



BYLAWS

Effective January 1, 2024

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**ARTICLE I
NAME, PUBLICATIONS, BOUNDARIES**

1.1 Name:

The name of this association shall be the KANSAS OCCUPATIONAL THERAPY ASSOCIATION, hereinafter referred to as KOTA.

1.1.1 This association shall operate as an affiliate of the American Occupational Therapy Association, hereinafter referred to as AOTA, compliant with the rules and regulations set forth by the bylaws of AOTA.

1.2 Publication:

The official publication of the association shall be a newsletter.

1.3 Geographical Boundaries:

KOTA shall encompass the geographical boundaries of the state of Kansas and the greater Kansas City metropolitan area.

**ARTICLE II
OBJECTIVES**

2.1 The objectives of the association shall be:

- a) Improve and advance the practice of occupational therapy.
- b) Improve and advance the education and qualifications of occupational therapy practitioners.
- c) Maintain accepted standards of professional performance in occupational therapy.
- d) Foster research and the study of occupational therapy.
- e) Engage in other activities to further the dissemination of knowledge of the practice of occupational therapy.

**ARTICLE III
MEMBERSHIP**

3.1 Member in good standing:

- a) A member in good standing is a person whose dues are currently paid for the appropriate membership category.
 1. Shall maintain good standing with Kansas State Board of Healing Arts (KSBHA) and the regulations and statutes pertaining to occupational therapy.
 2. Shall be automatically dropped from membership if fees are not paid by the renewal date.
 3. Full membership shall be reinstated upon payment of any dues owed that are not current.
- b) Rights and Privileges:
 1. Shall have full membership rights and privileges as outlined in Section 3.2 of these bylaws.
- c) Membership Fees. The KOTA board shall determine the biennial fees for all classes of membership.
- d) Membership Cycle. Starting April 1, 2025, KOTA's membership cycle shall coincide with the KSBHA continuing education cycle. Dues paid at any time during the cycle shall secure a membership through the end of that cycle.

3.1.1 Occupational therapist, hereinafter referred to as OT; occupational therapy assistant, hereinafter referred to as OTA; and (collectively) occupational therapy practitioner, hereinafter referred to as OTP: One who

holds a current, valid license issued by the State of Kansas or any affiliated compact state to practice occupational therapy. Members who are currently on active duty in the armed forces and working in a military medical facility will not be required to have a Kansas license.

a) Rights and Privileges:

1. May vote on the affairs of KOTA.
2. May hold any office or chair for which the member is eligible.
3. May serve on committees and be appointed committee chair.
4. Shall receive publications of KOTA.
5. Shall have reduced rate for attendance to KOTA-sponsored continuing-education events when that rate is offered.

3.2 Membership Categories:

3.2.1 Occupational therapy student, hereinafter referred to as OTS:

One who is enrolled in a developing/accredited OT or OTA program in the state of Kansas or the greater Kansas City metropolitan area working toward a first OTP degree. Membership as an OTS extends until successful completion of the certification examination. In determining membership status, those qualified as an OTP and who are engaged in advanced or continuing education are not classified as students.

a) Rights and Privileges:

1. May vote on the affairs of KOTA.
2. Is not eligible to hold elected office.
3. May serve on committees, except as chair, unless a student committee is formed.
4. Shall receive publications of KOTA.

3.2.2 Retired:

One who is of retirement age of 65 or older who is no longer providing OT services.

a) Rights and Privileges:

1. Shall have full membership privileges as outlined in Section 3.1 of these bylaws.
2. Shall not be required to maintain a current valid license to practice OT in the state of Kansas.

3.2.3 Disabled:

One who is disabled and unable to provide OT services for a period longer than one year.

a) Rights and Privileges:

1. Shall have full membership privileges as outlined in Section 3.1 of these bylaws.
2. Shall not be required to maintain a current valid license to practice OT in the state of Kansas.

3.2.4 Organization, Corporation, or Associate:

An individual, group, or entity interested in promoting occupational therapy but not eligible for membership under another category of 3.1.1 through 3.2.3.

a) Rights and Privileges:

1. Receives special rates on advertising, exhibit tables at conference, electronic communications, and other assistance in communicating with KOTA members.
2. Receives free KOTA publications.
3. Receives other benefits as KOTA may offer to members from time to time.
4. May serve on committees or councils, but not as the chair.
5. May not vote on the affairs of KOTA.
6. Is not eligible to hold elected office.

