



Most current draft – November 14, 2016 – Track Changes On
DRAFT BYLAWS OF THE COUNCIL FOR INTERIOR DESIGN
QUALIFICATION, INC.
Revised ~~January 2015~~ November 2016

ARTICLE I – NAME

The name by which this corporation shall be known in law is COUNCIL FOR INTERIOR DESIGN QUALIFICATION, INC. (herein “Council”).

ARTICLE II – OFFICES

The principal office of the Council shall be established and maintained at such place as the Council Board of Directors may from time to time determine. A statutory office of the Council shall be maintained in the City of Wilmington, County of New Castle, State of Delaware, at the office of the Council designated registered agent in Delaware.

ARTICLE III – TERMS & DEFINITIONS

The term for which this Council is organized is perpetual.

“Council Certificate” is defined as the document verifying the successful passage of the NCIDQ Examination in its entirety.

“Certificate Holder” shall mean any individual who has successfully passed the NCIDQ Examination in its entirety.

“Council” is defined as the legal corporate entity of the Council for Interior Design Qualification, Inc. Membership in the Council is defined in Article VI herein.

“Jurisdiction” shall mean any governmental or legislative subdivision of the United States, Canada or other country including any state, province, commonwealth, territory, dependency, and the District of Columbia, which has a law regulating the title and/or practice of interior design.

“Jurisdictional Board” shall mean the local body legally authorized to examine, recognize, regulate, or discipline interior designers within its specified jurisdiction.

“State” shall mean any political subdivisions of the United States, including any State, commonwealth, territory, dependency, and the District of Columbia, which has a law regulating the practice of interior design.

Commented [KW1]: Changed State and Provincial to Jurisdictions so as to not limit for future international expansion.

~~“State Board” shall mean the body legally authorized to examine, register, or discipline interior designers.~~

~~“Provincial Board” shall mean the body legally authorized to examine, register, or discipline interior designers.~~

“Member Board” shall mean a jurisdictional board that is State Board, Provincial Board or self-regulatory agency which is a member of the Council.

“~~Council~~ Assembly of Delegates” is the body of ~~Official~~ the Member Board Delegates appointed by the Member Boards of the Council pursuant to Article VII herein.

“Council Board of Directors” is the governing body of the Council, and the Council Board of Directors shall manage the activities and affairs of the Council. The members of the Council Board of Directors are nominated and appointed pursuant to Article IX herein.

“Examination” shall mean the examination(s) developed and administered by the Council to determine minimum competency in the practice of interior design.

“NCIDQ Exam” is a multi-part, minimum competency exam for interior designers. It assesses the exam taker’s ability to demonstrate sufficient professional practice knowledge in the areas of health, safety, and welfare as a means to provide reasonable protection of the public.

“Policies and Procedures” shall mean a set of operational guidelines supplemental and subordinate to the bylaws.

Commented [KW2]: Council of Delegates being renamed to Assembly of Delegates. There are several references to “Council” throughout, which leads to confusion between Member Board Delegates and the actual corporation.

ARTICLE IV – PURPOSES AND POWERS

A. ~~To aid and assist Member Boards and the general public in safeguarding the health, safety, and welfare of the public.~~

B. To aid and assist Member Boards and the general public by establishing and administering an examination to ~~determine~~ certify which practitioners ~~of interior design~~ shall be certified by the Council as practitioners competent to practice in the field-profession of interior design.

C. To study and present new plans, programs, and guidelines for new legislation relative to the practice of interior design as well as plans, programs, and guidelines for recommended codes of conduct and recommended practices to be subscribed to by practitioners in the field-profession of interior design, and to make all of the same available to the public.

~~B-D.~~ To aid and assist the general public by establishing and administering an on-going certification program for practitioners in the field-profession of interior design.

~~C-E.~~ To serve as a forum for ~~members of interior design licensing/registration/certification boards in the United States and Provincial Boards of management for interior designers in Canada, and Member Boards~~ to compile, verify, and maintain records of those

Commented [KW3]: Not in alignment with the Articles of Incorporation. Our purpose is to serve the general public; the means by which we do it is the member boards who are united with CIDQ in that purpose.

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persons who become licensed/registered/certified ~~in order~~ to facilitate reciprocal registration for interior designers in the various ~~states and provinces~~ jurisdictions.

~~D.F.~~ The above enumeration of specific purposes shall not be construed as limiting or restricting in any way the undertaking of such functions as shall advance the general purposes enumerated.

~~E.G.~~ The Council shall have all powers conferred upon a non-profit, non-stock corporation by the laws of the State of Delaware.

ARTICLE V – NON-PROFIT STATUS

~~A.~~ The Council shall not have authority to issue capital stock, is not organized for profit and no part of its net earnings shall inure to the benefit of any private member or individual. Upon any dissolution of the Council, all of its property and assets, tangible and intangible, after payment, satisfaction and discharge of all its liabilities and obligations, shall be distributed as the Council Board of Directors may determine to such one or more organizations with objects and purposes similar to those of the Council in accordance with the laws of the State of Delaware.

~~B.~~ ~~[The purposes for which this Council is formed are to be promoted, transacted, and carried on without pecuniary profit.]~~

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ARTICLE VI – MEMBERSHIP

Section 1. ~~Members~~ Member Boards and Assembly of Delegates

The membership of the Council shall be the legally constituted Member Boards in good standing with the Council. Membership in the Council shall be attained through approval by the Council ~~of Delegates~~ Board of Directors. Application shall be made upon forms furnished by the Council. The applicant shall provide the names and addresses of the ~~members of the state/provincial/jurisdictional boards~~ and other required information and provide two copies of the applicable law relating to the examination, recognition, regulation, or discipline of the profession of interior design in its jurisdiction. All members in good standing shall have equal rights and powers.

Membership in the Council shall be confined to:

A. ~~State Boards, Provincial/Jurisdictional~~ Boards and self-regulatory organizations duly established by law in the United States, ~~and~~ Canada, or other countries for the licensing, certification or registration of interior designers, provided such boards utilize, as part of their criteria for such licensing, certification, or registration, the examination produced and promulgated by the Council for testing persons practicing interior designers.

