Activity Professionals having voting rights.

Section 3. Place of Meeting: The Board of Directors may designate any place as the place of meeting for any annual meeting or for any special meeting called by the Board of Directors, keeping in mind the geographic areas that the Board of Directors are located.

Section 4. Notice of Meetings: Notice stating the place, day, and hour of any meeting shall be delivered by appropriate means such as US mail, email, fax and social media to each Certified Activity Professional entitled to vote at such meeting, not less than ten (10) days before the date of such meeting, to the Certified Activity Professional at his/her address as it appears on the records of the organization.

Section 5. Quorum: The majority of Certified Activity Professionals present shall constitute a quorum at any meeting when proper notice has been given.

Section 6. Voting by Ballot: Directors are to be elected and Bylaws are approved by majority of the ballots received. Ballots must be submitted electronically by email.



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ARTICLE V: BOARD OF DIRECTORS

Section 1. General Powers: The affairs of the Council shall be managed by its Board of Directors.

Section 2. Number, Tenure, and Qualification: The number of individuals serving on the Board of Directors shall be at least six (6) with each serving for a three (3) year term. No elected individual may serve more than two (2) consecutive full three (3) year terms. Each Director shall hold office until a qualified successor shall have been elected.

Section 3. Election: The Council will elect a total of six (6) competent individuals whose term of office shall be on a three (3) year rotating cycle. The Board of Directors will develop a rotating system to assure the opportunity for representation from all levels of certification, regional representation and allied or related professions as may be necessary and appropriate to advance the Activity Profession.

Section 4. Advisory Certified Activity Professionals: The Board of Directors may appoint advisors as needed at their discretion. All committee chairs shall serve as an advisory member to the Board of Directors.

Section 5. Regular Meetings: The Board of Directors will hold meetings at least twice a year; once in person and an additional time via any other acceptable medium.

Section 6. Special Meetings: Special meetings of the Board of Directors may be called by or at the request of the President or any three (3) Directors. The person or persons authorized to call special meetings of the Board may fix the place, extending reasonable consideration to other Board members. Notice of any special meeting shall be given at least ten (10) days in advance in written and confirmed notice by appropriate means. Neither the business to be transacted, nor the purpose of, any regular or special meeting of the Board need to be specified in the notice unless specifically required by law or by the bylaws.

Section 7. Quorum: A majority of the voting members of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board.

Section 8. Manner of Acting: The act of a majority of the voting members of the Directors shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these bylaws.



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Section 9. Compensation: Directors as such shall not receive any stated salaries for their service as Board Members. However, the Board of Directors may authorize payment of a fixed sum for expenses related to attendance, if any, for any regular or special meeting of the Board.

Section 10. Informal Action by Directors: Any action required by law to be taken at a meeting of the voting members of the Board of Directors, or any action which may be taken at a meeting of the Board of Directors, may be taken without a meeting if consent in writing setting forth the actions so taken is signed by the majority of the Board.

ARTICLE VI: OFFICERS

Section 1. Officers: The officers of the corporation shall be President, Vice President, Secretary, and Treasurer. The Board of Directors may elect other officers deemed necessary or desirable to perform other duties prescribed from time to time by the Board of Directors. Any two (2) or more offices may be held by the same person, except the offices of President and Secretary.

Section 2. Election and Term of Office: The offices that each elected Board of Director will fulfill will be appointed at the first scheduled meeting following the election. New offices may be created and filled at any meeting of the Board of Directors. Each officer shall hold office until his/her successor shall have been duly elected.

Section 3. Removal: Any officer elected by the Board of Directors may be removed by majority vote of the Board of Directors whenever in its judgment the best interests of the Council be served.

Section 4. Vacancies: A vacancy in any office because of death, resignation, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

Section 5. President: The President shall be principal executive officer of the Council and shall in general supervise and control all of the business and affairs of the organization. The President shall preside at all meetings of the Council and of the Board of Directors.

Section 6. Vice President: In the absence or inability of the President, the Vice President shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall perform such other duties as from time to time may be assigned by the President or Board of Directors.



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Section 7. Secretary: The Secretary shall be responsible for keeping the minutes of the meetings of the Council and of the Board of Directors in one or more books provided for that purpose and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or by the Board of Directors.

Section 8. Treasurer: The Treasurer shall be responsible for all funds and securities of the Council and in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the President or by the Board of Directors.

ARTICLE VII: COUNCIL MANAGEMENT

Affairs of the Council shall be managed by staff hired with Board approval. Staff shall have non-voting status and shall perform the duties necessary to affect the purpose and functions of the Council. Salary, travel, and expenses of the staff shall be approved by the Board.

ARTICLE VIII: COMMITTEES

Section 1. Committees: The Board of Directors by resolution adopted by a majority of the Directors in office, may designate, oversee and appoint the standing committee and special committees, each of which shall include one (1) or more Directors. The standing committees of the Board of Directors shall be: Finance, Nominations, Personnel, Certification Review and Appeals.

The designation and appointment of the standing and special committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on the Board or the individual Director by law.

Section 2. Finance: The Finance Committee shall be charged with management of the fiscal matters of the Council.

Section 3. Nominations: The Nominations Committee shall determine the ballot for selection of the board and shall conduct the election. The Nomination Chairperson will be appointed by the Board of Directors.