3.3 Membership Fees:

3.3.1 Retired Membership Fees:

Individuals designated as retired members may maintain good standing by paying dues at one half of the amount appropriate to classification of membership.

3.3.2 Disabled Membership Fees:

- a) KOTA has the option of waiving membership fees for persons who are no longer able to provide OT services because of disability.
- b) Persons seeking waiver of membership fees shall provide supporting documentation to the board of directors.

3.3.3 Cost of Membership:

- a) Membership fees are determined by the board.
- b) Fee schedules for membership classifications shall be announced to the total membership through established channels of communication and will be stated within the appropriate application forms for membership in KOTA.
- c) The KOTA board may offer incentives to increase membership.

3.4 Member Recognition:

- a) The nominations officer annually calls for nominations from the membership for recognition of achievements in support of KOTA and the community.
- b) Nominees must be members in good standing with KOTA as outlined in Section 3.1.
- c) Recognition may/may not be given annually.
- d) Recognition will be awarded at the KOTA annual conference.

ARTICLE IV MEETINGS OF MEMBERS

4.1 Regular Meetings:

- a) KOTA shall hold an annual meeting to bring matters before the total membership.
- b) The place, day, hour, and agenda of any district meeting will be published in official publications of KOTA at least twenty-one (21) days prior to the meeting date.
- c) A quorum shall exist when 5% of the voting members are present.
- d) Any items of business arising from the floor shall be referred to the board for action.

4.2 Special Meetings:

- a) Special meetings of the membership may be called by the president, a majority of the board, or by a petition of 5% of the voting members of KOTA in good standing.
- b) The purpose of the meeting must be stated, and only that business may be transacted at the meeting.
- c) The place, day, hour, and purpose of the special meeting will be announced in official publications of KOTA at least twenty-one (21) days prior to the meeting.
- d) No action may be taken in regard to the purpose of the meeting until the special meeting occurs.

**ARTICLE V
EXECUTIVE BOARD**

5.1 Elected officers of KOTA shall be the president, president-elect, vice president, secretary, treasurer, government affairs/health-care-coverage reimbursement officer, and district officers, hereinafter referred to as the executive board.

- a) The president, president-elect, vice president, secretary, treasurer, and government affairs/health-care-coverage reimbursement officer are elected positions voted on by the members of KOTA.
- b) The district officers are elected by members of their respective districts.
- c) Elected officers are the voting members of the KOTA executive board.

5.2 Eligibility:

5.2.1 Eligibility of Candidates:

- a) The nominees for president, president-elect, and vice president shall have at least one year of experience on either state or district boards.
- b) An executive board officer may reside in a border state but must be licensed to practice in the state of Kansas. Members who are currently on active duty in the armed forces and working in a military medical facility are eligible to hold an executive board position.
- c) All officers of or candidates for the executive board shall maintain their memberships in good standing with KOTA as outlined in Section 3.1.
- d) No executive board officer can concurrently hold a position as an elected officer in AOTA, a district division of KOTA, or another state's OT membership organization.
- e) The president must be a member of AOTA. The AOTA membership fee for the president will be paid for by KOTA during the president's term of office.
- f) The government affairs and health-care-coverage reimbursement officer must be a member of AOTA.

5.2.2 Eligibility of Voting Members:

- a) All voting officers must be members in good standing with KOTA as outlined in Section 3.1 of these bylaws.
- b) Voting officers may reside in a border state but must be licensed to practice in the state of Kansas.

5.3 Elections:

- a) The executive board shall be elected from a slate prepared by the nominations officer, who will present it to the membership no later than January 18.
- b) Write-in candidates must meet the qualifications as stated in Article III to be eligible for any office and provide written consent to serve if elected.
- c) The executive board shall be elected by individual vote of KOTA members by mail or electronic ballot, which is tabulated or otherwise monitored by the nominations officer.
- d) The ballot shall be electronically mailed to voting members of KOTA (a paper ballot will be mailed upon request) and returned to the nominations officer or office staff by February 17, at which time the elections shall be closed.
- e) The nominations officer or office staff shall retain all ballots until the offices are taken, after which the ballots shall be destroyed.
- f) The ballot shall state the deadline date. The election shall be closed on the deadline date at 11:59 p.m.
- g) Only ballots submitted (as verified by a time stamp or postmark) by the deadline date will be counted.