B. Qualifications of Mmembership shall be limited to such organizations as are admitted to membership by majority approval of the Council ~~of Delegates~~ Board of Directors. In considering any application for admission to membership, the Council ~~of Delegates~~ Board of Directors shall give due regard to:

i. The aims and purposes of the Council.

- ii. The prior and current activities of the Member Board applicant.
- iii. The applicant's standards for admission of its interior design members.
- iv. Whether such activities and standards of the applicant ~~make it in support~~ the best interests of the Council ~~that such applicant be admitted to membership in the Council.~~

Section 2. Removal

If, after written notification from the Council Board of Directors, a Member Board fails to pay its dues or other financial obligations to the Council or ~~shall~~ persistently refuses to abide by these Bylaws or the ~~policies~~ Policies and Procedures enacted by the Council, the Council Board of Directors may ~~recommend to the Council that remove~~ such Member Board ~~be removed~~ from Council membership. ~~Upon such recommendation, the Member Board may be removed from membership in the Council by an affirmative vote of not less than two-thirds of all Members Boards.~~

ARTICLE VII – COUNCIL ASSEMBLY OF DELEGATES

Section 1. Delegates and Credentials

- A. An Official Delegate shall be appointed to the Council Assembly of Delegates by each Member Board and shall serve until his/her successor is nominated and duly appointed by the Member Board. The Official Delegate should be a current board member of the Member Board.
- B. The Official Delegate appointed to the Council Assembly of Delegates ~~should must~~ be a ~~NCIDQ certificate~~ Certificate holder ~~Holder~~. However, in the event a Member Board does not have a ~~NCIDQ certificate~~ Certificate holder ~~Holder available~~ to appoint to the Council Assembly of Delegates, then a non-~~certificate~~ Certificate holder ~~Holder interior designer~~ would be allowed, ~~and encouraged,~~ to participate on the Council Assembly of Delegates ~~as the Member Board's Official Delegate. In the event a non certificate holder interior designer board member cannot serve as the Official Delegate, then a non interior designer, non certificate holder, as approved by the Member Board would be allowed, and encouraged, to participate on the Council of Delegates. A non certificate holder delegate is not eligible for nomination to the Council Board of Directors.~~
- C. An Official Delegate may not serve concurrently as both an Official Delegate and a Director or Officer of the Council.
- D. Each Member Board admitted under Article VI, 1, A is entitled to be represented at meetings of the Council by one or more representatives of that Member Board. A Member Board may be represented by as many representatives as are able to attend, but only one vote may be cast ~~for by~~ each Member Board in good standing and present in person, or to the extent allowed, and in the manner prescribed in the Council's Policies and Procedures, by proxy by its Official Delegate.
- E. Contemporaneously with the appointment of the Official Delegate, the Member Board ~~shall may~~ name an ~~Alternate Official Delegate~~ Alternate Delegate who qualifies

pursuant to Article VII of these Bylaws.

- F. In the event that a voting Official Delegate is unable to be present for all or part of the Annual Meeting or Special Meeting, then the ~~Alternate Official Delegate~~ Alternate Delegate, if present, may vote on behalf of the Member Board.

Section 2. Annual Meeting

At the discretion of the Council Board of Directors, the ~~Council~~ Assembly of Delegates shall meet annually to discuss issues of common concern. The time and place shall be determined by the Council Board of Directors. Notice of the meeting shall be ~~mailed~~ communicated to the Member Boards at least 90 days, but not more than 150 days before the scheduled date of such meeting and shall set forth the date, time, and place of such meeting. ~~The Executive Director shall ensure that the minutes of the meeting are recorded.~~

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Section 3. Special Meetings

Special meetings of the ~~Council~~ Assembly of Delegates may be called by the President, with the approval of the Council Board of Directors, or by a two-thirds majority of the Member Boards. The Bylaws pertaining to notification for and procedures and conduct of business of Annual Meetings shall apply to Special Meetings.

Section 4. Quorum

A quorum for the transaction of business at ~~the Annual Meeting~~ any meeting of the ~~Council~~ Assembly of Delegates shall be the majority of ~~the all~~ Member Boards, as represented by their Official Delegate or Alternate Delegate.

Section 5. Resolutions & Other Motions

Resolutions are the substantive matters placed on the agenda for a meeting of the ~~Council~~ Assembly of Delegates in accordance with this section. All resolutions to be considered at ~~the Annual Meeting~~ a meeting of the ~~Council~~ Assembly of Delegates, ~~except those submitted by special committees,~~ shall be submitted to the Council Board of Directors not less than 90 days prior to the Annual Meeting. The Council Board of Directors shall review each resolution for conformity with the Council Bylaws and may recommend to the author of any resolution such changes as are deemed advisable for the purpose of compliance, consistency or clarity, and to avoid duplication. The Executive Director shall publish and distribute all resolutions to the Member Boards not less than 75 days prior to the Annual Meeting. If the Council Board of Directors takes a position on any resolution, they shall provide a position statement to be published with the resolution.

~~Only~~ Member Boards and the Council Board of Directors may offer or amend ~~resolutions to be presented at a meeting of the Council, amendments to resolutions at the Assembly of Delegates Meeting. to be presented at a meeting of the Council or amendments to resolutions so presented.~~ All other motions permitted under *Robert's Rules of Order* may be made by any Official Delegate, Alternate Delegate, or the Council Board of Directors ~~Officer or Director~~.

Section 6. Order of Business

An agenda outlining the order of business shall be prepared for all ~~Council~~ Assembly of Delegates meetings. The agenda shall be prepared under the direction of the Council Board of Directors, and ~~printed and mailed~~ sent to all Member Boards at least ~~30~~ 45 days before the date set for the particular meeting.

Section 7. Rules of Order

~~The Council~~ Meetings of the Assembly of Delegates shall be governed by *Robert's Rules of Order* when not in conflict with the Bylaws of the Council.

