

KANSAS ASSOCIATION OF ADDICTION PROFESSIONALS
THE NATIVE AMERICAN WELLNESS ASSOCIATION SECTION
OPERATIONS MANUAL

This is the Operations Manual of the Native American Wellness Association of the Kansas Association of Addiction Professionals, hereinafter referred to as the Section.

CONSTITUTION AND BY-LAWS:

The Section shall abide by the Constitution and By-Laws of the Kansas Association of Addiction Professionals.

MISSION:

The Native American Wellness Association seeks to enhance the quality of life for Native Americans including improved access to substance abuse, behavioral health, education and prevention services.

PURPOSE:

- 1) To develop resources to address the issues of mental illness, addiction and other conditions which diminish the quality of life for Native Americans.
- 2) To promote educational tracts to ensure the cultural competency of those serving Native Americans in Kansas, Northwest Missouri and other areas.
- 3) To increase the awareness of the needed and available services for Native American populations.

MEMBERSHIP:

- A. Qualifications: Any person or entity who has an interest in promoting the health and wellness of urban, rural and reservation Native American persons and pays Section dues or membership fees in a timely manner is qualified for membership in this Section. An applicant for membership must, at the time of application, be known to subscribe to the purposes of the Section and agree to maintain standards of conduct as set forth by the Section's Code of Conduct.
- B. Categories of Membership; the membership shall consist of four (4) categories:

- and
1. Individual Enrolled and/or Charter or Honorary Charter Member: must pay dues as set forth by the Section Board of Directors. These members may be elected to the Section Board of Directors, hold office, chair and serve on committees and vote in all elections, including Section Structure (Constitution & By-Laws and Section Operations Manual), subject to requirements further stated in this manual. See Appendix I for Charter Honorary Charter Members.
 2. Individual Non-Enrolled, Non-Charter or Non-Honorary Charter Member: the same as Category 1, except this member may not vote on Section Structure or hold office. They may vote in general elections, serve on the Section Board of Directors, chair and serve on committees.
 3. Agency Member: agencies must pay dues/fees as determined by the Section Board of Directors. Each agency membership is entitled to one representative who may vote in general elections and serve on committees. They may not vote on Section Structure, serve on the Board of Directors, hold office or chair committees.
 4. Sponsoring Member: any individual, agency, corporation or organization wishing to be a non-participating sponsor of this Section may pay fees as determined by the Section Board of Directors to meet the level of sponsorship desired. They may not hold office, board positions, chair committees or vote. Any Individual Sponsoring Member or designated representative of a Sponsoring Agency, Corporation or Organization Member may serve on certain committees as needed from time to time by the Section and subject to the approval of the Section Board of Directors.

All four categories of membership include attendance at Section and Association membership meetings and will receive the KAAP Newsletter.

DISCIPLINARY ACTION:

All members shall agree to abide by this Section's Code of Conduct. When a member is in violation of this Code of Conduct and another member is aware of the violation, or the appearance of a violation, the violation must be reported to the Section Ethics Committee.

1. The Chairperson of the Ethics Committee shall receive the complaint and make a written log of the caller's name, nature of the complaint, the part of the Code the caller believes to have been violated, date, name of the respondent and any contact information the caller has. A form, along with a copy of the Code of Conduct for this Section, shall be sent to the complainant within fifteen (15) days to complete and return to the Chairperson. The Chairperson shall also report the complaint to

the Section Board of Directors. Membership privileges, including voting and decision-making, may be suspended by the Section Board of Directors during the investigation and appeal process.

2. The Chairperson shall meet with the Ethics Committee and determine if any member has a conflict with the Respondent or believes there may be a conflict. Such committee member shall be excused from the proceedings.
3. The Ethics Committee shall review the complaint, contact the complainant with any questions they may have and determine if there has been a violation of the Code of Conduct.
4. If the Ethics Committee determines that no violation of the Code of Conduct has occurred, the record of the complaint will be filed in the Association office, in locked, secure storage, with appropriate documentation of committee procedure and a letter noting that no violation has been determined will be sent to the complainant with a copy kept in the file.
5. If the Ethics committee determines that a violation of the Code of Conduct has occurred, within five (5) working days letters will be sent to the complainant and respondent to advise them that the complaint is going to be handled in accordance with the Section's Code of Conduct and the Section's Operations Manual's Disciplinary Action Procedures. A copy of both the complaint and the Code of Conduct will be sent to the complainant and the respondent and a request that the respondent submit a response in writing within the time specified within. It shall be the sole discretion of the Ethics Committee to grant a request by the respondent to appear before the committee. The committee shall establish the procedure for such an appearance. In the event that an attorney accompanies the respondent, the degree of participation by the attorney in the hearing process shall be one of consultant to the respondent only.