- h) In the event of a tie vote after recounting the ballots, there shall be a ballot vote by the voting members present at the regular meeting of the board of directors between February 18 and 28.
- i) All elections, including tiebreakers, shall be completed by March 1.
- j) The results shall be announced in official publications of KOTA.
- k) The newly elected officers will be notified by the president or vice president within three (3) days of finalizing the ballot counts.

5.4 Other Elections:

- a) Special elections will be conducted in the same manner as outlined in Section 5.3.

5.5 Terms of Office:

- a) No elected officer shall be eligible to serve for more than two (2) consecutive terms in the same office without a two-thirds (2/3) vote of the board. An elected officer serving more than half a term is considered to have served a full term in that office, including in the case of appointment to that office.
- b) Term of office for executive board officers shall be two (2) fiscal years.
- c) The president-elect shall serve one (1) fiscal year.
- d) All newly elected executive board officers shall assume office at the beginning of the fiscal year (April 1).
- e) The president, treasurer, and secretary shall be elected in an odd-numbered fiscal year.
- f) The vice president, president-elect, and government affairs/health-care-coverage reimbursement officer shall be elected in an even-numbered fiscal year.
- g) If a sitting president chooses to run for re-election, that person must state the intent prior to the election cycle of a president-elect.

5.6 Vacancies in Office:

- a) In the case of a vacancy in the office of president, the president-elect shall assume the vacant position and shall serve the remainder of the presidential term.
- b) When there is no president-elect, the vice president shall assume the vacant position and shall serve the remainder of the presidential term.
- c) When the vice president is unable to assume the office of president, the treasurer assumes the office of president until a special election is held for a president.
- d) In the event of a vacancy in the office of vice president, secretary, treasurer, or government affairs/health-care-coverage reimbursement officer, the president shall appoint, within thirty (30) days and with the confirmation of the executive board, a replacement to complete the term of office.

5.7 Removal:

Removal of an elected officer may be made in accordance with due process as adopted by the KOTA board through a two-thirds (2/3) majority vote of the voting members of the board for failure to maintain the qualifications for the office, neglect or failure to perform duties, or unethical professional behavior as stated in the Kansas licensure law, or regulations for practicing occupational therapy, or convicted of a felony.

**ARTICLE VI
APPOINTED OFFICERS**

- 6.1** The appointed officers of KOTA shall be the nominations officer, OTP member-at-large, membership officer, international liaison (WFOT), education officer, CEU peer review officer, and all student occupational therapy association (SOTA) representatives.

- 6.2** These officers shall perform the duties prescribed by these bylaws and other such duties applicable to the office. Appointed officers are NOT voting members at KOTA board meetings and proceedings. Positions may be appointed, dissolved, or combined based on the needs of the board or association by recommendation of the president and two-thirds (2/3) vote of the executive board.
- 6.3** One student representative shall be chosen from each OT and OTA school on a one- (1-) year term:
- a) Be a student in good standing in an accredited program in Kansas or the greater Kansas City metropolitan area.
 - b) Have completed a minimum of one (1) semester of coursework in an accredited OT or OTA program.
 - c) Be a student member of KOTA in good standing as outlined in sections 3.1 and 3.2.
- 6.4 Eligibility:**
- a) Any candidate for an appointed office must be a member of KOTA in good standing as outlined in Section 3.1.
 - b) All officers shall maintain their membership in good standing with KOTA as outlined in Section 3.1.
- 6.5 Terms of Office:**
- a) An officer serving more than half a term is considered to have served a full term in that office, including in the case of appointment to that office.
 - b) Term of office for appointed officers shall be two (2) fiscal years (April 1–March 31).
 - c) The term will coincide with the vice president’s term of office.
 - d) The president may reappoint the officer if desired.
 - e) All newly appointed officers shall assume office at the beginning of the fiscal year (April 1).
 - f) If an appointed officer must resign before completing the term of office, the officer shall notify the president in writing at least thirty (30) days before the effective date.
- 6.6 Vacancies in Office:**
- a) In the case of a vacancy in any appointed office, the president shall appoint, within thirty (30) days and with the confirmation of the board, a replacement to complete the term of office.
- 6.7 Removal:**
- a) Removal of an appointed officer may be made in accordance with due process as adopted by the KOTA board through a two-thirds (2/3) majority vote of the voting members of the board for failure to maintain the qualifications for the office, neglect or failure to perform duties, or unethical professional behavior as stated in the Kansas licensure law, or regulations for practicing occupational therapy, or convicted of a felony.