Section 8. Voting

~~The affirmative vote of two-thirds of the Council of Delegates is required to pass any amendment to these Bylaws or to remove any Member Board from membership in the Council. Amendments to these bylaws shall be made in accordance with Article XV. The affirmative vote of the majority of the Council Board of Directors is required to pass any amendments to the policies and procedures of the Council. The affirmative vote of the majority of all Member Boards is required to pass any other resolution. Except as noted in Article IX, Section 5, with regard to the election of Directors, voting upon all other issues shall require the quorum of vote set forth in Robert's Rules of Order. There shall be no voting by proxy. Voting by the Member Boards, as noted in these Bylaws, or as otherwise required by law, will require a two-thirds vote of the Member Boards at a physical meeting where quorum is present. Outside of a physical meeting, member boards may vote in any manner applicable by law, including through electronic transmission and require the affirmative vote of two-thirds of all Member Boards.~~

~~Section 9. Advisory Votes by Letter Ballot~~

~~The Council Board of Directors may from time to time submit an issue or question to the Member Boards for an advisory vote by letter ballot, provided the subject matter and the ballot have been officially submitted in writing to the Member Boards 60 days prior to a date set therein for final receipt of ballots. Only ballots returned in the prescribed time will be counted.~~

Commented [KW6]: These advisory ballots are non-binding upon the Board and the format is outdated and overbuilt. BOD should be able to reach out to Member Boards at any time to request input without the formality of a ballot process.

Section ~~10~~ 9. Other Participants

Council Officers and Directors, Member Board staffs, when designated ~~in writing~~ by their Member Boards, persons designated by the Council Board of Directors, and persons designated by the presiding officer shall have the privilege of the floor at Council meetings and may take part in the discussion ~~and perform all functions of the Official Delegates~~ except to vote, or, except as provided in Article VII, Section 5, with respect to Officers and Directors, to initiate action.

ARTICLE VIII – OFFICERS

Section 1. Officers

The Officers of the Council shall be a President, President-Elect, and Past President. As needed for business and governmental purposes, the President-Elect may also be identified as the Treasurer; and the Past President may be identified as the Secretary of the organization and shall have the ~~duties to~~ responsibility to ensure a record of the proceedings of the Board of Directors ~~in a book to be kept for that purpose~~ is preserved for reference and

historical record.

Section 2. Qualifications and Limitations

To be eligible to serve as an Officer ~~of on~~ the Council Board of Directors, a personall individuals shall:

- A. Be a licensed, certified, ~~and~~ or registered interior designer if domiciled or employed in a jurisdiction where interior design is regulated.
- B. Be an Active ~~NCIDQ~~ Certificate Holder in good standing.
- C. Meet at least two (2) of the following five (5) criteria ~~four (4) following qualifications~~:

- ~~1.~~ 1. Have beenBe an Official Delegate or Alternate Delegate of the Council Assembly of Delegates for at least two (2) years within the previous eight (8) seven (7) years; ~~preceding the commencement of the Officer's term; or~~
- ~~1-2.~~ 2. Have been a member of a CIDQ Member Board for at least two (2) years within the previous eight (8) years;
- ~~2-3.~~ 3. Have beenBe a member of the Council Board of Directors ~~for at least one (1) year~~ within the ~~seven (7) years preceding the commencement of the Officer's term~~ previous eight (8) years;
- ~~3-4.~~ 4. Have beenBe a member of a CIDQ Chair of a Standing Council Committeecommittee(s) or ~~Task-task Force-force~~ for at least a total of two (2) years within the ~~seven (7) years preceding that commencement of the Officer's term~~ previous eight (8) years; ~~or~~
- ~~4-5.~~ 5. Have been a board member-president of one of the following an interior design professional organizations: (ASID, IIDA, IDC, CIDQ, IDEC, IDCEC, AAHID American Academy of Healthcare Interior Designers (AAHID), American Society of Interior Designers (ASID), Council for Interior Design Accreditation (CIDA), Interior Design Continuing Education Council (IDCEC), Interior Design Educators Council (IDEC), Interior Designers of Canada (IDC), or the International Interior Design Association (IIDA).), ~~for at least one (1) year within the seven (7) years preceding the commencement of the Officer's term within the previous five (5) years.~~

Commented [KW7]: Additional criteria added so as to not limit pool of applicants. The time frames on some criteria have also been adjusted to be less limiting.

Section 3. Nomination of Elective Officers

The Nominating Committee shall identify a single nominee for each office and shall follow established procedures for selecting candidates pursuant to the Council's Policies and Procedures ~~Manual~~.

Section 4. Election of Officers

The Council Assembly of Delegates, by the affirmative vote of two-thirds of all Member Boards ~~eastng ballots~~, shall elect the candidate for President-Elect. The Nominating Committee shall resubmit a revised ballot until a candidate for President-Elect is elected by a vote of two-thirds of all Member Boards ~~eastng ballots~~.

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Section 5. Terms of Office

The President shall serve for a term of one-year commencing on the first day of the Council's Administrative Calendar year, and ending on the last day of the Council's Administrative Calendar year for the ensuing year. The President may not be elected to serve consecutive terms; however, an individual may serve for more than one term.

The President-Elect is the successor to the President and shall serve as President-Elect for a one-year term before taking the office of the President.

The Past-President shall serve for a one-year term immediately after completing his/her term as President.

Section 6. Vacancies

A vacancy in the office of the President shall be filled by the President-Elect who shall complete the remaining term and fulfill his/her scheduled term the following year. In the event of a vacancy in the office of President-Elect, the Nominating Committee shall provide a candidate for President-Elect for election by the Council-Assembly of Delegates ~~as President-Elect~~, who meets the established criteria ~~for President~~ set forth in Section 2 above, to serve as President-Elect for the remaining term. In the event of a vacancy in the office of Past President, the Council Board of Directors shall, by vote, elect one of the previous Past Presidents to complete the term.

The Council Board of Directors, by unanimous vote, may remove a President ~~or~~, President-Elect, or Past-President from office with or without cause.