Committee Action:

1. Within thirty (30) working days of the receipt of the written response, the committee will convene and render a decision. The committee will recommend one or more of the following actions:
 - A. Written reprimand;
 - B. Suspended membership with a time frame and suggestions for corrective action which can be put forth, but are not limited to: completion of an Association or Section approved ethics course, specific areas of special development worked on under supervision or referral to the impaired professionals commission when appropriate;

- C. Revocation of membership;
- D. Denial of application for membership;
- E. If the member is serving in a leadership role in the Section or Association, a request for resignation or, if necessary, the institution of proceedings for the removal from office.

Recommended actions shall automatically go to the Section Board of Directors for final review and implementation.

- 2. The Section Board of Directors will review the report of the committee and issue a decision either adopting or modifying the report and recommendations of the committee. A copy of the final decision will be mailed to the respondent and complainant within thirty (30) working days of the issuance of the decision and the notice to the respondent will be sent by certified mail.

Appeal Procedure:

- 1. The committee shall advise both the respondent and complainant at the time it renders its decision that the respondent has a right to appeal the decision to the Section Board of Directors.
- 2. The letter shall advise the respondent that the notice of the respondent's intention to appeal should be sent to the Section Chairperson and postmarked within thirty (30) days from the dated correspondence of the committee decision and that all subsequent correspondence must also be sent to the Section Chairperson.
- 3. Upon receipt of the appeal,. The Section Board of Directors shall hear the appeal. The Section Chairperson shall designate one of the Section Board members to serve as the Chair of the appeal panel.
- 4. The respondent shall be given the opportunity to appear in person before the appeal panel at a time and place determined by the panel. In the event that an attorney accompanies the respondent, the degree of participation of the attorney in the appeal process shall be one of consultant to the respondent only.
- 5. The members of the appeal panel must have neither direct knowledge of the complaint nor any relationship to the complainant or the respondent.
- 6. If the respondent files an appeal within the specified time frame, any disciplinary action will be halted until the appeals process is completed.
- 7. If the respondent does not file an appeal, the disciplinary action shall take effect upon passage of the thirty (30) days time period.

Reinstatement:

- A. Action taken requires no reinstatement.
- B. This requires successfully following recommendations within the time frame specified.
- C. After membership has been revoked, a person may submit a request to the Section's Ethics Committee for consideration of reinstatement of membership. The Ethics Committee shall discuss the request and make recommendations to the Section Board of Directors regarding possible reinstatement, including a time frame, ie, after a specified number of years, and any other conditions the Committee considers appropriate. The Section Board of Directors will make the final decision regarding reinstatement.
- D. When membership has been denied due to an Ethics investigation, the applicant may submit a request to reconsider membership to the Section Ethics Committee. The Ethics Committee will make recommendations to the Section Board of Directors regarding the request, including a time frame and any other conditions the Committee considers appropriate. The Section Board of Directors will make the final decision regarding reinstatement.
- E. Those serving in a leadership role who are asked to resign or who are removed from office may submit a request for reinstatement to the Section Ethics Committee. The Ethics Committee will make recommendations to the Section Board of Directors regarding reinstatement. The Section Board of Directors will make the final decision regarding reinstatement.

In Reinstatement categories C, D and E, the Section Ethics Committee and the Section Board of Directors will consider all requests for reinstatement. Reinstatement may or may not be granted, depending on the nature of the actions resulting in the Ethics Investigation.

Assessment of Costs and Expenses:

- 1. The Section and/or the Association will not be responsible for any expenses incurred by the respondent.
- 2. The respondent shall be responsible for the payment of all costs incurred in responding to an ethics complaint.