ARTICLE VII BOARD OF DIRECTORS

- 7.1** The board of directors shall comprise the elected and appointed officers of KOTA, hereinafter referred to as the board.
- 7.1.1** Voting Members of the Board:
- a) The voting members shall be the president, president-elect, vice president, secretary, treasurer, government affairs/health-care-coverage reimbursement officer, and district officers.
 - b) In the event of a tie vote, the OTP member-at-large will be accorded a vote.

7.1.2 Nonvoting Members of the Board:

- a) Nonvoting members shall be the appointed officers, as listed in Section 6.1.

7.2 Meetings:

- a) Notification of regular or special meetings of the board shall be sent via electronic means to individual members of the board not less than twenty-one (21) days prior to the meeting.

7.2.1 Regular Meetings:

- a) A quorum shall consist of two-thirds (2/3) of the voting members of the board. The quorum base number may vary if there is not a president-elect.
- b) Bimonthly board meetings will be conducted via conference call, face-to-face, or other means of electronic communication.
- c) The president will call at least one (1) face-to-face meeting annually.

7.2.2 Special Meetings:

- a) The president may call special meetings of the board at any time.
- b) The president must call a special meeting when there is a written request of two-thirds (2/3) of the voting members of the board.
- c) When business of the board must be conducted between scheduled meetings and a special meeting has not been called, an electronic voting method may be used.
- d) Minutes of special board meetings may be made available to the membership through the KOTA website.
- e) Voting may be made in person, by phone, by e-mail, or mail.

7.3 Attendance:

7.3.1 Meetings and conference calls are attended by all elected and appointed officers of the board, district officers or their appointed delegate(s), and the executive director.

- a) The AOTA representative, *ad hoc* committee chairs, consultants, and guests may be invited by the president.
- b) The president shall schedule the date and time for bimonthly (every other month) electronic or telephone conference calls and the date, time, and place of the in-person board meeting.
- c) A proposed agenda shall be prepared and distributed prior to the meeting.
- d) The board meeting will operate by Robert's Rules of Order.

7.4 Rights at Board Meetings:

- a) Voting members of the board shall have the right to make and second motions, give reports, speak to any issue, and vote.
- b) Nonvoting members of the board shall have the right to give reports and speak to any issue. The nonvoting members do NOT have the right to make or second motions for vote.
- c) Invited guests of the board of directors shall have the right to give reports and speak to issues that directly pertain to the reasons they were invited. They shall not speak to other issues unless directly requested to do so by the president.
- d) Other individuals attending board meetings do not have the right to speak to issues unless specifically requested to do so by an elected officer.
- e) Visitors who wish to speak may approach the president and request permission.

ARTICLE VIII OTHER COMMITTEES

8.1 **New Standing Committees:**

The board of KOTA may establish new committees, other than those defined in the bylaws, if deemed essential to achieving the purpose, objective, and function of KOTA.

- a) On the recommendation of the president and an affirmative majority vote by the board of directors, a new committee may be created in a trial, *ad hoc* status.
- b) A decision by the board to establish a new committee should include consideration of:
 1. Justification of the proposed committee's function and need as demonstrated by a prior committee status.
 2. The inability to provide the proposed committee's service within an existing KOTA committee as identified in the bylaws.
 3. The need for a continuing existence of the proposed committee.
- c) The total membership shall be kept informed of any considerations or plans by the board to change the existing number of committees within KOTA.
- d) One (1) full calendar year of experience and participation with the board in a trial, *ad hoc* status shall be required for the board to consider permanent establishment of a committee within the structure of KOTA.
 1. An affirmative majority vote by the board shall be required to establish a new permanent committee.
 2. A deciding affirmative vote to establish a new committee within KOTA shall require subsequent amendment of the bylaws.