Section 7. The President

The President shall:

- A. Be the Chief Executive Officer of the Council.
- B. Preside at all meetings of the Council Board of Directors ~~or and~~ of the Council-Assembly of Delegates.
- C. Be charged with the general supervision of the affairs of the Council.
- D. Be an ex-officio member of all committees of the Council except the Nominating Committee.
- E. ~~See to it~~Ensure that all orders and resolutions of the Council Board of Directors are carried into effect.
- F. Interpret these Bylaws and the Rules of Order in the conduct of meetings and the ruling shall govern.
- G. Not serve as President while concurrently holding any national ~~executive office~~board position in any ~~other~~ organization which operates on a national or provincial basis, whose membership is comprised primarily of interior designers.
- H. At the discretion of the Council Board of Directors, and the finances of the Council permitting, be paid an honorarium in recognition of service as an Officer of the Council.

- I. Be a non-voting member of the Council Board of Directors except in the case of a tie vote, at which time, the President shall cast the tie-breaking vote.

Section 8. The President-Elect

The President-Elect shall:

- A. In the absence or incapacity of the President, exercise the duties of and possess all the powers of the President.
- B. Oversee the receipt and disbursement of all funds of the Council.
- C. Work with the Executive Director in the development of a proposed budget for the Council Board of Directors' review and approval.
- D. Make recommendations regarding investments for the Council's funds.
- E. Ensure accurate record keeping of the Council's accounts and financial activities.
- F. Oversee the strategic planning process for the Council.
- G. Attend all Council Board of Directors and Council Assembly of Delegates meetings.
- H. Be a voting member of the Council Board of Directors.

Section 9. The Past-President

The Past-President shall:

- A. Serve as an advisor to the President and Council Board of Directors.
- B. Provide historical knowledge and guidance.
- ~~C. — During the term as Past President, provide an archival letter of their term as President.~~
- D.C. Be a voting member of the Council Board of Directors.

Section 10. Contracts and Disbursements

The Council Board of Directors may authorize any Officer(s) or agent(s) to enter into any contracts to execute and deliver any instrument, or to acknowledge any instrument required by law to be acknowledged in the name of and on behalf of the Council. Such authority may be general or confined to specific instances, but the appointment of any person other than an Officer should be made by instrument in writing. When the Council Board of Directors authorizes the execution of any other instrument in the name of and on behalf of the Council, without specifying the executing Officers(s), the President, President-Elect, or the Executive Director may execute the same.

All checks, drafts, or other orders for the prompt payment of money, notes or other evidences of

indebtedness issued in the name of the Council, shall be by such Officer(s) of the Council and in such manner as shall from time to time be determined by resolution of the Council Board of Directors.

ARTICLE IX – THE COUNCIL BOARD OF DIRECTORS

Section 1. Membership

~~The Council Board of Directors shall be composed of the Officers of the Council as designated in Section 1, Article VIII, and five (5) Directors. Effective January 1, 2009, at least four (4) of the seven (7) Certificate holder Directors shall have served as an official delegate, alternate delegate or as a member of an NCIDQ Member Board for at least two (2) years within the seven (7) years preceding the commencement of each Director's term.~~

~~Effective April 1, 2015, a~~ At least three (3) of the seven (7) Certificate-holder Directors shall have served as an ~~official~~ Official delegate/Delegate, alternate/Alternate delegate/Delegate, or as a member of an ~~NCIDQ~~ Member Board for at least two (2) years within the seven (7) preceding the commencement of each Director's term. ~~The provisions of this act shall be null and of no force and effect on and after January 1, 2018. If the Nominating Committee is unable after diligent effort to identify candidates who have served as an Official Delegate, Alternate Delegate, or as a Member of a CIDQ Member Board, it is authorized to select candidates who have not so served.~~

Section 2. Qualifications and Limitations

- A. To be eligible ~~for election~~ to serve as ~~one of the an At-Large~~ Directors on the Council Board of Directors, all individuals except the Public Member ~~Director~~ shall:
1. Be a licensed, certified, ~~and/or~~ registered interior designer if domiciled or employed in a jurisdiction where interior design is regulated.
 2. Be an Active-NCIDQ Certificate Holder in good standing.
 3. Meet at least one (1) of the following ~~four (4)~~ five (5) criteria:
 - a. ~~Have been~~ Be an ~~Official d~~ Official Delegate or an a ~~Alternate d~~ Alternate Delegate for at least two (2) years within the ~~previous eight (8) seven (7) years; preceding the commencement of the Director's term; or~~
 - b. ~~Have been~~ Be a member of an ~~NCIDQ~~ Member Board for at least two (2) years within the ~~previous eight (8) seven (7) years; preceding the commencement of the Director's term; or;~~
 - c. ~~Have been~~ Be a member of a ~~CIDQ Council Committee~~ committee(s) or task force for at least ~~a total of~~ two (2) years within the ~~seven (7) years; preceding the commencement of the Director's term; or~~ previous eight (8) years;
 - d. ~~Have been~~ Be a member of the Council Board of Directors within the ~~seven (7) years preceding the commencement of the Director's term;~~ previous eight (8) years; or
 - ~~d.e.~~ Have been a board member of one of the following interior design

Commented [KW8]: Effective January 1, 2018, the requirement reverts back to 4 Directors. The Board and Bylaws Task Force would like to engage the Delegates in a discussion around the long-term viability of this criteria.

Commented [KW9]: Additional criteria added so as to not limit pool of applicants. The time frames on some criteria have also been adjusted to be less limiting.

professional organizations: AAHID, ASID, CIDA, IDCEC, IDEC, IDC, or IIDA within the previous five (5) years.

- B. One of the At-Large Directors shall be a Public Member Director, who serves as representative of the public. ~~The public representative shall not be, nor have been, an interior design practitioner or interior design educator.~~ This Public Member Director shall be charged to represent the public's health, safety, and welfare interest in the interior design profession. To be eligible for election to serve as the Public Member Director, the applicant shall:
1. Not be, nor have been, a practitioner or educator of interior design or architecture. ~~an interior design or architecture practitioner or interior design, or architecture educator.~~
 2. Not be, nor have been, the spouse, child, parent, or significant other of a practitioner or educator of interior design or architecture. ~~design professional or educator.~~
 3. Be unaffiliated with any Officer, Director, Council Delegate, member of Member Board (present, incoming, or immediately outgoing) or Council staff member. "Unaffiliated" shall be herein interpreted as currently not in, nor anticipated to be in, a contractual business relationship. "Business" shall be defined herein, as including, but not limited to, acting as a client, partner, employer, or employee in any endeavor for business and profit.