Section 4. Personnel: The Personnel Committee shall be responsible for interviewing, hiring, and supervising the staff and overseeing the personnel needs of the organization.



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Section 5. Certification Review Committee: The functions of the Certification Review Committee shall be to review and determine the eligibility of persons making application for certification in the Council and to recommend to the Board for their consideration credentialing standards.

Section 6. Appeals Committee: The function of the Appeals Committee shall be to review upon written request of the applicant, a denial by the Certification Review Committee of said credentials. Decisions of the Appeals Committee shall be final and by majority vote. The Chairperson of the Certification Review Committee shall serve as a non-voting member of the Appeals Committee.

Section 7. Chairperson: One (1) member of each committee shall be appointed by the Board of Directors from their membership to be the Chairperson of said committee.

Section 8. Vacancies: Vacancies in the membership of any committee shall be filled by the Committee Chairperson with input from the Board of Directors.

Section 9. Compensation: Members of the committees shall not receive any stated salaries for their services as such. However, the Board of Directors may authorize payment of a fixed sum for expenses related to attendance, if any, for any regular or special meeting of the Committee. Committee Chairpersons shall submit anticipated budgets for operating expenses, if any.

Section 10. Quorum: A majority of the whole committee shall constitute a quorum unless otherwise provided and the act of a majority of the committee members present at a committee meeting at which a quorum is present shall be the act of the committee.

Section 11. Rules: Each committee may adopt rules for its own governance not inconsistent with these bylaws or policies adopted by the Board of Directors.

ARTICLE IX: CONTRACTS, CHECKS, DEPOSITS AND FUNDS

Section 1. Contracts: The Board of Directors may authorize any officer or officers, or staff of the Council, in addition to the officers so authorized by the By-laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the organization. Such authority must be explicit and in writing, and confined to specific instances.



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ARTICLE X: CERTIFICATE OF CERTIFICATION

Section 1. Certificates of Certification: The Board of Directors shall provide for the issuance of certificates verifying the specific level of certification, which shall be in such form as may be determined by the Board.

Section 2. Issuance of Certificate: When an applicant's credentials have been reviewed and approved by the Certification Review Committee and/or the Appeals Committee of the Board, and when the required credentialing fees have been paid, a certificate of certification shall be issued in the applicant's name and delivered.

ARTICLE XI: BOOKS AND RECORDS

The Council shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its meetings, Board of Directors, Certification Review Committee, Appeals Committee, and other committees having any of the authority of the Board of Directors, and shall keep a record giving the names, addresses and identification number of the Certified Activity Professionals. Books and records of the Council may be inspected by an agent of a Certified Activity Professional or attorney for legal purposes only. All records pertaining to a certified individual will be kept confidential except as authorized by the Board or required by law.

ARTICLE XII: FISCAL YEAR

The fiscal year of the corporation shall begin on first day of January and end on the last day in December in each year.

ARTICLE XIII: FEES

Section 1. Fee Structure: The Board of Directors shall determine the fees payable to the Council for each class of certification or related service.

Section 2. Payment of Fees: Fees shall be payable to the National Certification Council for Activity Professionals, Inc. or "NCCAP" when services are rendered and in accordance with the current fee structure approved by the Board of Directors.

Section 3. Default and Termination of Certification: When any Certified Activity Professional of any class shall be in default in the payment of fees, certification may be terminated by the Board of Directors in the manner provided in Article IV of these Bylaws.



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ARTICLE VIX: SEAL

The Board of Directors shall provide a Council seal, which shall be in the form of a circle and shall have inscribed thereon the words "Corporate Seal of the National Certification Council for Activity Professionals, Inc."

ARTICLE XV: PARLIAMENTARY AUTHORITY

Roberts Rules of Order revised shall govern this Council to the degree necessary and appropriate.

ARTICLE XVI: AMENDMENTS TO BYLAWS

These Bylaws as presented by the Board of Directors may be altered, amended, repealed, or replaced by a majority vote of the Council returning a ballot in a manner and form deemed necessary and appropriate by the Board of Directors.

ARTICLE XVII: DISSOLUTION

In the event the Council should dissolve, but prior to the completion thereof, and after satisfying all outstanding debts and obligations, the Board of Directors shall select an organization or organizations which qualify under Section 501(c)(3) of the Internal Revenue Code to receive any remaining monies to be used for the purposes mutually agreed upon by the Council and the selected organization.

These Bylaws were adopted by the National Certification Council for Activity Professionals at the Annual Meeting on April 27, 1989 following a mail-in balloting of NCCAP members.

These Bylaws were amended by the NCCAP by a mail-in balloting of Certified Activity Professionals and ratified at the annual meeting on April 7, 1996.

These Bylaws were amended by the NCCAP by a mail-in balloting of Certified Activity Professionals and ratified at the annual meeting on April 26, 2001.

These Bylaws were amended by the NCCAP, by a mail-in balloting of Certified Activity Professionals and ratified at the annual meeting, April 2006.

These Bylaws were amended by the NCCAP, by a mail-in balloting of Certified Activity Professionals and ratified at the annual meeting June 6, 2009.

These Bylaws were amended by membership electronic vote 6/2016- and ratified at the annual meeting June 9, 2016.

These Bylaws were amended by electronic ballot and ratified at the annual meeting of June 21, 2018.