ARTICLE IX SPECIAL COMMITTEES, COMMISSIONS, TASK FORCES, AND LIAISONS

9.1 **Special Committees:**

- a) Perform specific tasks at the request of the president with the approval of the executive board.
- b) Presents reports to the executive board at regular intervals and upon completion of task assignments.
- c) The committee chair is appointed by the president with confirmation of the executive board.
- d) The committee chair shall be a member in good standing with KOTA as outlined in Section 3.1 of these bylaws.

9.2 **Commissions/Task Forces:**

- a) They are established as needed to meet the annual goals or special needs of KOTA.
- b) Implements methods and coordinates efforts to accomplish annual goals and objectives.
- c) Presents reports to the board and KOTA membership at regular intervals and completion of task assignment.
- d) The commission/task force chair is appointed by the president with confirmation of the executive board.
- e) The commission/task force chair shall be a member in good standing with KOTA as outlined in Section 3.1 of these bylaws.

9.3 **Liaisons:**

- a) Establish a line of communication between special groups and KOTA.
- b) Report to KOTA membership at regular intervals.
- c) Liaisons are appointed by the president with confirmation of the executive board.

- d) Liaisons shall be members in good standing with KOTA as outlined in Section 3.1 of these bylaws.

ARTICLE X DISTRICT ORGANIZATIONS

10.1 Formation:

- a) A new district may be formed on a voluntary basis arising from the interest of a group of members who will promote the mission and objectives of KOTA.
- b) No two districts boundaries may overlap.
- c) Requests to form a district must be submitted to the board, who will review the application for compliance with established guidelines.
- d) A new district may be formed by a group of ten (10) members in good standing with KOTA that would also compose the new district.
- e) No district center may be less than forty-five (45) driving miles from another district center.
- f) Membership approval of a new district shall be by a sequential mail or electronic ballot with a simple majority received from all KOTA voting members.

10.2 Function of the District:

- a) To contribute to the overall mission of KOTA.
- b) To provide meetings at which official business is transacted.
- c) To provide continuing education activities in conjunction with or separate from regular business meetings.
- d) To disseminate information to the district or its membership.
- e) To cooperate with external organizations or agencies as necessary to maintain continued progress and growth of the district.
- f) To enhance KOTA membership through recruitment of new members.
- g) To recognize achievement of members of the district.

10.3 Description:

- a) The district may have members, officers, and committee chairpersons with such responsibilities, duties, and powers as are specified elsewhere in these bylaws and the policies and procedures of KOTA.

10.4 Membership:

- a) All members of a district shall be members of KOTA with the rights and privileges described in Article III.
- b) Members must choose to belong to one (1) district.

10.5 District Money Management:

- a) All monies of the district belong to KOTA.
- b) Fee sharing for each district is based on the fiscal year.
- c) When a district needs to access its funds, the district officer or treasurer requests funds from office staff.
- d) A yearly accounting of the status of the district treasury must be sent to the treasurer of KOTA in accordance with established procedure.
- e) The district officer submits an annual budget to the executive board treasurer according to procedures established by the board.
- f) The districts shall follow financial policies and procedures established by the KOTA board.

10.6 Dissolution of a District:

- a) A district may be terminated through a written request to the board after a majority vote of the district membership.
- b) The executive board may terminate the recognition of a district if it fails to meet the guidelines set by the board and approved by the membership.

10.7 Bylaws:

- a) The district shall be governed by these KOTA bylaws.
- b) District policies must be consistent with the bylaws, policies, and procedures of KOTA.

**ARTICLE XI
DISTRICT OFFICERS**

11.1 District Officers:

- a) The district shall have a minimum of two (2) elected officers.
- b) The position of secretary and treasurer may be held by the same person should the district choose to hold an election for these positions.
- c) These officers shall perform the duties prescribed by these bylaws and other such duties applicable to the office as prescribed by the parliamentary authority and KOTA.
- d) No district officer may concurrently hold an elected position in AOTA or organization of another state.
- e) When co-officers are elected, only one vote will be accorded to them collectively during executive board meetings.