Section 3. Terms of Office

~~A-At-Large~~ Directors shall serve for a two-year term, unless terminated or unable to fulfill his/her term, or to complete a term of office to replace a Director prior to completion of a full term of office. ~~A-At-Large~~ Directors may be elected to serve on the Council Board of Directors for multiple a total of two terms, two of which may be, ~~but are not required to be~~ consecutive. ~~(Effective January 1, 2009)~~

At-Large Directors' terms shall be staggered. Two (2) At-Large Directors' terms will expire one year and three (3) A t - L a r g e Directors' terms, one of which is the public member, will expire the next year, ensuring continuity to the Council Board of Directors.

Section 4. Nomination of At-Large Directors

The Nominating Committee shall identify a single slate of candidates ~~nominee for each Director position~~ and shall follow established procedures for selecting candidates pursuant to the Council's Policies and Procedures ~~Manual~~.

Section 5. Election of At-Large Directors

The ~~Council Assembly~~ of Delegates, by the affirmative vote of two-thirds of all Member Boards ~~- easting ballots~~ must ~~approve a candidate~~ elect At-Large Directors for the Council Board of Directors. ~~In the event that one or more candidates is not elected,~~ ~~the~~ Nominating Committee shall resubmit alternate candidates until the ~~nominee is~~ requisite number of At-Large Directors are approved by two-thirds of the ~~Council Assembly~~ of Delegates, ~~- easting ballots~~.

Section 6. Vacancies

In the event an At-Large Director is terminated with or without cause, or is unable to fulfill his/her term, the Council Board of Directors shall direct the Nominating Committee to provide a candidate for election by the ~~Council Assembly~~ of Delegates. If the At-Large Director is the Public Member, the Council Board of Directors shall appoint a qualified Public Member to serve the remaining term. Qualifications as identified in Article IX Section 2 shall apply to persons filling vacancies. Elections must be held within 80 days from the date of vacancy.

Section 7. Removal

The Council ~~of Delegates~~ Board of Directors, by two-thirds vote ~~of all Official Delegates of all Member Boards~~, may remove an At-Large Director, with or without cause.

Section 8. Duties

The activities and affairs of the Council shall be managed by the Council Board of Directors, which shall have the right and authority to manage the affairs, property and funds of the Council and all policies and procedures of the Council. All actions taken by the Council or activities undertaken by the Council, except for Bylaw amendments and the election of Officers and Directors ~~and admission/removal of Member Boards~~, require the approval of the Council Board of Directors.

The Council Board of Directors shall exercise all authority, rights, and powers granted to it by the laws of the State of Delaware and shall perform all duties required by said laws and these Bylaws, in accordance therewith. It shall not delegate any of the authority, rights, or power or any other duties imposed upon it by these Bylaws or otherwise, unless said delegation is specifically provided for in these Bylaws.

Section 9. Meetings of the Council Board of Directors

The Council Board of Directors shall ~~actually~~ meet in regular or special meetings in order to transact business in any manner allowed applicable by law, including through electronic transmission and telephonically by means in which all persons participating in the meeting can hear each other. Any agreement made, or action taken by the Council Board of Directors unanimously or otherwise, outside of such a meeting, shall not constitute or be an action of the Council Board of Directors or the Council, nor shall it be binding on any Director unless such action is taken by the unanimous written consent of all Board Members.

Regular meetings of the Council Board of Directors shall be held at such time and place as the Board may determine. Special meetings of the Board of Directors may be called by the President at his/her discretion at any time, but it shall be the duty of the President to call such a meeting at any time that he/she is requested to do so by the written request of five members of the Council Board of Directors who shall specify therein the purposes of such special meeting. Notice of any special meeting shall state the purpose or purposes thereof and no other business shall be transacted at any such special meeting. ~~Not less than five days notice of any regular or special meeting shall be given to each Director by mail, telefax, wire, or computer communications (e-mail) with return receipt requested, in each instance specifying time and place of the meeting and where required the special purpose or purposes thereof. All Directors shall be given due notice in writing of the time and place of all meetings.~~

~~Except as set forth below, the~~ The Council Board of Directors must ~~actually~~ meet to act on behalf of the Council. The President and/or President-Elect and three (3) At-Large Directors must be

present for any regular or special meeting of the Council Board of Directors ~~for there to be a quorum~~. The Executive Director shall ensure that the ~~Minutes~~ minutes of all meetings of the Council Board of Directors are recorded. In the absence of the Executive Director, the President shall designate one of the Directors to ensure that the minutes of all meetings of the Council Board of Directors shall be recorded.

~~Whenever, in the judgment of the President, business of the Council so requires, the Council Board of Directors shall be authorized to meet by utilizing telephone or video conferencing facilities. All members of the Board shall be given at least two days prior notice of any such meeting, with such notice to be given either by telephone, fax, wire, or computer communications (e-mail) with return receipt requested. The Executive Director or his/her designee shall participate in any such telephone or videoconference unless such conference is deemed by the President to be confidential. The Executive Director shall ensure that the written minutes of such telephone or videoconferences shall promptly thereafter be distributed to all members of the Council Board of Directors.~~

Each ~~At-Large~~ Director and voting Officer shall be entitled to one vote at any ~~regular, telephone or video conference or special~~ meeting of the Council Board of Directors, and any action taken by the Council Board of Directors ~~where a quorum is present~~ shall require the affirmative approval of three (3) Directors who are present and voting.

At all meetings of the Council Board of Directors, the President, or in his/her absence, the President-Elect shall preside.

ARTICLE X – COMMITTEES ~~AND TASK FORCES~~

Section 1. ~~Authorization and Appointment of Committees and Task Forces~~

Committees ~~and task forces~~ may be established to perform services for the Council. The Council Board of Directors, upon a majority vote, shall create such committees and task forces that it deems in its own discretion appropriate; however, there shall always be a Nominating Committee.