Records and Disclosures of Information:

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- 1. The permanent files of the Section's Ethics Committee shall be maintained in the office of the Association's Executive Director and shall be kept in locked, secure

storage and accessible to only the Chairperson of the Section's Ethics Committee and the Section Chairperson or a designee.

2. All information developed in the course of the investigation of the complaint and the appeal process will be kept confidential.
3. In the event it is determined that a violation occurred, the Section shall disclose the findings to the Association and any other associations, government entities or professional boards with an interest in the conduct of the member under disciplinary action.
4. If the respondent is found not to be in violation of the Section' Code of Conduct, the information developed in the investigation and appeals process will not be disclosed, unless required by compulsory legal process, without the express written permission of the respondent.
5. Information obtained by the Section in complaints that were not investigated or in pending cases will not be disclosed, unless required by compulsory legal process, without the express written consent of the respondent.
6. Due process will be followed in all proceedings.

Section Board and Officers:

Shall be elected and serve as set forth in the Association's Constitution and By-Laws. The officers shall be a Chairperson, Chairperson-Elect, Immediate Past Chairperson, a Secretary and a Treasurer. The elections of Officers and Board Members will be conducted during the Annual membership meeting which will take place the evening of the first day of the Annual NAWA Summit, held each year in September. The Board shall consist of ten members, including the officers. A minimum of 51% of the Board of Directors and officers shall be enrolled tribal members with efforts made to include representation from each of the four tribes in Kansas.

Board members shall participate in board meetings and serve on Section and Association committees as appointed by the Section Chairperson.

The Section Treasurer shall sit on the Finance Committee of the Association and shall prepare budgets and financial reports for the membership and Board of Directors as requested. The Section Treasurer shall also serve on the Section's Revenue Committee.

A quorum of the Section Board of Directors will consist of a simple majority of Section
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officers and elected or appointed board members.

A board member or officer who misses two (2) or more consecutive meetings shall be

contacted by the Chairperson to determine their ability to continue service to the Board.

Section Committees:

- A. There shall be six (6) standing committees within the Section. These committees shall meet a minimum of three (3) times per year and additional meetings as needed. Each committee chairperson shall report at every general membership meeting and at any other time as requested by the Section Board of Directors.
- B. There shall be one (1) individual to serve as an Operations Manual Advisor who will, as set forth later in this Operations Manual, perform such tasks as are needed by the Section. These tasks will be performed by the Advisor, when feasible, with temporary committees appointed by the Section Chairperson with approval of the Section Board of Directors as needed.
- C. Special Ad Hoc committees may be appointed at the discretion of the Section Chairperson subject to confirmation by the Section Board of Directors.
- D. Members and Chairpersons of all committees and the advisor shall be appointed by the Section Chairperson from the eligible membership with the approval of the Section Board of Directors.

Standing Committee Duties:

- 1. Nominations/Membership -- shall consist of a committee chairperson and at least three (3) other members. This committee shall make nominations to the membership or at any other time such services are required. The slate of nominees shall be mailed to all voting members at least thirty (30) days prior to the meeting date. The committee shall recruit new Section members, communicate with and make efforts on the retention and reinstatement of former members and provide information to the community at large. The committee shall maintain a manual outlining the nominations process, including fulfillment of the requirements of the Board and officers composition, membership recruitment, public relations policy and community information policy. The Chairperson of this committee shall serve on the Association's Membership Committee.
- 2. Revenue -- shall consist of a committee chairperson and at least four (4) other members, the majority of whom are enrolled tribal, charter or honorary charter members. This committee will establish and maintain contact with potential
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revenue sources, assist the NAWA Executive Director or Contractor in writing grants, giving presentations to potential funders, monitoring trends in possible revenue sources and developing liaisons with potential service providers. The Section Treasurer shall serve on this committee.