11.2 Eligibility:

- a) Nominees for district officer must have been a member of the district for a minimum of one (1) year prior to the nomination deadline, or by a two-thirds ($\frac{2}{3}$) vote of the board.
- b) Officers must be licensed to practice in Kansas and have chosen to be a member of the electing geographical district.
- c) All officers must remain KOTA members in good standing as outlined in Section 3.1 throughout their terms.

11.3 Term of Office:

- a) The term of office for district officers shall be two (2) years, with a two- (2-) term limit unless a two-thirds ($\frac{2}{3}$) vote of the board waives the limit.
- b) Half of the districts will vote for the officer and treasurer in even years, the other half in odd years. The rotation schedule shall be maintained in the following section of these bylaws.
- c) All district officers take office at the beginning of the fiscal year (April 1).

11.4 Rotations:

- a) To ensure continuity on the board of directors, all district officers will not rotate in the same year.
- b) Greater Kansas City District and Great Plains District will hold elections for new district officer in the odd-numbered years.
- c) Capital District and Southern District will hold elections for new district officers in the even-numbered years.

11.5 Removal of an elected officer shall be made in accordance with due process as adopted by the KOTA board through a two-thirds ($\frac{2}{3}$) majority vote of the voting members of the board for failure to maintain the qualifications for the office, neglect or failure to perform duties, or unethical professional behavior

as stated in the Kansas licensure law, or regulations for practicing occupational therapy, or convicted of a felony.

ARTICLE XII DISTRICT COMMITTEES

- 12.1** District committees are established to meet the needs of the membership and work in conjunction with committees at the state level and to ensure development and implementation of programs or activities at a district level.
- 12.2** Committees are re-established at the request of the state level committee and/or to meet the needs of the district. Not all districts may have the same committees.

ARTICLE XIII ETHICS

- 13.1** KOTA supports the Code of Ethics stated in the law and regulations pertaining to the practice of occupational therapy within the state of Kansas.
- a) Any member who loses his or her license to practice shall be denied professional membership in KOTA for the duration of the suspension or termination of the license to practice.
 - b) KOTA supports AOTA Code of Ethics and its enforcement procedures.

ARTICLE XIV FISCAL YEAR

- 14.1** The fiscal year of KOTA shall be April 1 to March 31.

ARTICLE XV PARLIAMENTARY AUTHORITY

- 15.1** The rules contained in the latest edition of *Robert's Rules of Order, Newly Revised*, shall govern KOTA in all cases where they are applicable and in which they are not inconsistent with these bylaws and other special rules of order the organization may adopt.

ARTICLE XVI DISSOLUTION CLAUSE

- 16.1** Should KOTA be dissolved for any reason, the remaining assets shall be distributed for purposes within the scope of the Internal Revenue Code, Section 501(c)(6), and in accordance with the corporate statutes of Kansas.

**ARTICLE XVII
AMENDMENT OF BYLAWS**

- 17.1** Bylaws will be reviewed in years evenly divisible by seven (7) or as deemed necessary by the executive board.
- 17.2** Changes to the bylaws will be presented to the board at any regular or special meeting of the board. After a two-thirds (2/3) vote of the board, the changes will be submitted to the membership.
- 17.3** Bylaws shall be amended by an affirmative vote of the majority of members in a mail or electronic ballot.
- 17.4** The results of bylaws changes shall be printed in the official publications of KOTA.
- 17.5 Technical Corrections:**
- a) The bylaws committee shall have authority to make technical, editorial, and clerical corrections to keep the bylaws consistent without calling for a vote of the membership.
 - b) Any reasonable doubt as to whether a correction is technical, editorial, or clerical as opposed to substantive shall be resolved by submitting a motion to the board for vote.
 - c) Appendices may be added to the bylaws without calling for a vote of the membership.
- 17.6 Effective Date:**
- a) Most amendments to the bylaws shall become effective immediately upon adoption by the membership.
 - b) Any change to an elected position will become effective at the end of the current officer's term.