~~Such committees or task forces may be appointed from time to time to perform special and limited functions as assigned.~~ The President shall appoint the committee and task force ~~members~~ chairs.

The Council Board of Directors may delegate to any of its ~~Officers~~ members the authority to supervise the work of any of the committees ~~or task forces~~. ~~The President shall have the power to make appointments of any unfulfilled or vacant committee membership.~~

The Council Board of Directors may at any time discontinue a committee ~~or task force~~, other than a standing committee established in the Bylaws, or make any changes in a committee's ~~or task force's~~ personnel without regard to the terms of appointment of the committee ~~or task force~~ members.

~~Section 2. Reports of Committees~~

~~Each committee shall report in writing annually to the Council Board of Directors at least 90 days prior to the Annual Meeting for inclusion in the Pre-Annual Meeting Report and, further, shall make interim reports to the Council Board of Directors as directed. Such reports shall be filed with the President with a copy to the Executive Director.~~

Commented [KW10]: Being moved to policies and procedures.

Section ~~23~~. General Procedure of Committees and Task Forces

Every committee or task force shall perform in accordance with these Bylaws and with the directions of the Council Board of Directors. With the approval of the Council Board of Directors, every committee or task force may call and hold meetings and meet with other organizations or their representatives.

No committee or task force, or any member or chairperson thereof, member shall incur financial obligations unless funds have been properly appropriated therefore and specific authorization has been given by the Council Board of Directors. No ~~member or chairperson~~, or any committee or task force member, shall contract, bind, commit, encumber, or represent the Council orally or otherwise to any matter unless specifically authorized to do so.

Section ~~34~~. Terms of Committee and Task Force Appointments

The term of committee appointments shall expire at the end of the calendar year during which the appointment was made, except as otherwise directed by the Council Board of Directors.

Section ~~45~~. Standing Committees

The following committees are hereby authorized as basic to proper functioning of the Council:

A. Nominating Committee

The Nominating Committee shall:

1. Be composed of the most Immediate Past—President, defined as the most recent past—president whose term has been completed on the Council Bboard of ~~d~~irectors, one current Delegate or Alternate Delegate, one current standing-committee or task force chair, and one current sitting board member At-Large Director (excluding the Past President and President). All members of the Nominating Committee shall be voting members. ~~No other members are permitted in any capacity. [The members shall have knowledge of the Council's Member Boards and their concerns, the Council's history and leadership pool.]~~
2. Be ineligible for nomination to office and ineligible for nomination to the Council Board of Directors.
3. Have a chairperson appointed by the President no later than August-December 31st of the preceding year.
4. Be responsible for providing a slate of Officers and At-Large Directors as required in these Bylaws and pursuant to the Nominating Committee policies and guidelines.

B. Examinations Committee(s)

The Examinations Committee(s) shall:

1. Be responsible for the development and grading of the examinations.
2. Be responsible for the improvement of the process and other duties as determined by the Council Board of Directors.
3. Consist of a chairperson that is a Certificate Holder and if domiciled or employed in a jurisdiction where interior design is regulated be a licensed, registered, or certified interior designer.

Commented [KW11]: The only committee appearing in the bylaws should be ones essential to organizational operations, i.e. "standing committees". The removal of some of the below is not a commentary on their value, but a thinning of the list based on what committees are essential for operations, pushing the others to policies and procedures.

Commented [KW12]: This sentence being moved to policies and procedures.

C. Finance Committee

The Finance Committee shall:

1. Review the strategic plan of the Council and develop the annual work plan and budget for presentation to the Council Board of Directors.
2. Monitor all financial matters, including investments.
3. Perform other duties as determined by Council Board of Directors.

~~_____ Policies and Procedures Committee~~

~~The Policies and Procedures Committee shall:~~

- ~~0. Review and recommend changes where appropriate to the policies and procedures of the Council.~~
- ~~0. Perform other duties as determined by the Council Board of Directors.~~

~~D. _____ Council of Past Presidents~~

~~The Council of Past Presidents shall:~~

- ~~0. Act as a senior advisory board to the Board of Directors of NCIDQ and the Organization as a whole. They may take on certain projects for the benefit of the Organization and the advancement of the interior design profession as assigned by the President of NCIDQ. They will have no authority to assume the direction of the Council from the Board of Directors.~~
- ~~0. Be composed of all retired Past Presidents of the Board of Directors who are in "active" status with their Certificate. The most recent Past President acts as Chair for one year. If the Past President is unwilling or unable to assume the office, the Chair shall be elected from the Council of Past Presidents by the Council of Past Presidents.~~

~~Section 6. Committees of Special and Limited Function~~

~~Such committees may be appointed from time to time to perform special and limited functions as assigned. The committee members shall be appointed by the President.~~

ARTICLE XI – COUNCIL SERVICES TO MEMBER BOARDS

~~In order to~~To accomplish the objectives of this Council, as stated in Article IV of these Bylaws, as recognition of the privilege and responsibility of membership in the Council, every Member Board shall be required to accept the actions and decisions of the Council and Council Board of Directors. This acceptance shall extend to all of the following Council services provided to Member Boards to the greatest extent permitted within the context of their individual ~~state/provincial~~jurisdictional laws.

A Member Board that does not adhere to the Council Bylaws, upon action taken by the Council, may have its membership rights revoked and no longer be entitled to any Council services or other rights and privileges of membership in the Council. The Council shall retain all membership dues paid by such Member Board.

Section 1. Examination

The Council shall produce examinations designed to test the knowledge, skills, and abilities required for the competent practice in interior design and shall issue appropriate description material on the examination for use by the Member Boards and candidates. The procedures and fees shall be established by the Council Board of Directors.

Section 2. Council Certificates

The Council Certificate carries the recommendation that an applicant, because of having demonstrated minimum competency by passing the Examination, be accorded favorable consideration by any Member Board to which that person may apply for registration, licensing, certification, or membership.

Section 3. Forms and Documents

~~In order to~~To ensure uniformity in the reporting of an applicant's education, experience, registration (if applicable), and other necessary supporting examination data for determining eligibility for examination or reciprocal licensure, the Council shall study, prepare, and distribute forms and documents appropriate for use by the Council, Member Boards, and applicants.