3. Advocacy -- shall consist of a committee chairperson and at least three (3) other members. The committee shall monitor legislation and public policy issues at tribal, local, state and federal levels pertaining to the present or future interest of the Section and Association and shall keep the Section and Association informed. The Chairperson of this committee shall serve on the Association's Legislative Committee.
4. Education -- shall consist of a minimum of a committee chairperson and at least four (4) other members. The committee shall plan educational and training events consistent with the Section's Mission and purpose. They shall coordinate with the Educational Committees of other sections in planning these events. The Chairperson of this committee shall serve on the Association's Education Committee.
5. Ethics -- shall consist of a committee chairperson and at least three (3) other members. The committee will establish, maintain and revise as necessary a Code of Conduct for the Section, to be approved by the Section Board of Directors and the Association Ethics Committee prior to implementation. The committee will follow Disciplinary Procedures as described in this Operations Manual. The committee will make recommendations to the Section Board of Directors as necessary the committee's policies and procedures for addressing conduct issues within the Section. The Chairperson of this committee shall sit on the Association's Ethics Committee.
6. Credentialing/Qualifications -- shall consist of a committee chairperson and at least three (3) other members. The committee shall establish, maintain and make recommendations for revisions as necessary a set of standards and procedures for the approval of applications for membership and category of membership, including tribal enrollment documentation, as requested to the Board of Directors. Such standards and procedures shall be consistent with the Mission and Purpose of this Section and submitted to the Section Board of Directors for approval prior to implementation. The Chairperson of this committee shall sit on the Association's Qualifications Committee.

Advisor Duties:

Operations Manual Advisor -- shall maintain the Operations Manual for this Section, making revisions as necessary at the direction of the Section Board of Directors. Shall advise the Section Board of Directors regarding consistency of

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proposed actions with the Section's Operations Manual and the Association's Constitution and By-Laws.

Business Affairs of the Section:

The business affairs of the Section will be consistent with the Association's Constitution and By-Laws, except for the following:

Control and Management -- all property of the Section shall be under the control and management of the Section Board of Directors and shall be consistent with requirements of the Section's corporate status.

Disposal Upon Dissolution -- upon dissolution of the Section, the Section Board of Directors shall transfer all property and assets to other agencies or organizations which are exempt under Section 501 © (3) of the Internal Revenue code and whose activities and intent are consistent with this Section's Mission and Purpose.

Policies for compensation and expenses for members, Officers and Directors shall be consistent with the Association's Constitution and By-Laws with the exception that the Board may approve the compensation and reimbursement of expenses it deems appropriate.

The office and administrative expenses and salaries for Executive Director and Administrative Assistant and any such other personnel who may be hired in the future will be paid from Section funds.

The Executive Director of this Section will be under the direct supervision of the Section Board of Directors and shall oversee the day-to-day activities of the Section office and supervise such employees that are required to provide services to the Section membership and meet requirements for grants obtained by this Section. See Appendix III for Interim Executive Director position description.

This Operations Manual for the NAWA Section of the Kansas Association of Addiction Professionals approved by the Section membership on _____.

Charter Members: those members who were present at the signing of the Articles of Incorporation of NAWA:

Gayl R. Edmunds
Lee Booth
Carol Shopteese
Wanda Wolf
Iris Wilkinson

Kathy Slimmer
Newman Washington
Helen Slattery
Elaine Mjickteno

Michael Smith
Carolyn King
Andy B. Jackson
Tom Shopteese

Position Description

Interim NAWA Executive Director

1. Facilitate the filing of IRS Form 1023 (501 © (3) application.
2. Increase collaboration of NAWA, including communication with the four Kansas tribes, urban centers, SRS/AAPS, SRS/Mental Health, I.H.S. in Kansas and Oklahoma and other organizations and individuals interested in improving the health of Native Americans.
3. Redevelop the NAWA membership form to incorporate the changes of the NAWA Operations Manual, including distribution to existing members for completion and return.
4. Advance Resolutions in support of NAWA with the 4 Tribes.
5. Develop an initial proposed budget and revise the budget as necessary.
6. Work with the treasurer to ensure financial information is provided to the NAWA executive committee and NAWA Board as it is deemed necessary.
7. Seek funding opportunities for NAWA administrative needs, including the Executive Director position.
8. Prepare draft agendas for membership and committee meetings and finalize with respective responsible individuals.
9. Attend NAWA membership meetings, Board meetings and committee meetings.
10. Review grant and funding opportunities and forward to executive committee and individual members as directed with recommendations.
11. Provide recommendations for NAWA operations and growth.
12. Plan for the September, 2005, NAWA Summit.