Section 4. Research

The Council, ~~through work of committees, shall~~ may engage in research pertinent to all matters relating to legal registration-recognition of interior designers and the practice of the profession of interior design.

ARTICLE XII – COUNCIL SERVICES TO MEMBERS OF THE INTERIOR DESIGN PROFESSION

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~~ARTICLE XII – COUNCIL SERVICES TO MEMBERS OF THE INTERIOR DESIGN PROFESSION~~

Section 1. Council Record Maintenance

The Council shall ~~endeavor to~~ maintain an active data bank of Certificate Holders. Fees for this record maintenance are established by the Council Board of Directors and are due on ~~an annual basis~~ a schedule established by the Council Board of Directors. Applicants neglecting to remit annual maintenance fees waive the right to be maintained in the ~~ing a~~ current record.

Section 2. Council Certificate

Candidates who successfully complete the Examination receive a certificate attesting to same. Upon request by the applicant and payment of the fee stipulated, the Council will forward confirmation to any Member Board that the applicant is a Certificate Holder, provided that the Certificate Holder has maintained a current record.

~~Certificate Holders not maintaining a current record with the Council will waive the right for the Council to verify that the applicant is a Certificate Holder.~~

~~Section 3. Continuing Education Registry~~

Commented [KW13]: No longer applicable; CEU's for NCIDQ Certificate renewal are not tracked by the Council in this manner.

~~An active database is maintained relative to an interior designer's participation in continuing education programs. Transcripts are provided to those interior designers registering courses with the Council. Fees for this registry are established by the Council Board of Directors.~~

ARTICLE XIII – FINANCES, FUNDS, ACCOUNTING AND INVESTMENTS

Section 1. Dues and Fees

- A. Membership Dues. The annual membership dues from each Member Board shall be established by the Council Board of Directors.
- B. Fees. The fees for Council services and products shall be established by the Council Board of Directors.

Section 2. Operating Fund

- A. All dues from Member Boards and all other receipts from activities of the Council shall be placed in the operating fund of the Council. The operating fund of the Council shall be administered by the President-Elect who, with the approval of the Council Board of Directors, may delegate certain responsibilities.
- B. General Budget. ~~As soon as feasible prior to~~ At the Council Board of Directors Meeting concurrent with the Annual Meeting, the Council Board of Directors shall adopt a general budget, which shall ~~show document~~ the anticipated income and expenditures for the next fiscal year. Financial statements will be provided by the Finance Committee and reviewed regularly by the Council Board of Directors and audited annually by an independent auditor for accuracy. The budget shall show in detail:
 - 1. The anticipated gross income and net income from all sources during the fiscal year; and
 - 2. The expenditures estimated as incidental and necessary to ~~pay all costs and expenditures of publishing, printing and distributing documents and literature; all costs and expenses of developing, establishing, conducting, directing, supervising, administering, and carrying~~ on the activities and affairs of the Council in a proper, diligent, and efficient manner.
- C. Authority to Expend and Disburse Money. No Officer, At-Large Director, committee or task force chair or member, or employee of the Council shall have the right, authority, or power to expend any money of the Council, to incur any liability for and on its behalf, or to make any commitment which will or may be deemed to bind the Council in any expense or financial liability, unless such expenditure, liability or commitment has been properly incorporated into the budget and authorized by the Council Board of Directors in the manner herein set forth, and the Council Board of Directors has made an appropriation to pay the same. All checks shall be signed by an authorized representative or representatives as directed by the Council Board of Directors.
- D. Fiscal Year. The fiscal year and the administrative year of the Council, which may or

may not be concurrent, shall be determined by the Council Board of Directors.

Section 3. Securities and Investments

The Council Board of Directors shall have charge of the investment of all funds of the Council not held in its operating fund. It shall sell, purchase, transfer, and convey securities and exercise all rights of proxy, or participation in reorganizations, of depositing securities and similar rights of the Council with respect to its securities, or it may authorize such purchase, sales, transfers, conveyances and the exercise of any or all of said right.

The members of the Council Board of Directors shall not be personally liable for any decrease of capital, surplus, income, balance, or reserve of any fund or account resulting from any of their acts performed in good faith. The accounts of such investments shall be incorporated into the annual report to the Council.

ARTICLE XIV – INDEMNIFICATION

Commented [KW14]: Revised per legal counsel.

- A. ~~To fullest extent permitted by law, and in accordance with the terms and conditions stated herein, the Council agrees to defend and indemnify all present, former and hereafter Officers, Directors, and committee members (and his/her heirs, executors and administrators) from and against all claims, liabilities, judgments, settlements, costs and expenses, including all reasonable attorneys' fees, imposed upon or reasonably incurred by him/her in connection with or resulting from any action, suit, proceeding or claim to which he/she is or may be made a party by reason of his/her being or having been an Officer, Director or committee member of the Council (whether or not a Director or Officer at the time such costs or expenses are incurred by or imposed upon him/her), except in relation to matters as to which he/she shall have been finally judged in such action, suit or proceeding to be liable for gross negligence or willful misconduct in the performance of such duties as Director, Officer or committee member. Any present or former At-Large Director, Officer, employee, or agent of the Council, or other such persons so designated in the discretion of the Council Board of Directors, or the legal representatives of such person, shall be indemnified (including advances against expenses) by the Council against all judgements, fines, settlements, and other reasonable costs, expenses, and counsel fees paid or incurred in connection with any action, suit, or proceeding to which any such person or his legal representative may be made a party by reason of his being or having been such a Director, Officer, employee, or agent if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the Council, and, with respect to any criminal action or proceeding, had no reasonable cause to believe the person's conduct was unlawful and to the extent authorized by the Council Board of Directors. No indemnification or advance against expenses shall be approved by the Board or paid by the Council until after receipt from legal counsel of an opinion concerning the legality of the proposed indemnification or advance.~~
- B. As a condition precedent to any defense and/or indemnification the individual seeking indemnification must provide written notification to the Council within 15 calendar days after notice of said action, suit, proceeding or claim. At the time of written notice to the Council, the Council shall, in its sole discretion, have the right to either appoint an

independent counsel to take over the defense of the claim, pursuant to the approval by the Council Board of Directors and any insurance carrier, or deny a defense to the individual at that time and reimburse the individual after final judgment, if so required.

~~C. In the event of a settlement, the indemnification shall be made only if the Council shall be advised by independent counsel to be appointed by the Council Board of Directors, that in the independent counsel's opinion such Director, Officer or committee member was not guilty of gross negligence or willful misconduct in the performance of his/her duty, and in the event of a settlement, that such settlement was or is in the best interest of the Council.~~

ARTICLE XV – AMENDMENTS

These Bylaws may be amended at any special or annual meeting of the ~~Council Assembly of Delegates~~ by resolution submitted to the Member Boards not less than 75 days prior to the meeting at which the resolution is to be considered. An affirmative vote by not less than two-thirds of all the Member Boards shall be required to secure adoption of any amendment to these Bylaws. ~~There shall be no voting by proxy.~~ All amendments so adopted shall become effective immediately, unless otherwise specified.

TBAE EVENT CALENDAR 2016

JANUARY

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01 New Year's Day (*Agency Closed*)
07 CLARB MBE Committee Meeting
15 NCARB 2016 MBE Engagement Sessions – San Francisco, CA
18 M.L. King Day (*Agency Closed*)
19 Confederate Heroes Day (*Skeleton Crew*)

JULY

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04 Independence Day (*Agency Closed*)
25 Exec Leadership Program for Regulators/Driving Results for Regulatory Effectiveness – Denver, CO (*Julie*)

FEBRUARY

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04 New Board Member Orientation
13 NCARB S. Conf. Educators & Practitioners Conference New Orleans, LA
15 Presidents Day (*Agency Closed*)
23 Rules Committee Meeting
24 Board Workshop – Strategic Planning/Reception Dinner
25 Board Meeting – CEO NCARB Visit

AUGUST

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2 BOAT Annual Conference Sugarland, TX (*Aug 2-5*)
5 NCARB 2016 Licensing Advisors Summit – JW Marriott, Chicago, IL
11 METROCON16 Expo & Conference Dallas, TX
17 Board Meeting – FY17 Budget/ED Annual Performance Review

MARCH

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02 Texas Ind. Day (*Skeleton Crew*)
10 NCARB MBE Workshop/
11-12 NCARB Regional Summit Hyatt Regency Savannah Savannah, GA
25 Good Friday (*4 hrs. Skeleton Crew*)

SEPTEMBER

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01 Advanced TX Admin Law Seminar *Julie – UT School of Law*
05 Labor Day (*Agency Closed*)
22 CLARB Annual Meeting Westin, Philadelphia, PA
29 2016 LRGV-AIA BCC Conference South Padre Island Convention

APRIL

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21 San Jacinto Day (*Skeleton Crew*)
28 2016 Texas ASLA Annual Conf. Fort Worth Convention Center

OCTOBER

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28 NCARB MBC & MBE Summit (*Julie & Debra*) Columbus, OH

MAY

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02 Personal Financial Statement electronic filing due to The Ethics Commission NLT May 2
30 Memorial Day (*Agency Closed*)
25 ED Performance Review Committee Meeting
25 Rules Committee Meeting

NOVEMBER

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03 TxA Conference, San Antonio, TX
11 Veterans Day (*Agency Closed*)
11 2016 CIOQ Council of Delegates Annual Meeting, Ft. Lauderdale, FL
23 TBAE Holiday (*Skeleton Crew – 4 hrs.*)
24 Thanksgiving Day (*Agency Closed*)
25 Day after Thanksgiving (*Agency Closed*)

JUNE

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15 NCARB Annual Business Meeting Fairmont Olympic Hotel Seattle, WA

DECEMBER

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01 Board Meeting
09 NCARB Committee Summit (*Julie*) Miami, FL
23 TBAE Holiday (*Agency Closed*)
26 Day after Christmas (*Agency Closed*)
27 TBAE Holiday (*Agency Closed*)
28 TBAE Holiday (*Skeleton Crew*)
29 TBAE Holiday (*Skeleton Crew*)
30 TBAE Holiday (*Skeleton Crew*)

TBAE Event Calendar 2017

- 02 New Year's Day Holiday
- 10 Legislative Session
Convenes
- 16 M.L. King Day
- 19 Confederate Heroes Day
(Skeleton Crew)

JANUARY						
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- 04 Independence Day

- 16 Board Meeting - Member Training
- 20 Presidents Day
- 04 CLARB MBE Committee Meeting
(New York, NY)

FEBRUARY						
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- 17 Board Meeting
*FY18 Budget Approval/
EO Annual Performance
Appraisal*
- 08 Bldg. Officials Assoc. of TX
(BOAT) Conference
Hilton, Dallas
- 21 First Day of School

- 02 TX Independence Day
(Skeleton Crew)
- 08 NCARB Regional Summit
(Jersey City, NJ)
- 13 Spring Break

MARCH						
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- 04 Labor Day
- 14 2017 CLARB Annual Meeting
Boise, Idaho
- TBD 2017 LRGV-AIA BCC Conf.
(South Padre Island)

- 14 Good Friday *(4 hrs. Skeleton Crew)*
- 21 San Jacinto Day *(Skeleton Crew)*
- 25 ASLA TX Conference
Palmer Event Center, Austin, TX

APRIL						
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- 01 Personal Financial
Statement electronic filing
Due to the Ethics
Commission
- 29 Memorial Day

MAY						
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- 08 Board Meeting
- 09 TxA Conference, Austin, TX
- TBD 2017 CIDQ Council of
Delegates Meeting
- 11 Veterans Day
- 23 Thanksgiving Day
- 24 Day after Thanksgiving

- 01 Last day of School
- 08 Board Meeting
- 19 Emancipation Day *(Skeleton Crew)*
- 08 Regional Summit
(Jersey City, NJ)
- 21 NCARB Annual Business
Meeting *(Boston, MA)*

JUNE						
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- 24 Christmas Eve
- 25 Christmas Day
- 26 Day after Christmas