

NAMI OKLAHOMA, INC.

BYLAWS

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PREAMBLE

The National Alliance on Mental Illness (NAMI Oklahoma) is an organization of families, friends, and individuals directly affected by mental illness with membership consisting of individuals and affiliates from towns and communities throughout the state. NAMI Oklahoma members are joined in a united effort dedicated to the eradication of mental illness and the improvement of the quality of life of those whose lives are affected by these diseases.

NAMI Oklahoma's actions and policies shall adhere to NAMI's mission and values. Further, its actions and policies, especially in the areas of Ethics and Codes of Conduct, Conflict of Interest Compensation, Record Retention, and Whistle Blowing shall reflect NAMI Oklahoma's Policies and Procedures, as well as NAMI Standards of Excellence.

It is the mission of NAMI Oklahoma in partnership with its affiliates to improve the quality of life for children, adults, and their families who are affected by a mental illness. This will be accomplished by providing a comprehensive, cost-effective array of support, education, and advocacy services that are sensitive and relevant to the needs of families and individuals as well as promoting research for eventual cures of these diseases by:

- A. providing coordinated education and training programs that address the causes and symptoms of mental illness; working for the alleviation of mental illness through proper medical treatment and services; working to increase public awareness of the needs of individuals with mental illness; and working to dispel the stigma associated with mental illness;
- B. providing public education to increase the awareness of mental illnesses and its effects on individuals, families, and communities;
- C. providing educational and support services that are culturally sensitive and relevant to the needs of families with young children and adolescents, minorities, and other populations identified according to our mission;
- D. advocating for support of mental health services; publicizing the need for quality services, affordable housing, education, employment, and local support services; promoting the enforcement of rights of people with mental illness and their families by establishing liaisons with community organizations, volunteers, businesses, and public officials;
- E. promoting changes in the public and private mental health systems that will contribute to a higher quality of life for individuals with mental illness; working to support and develop long-term aftercare with community supports; and promoting sufficient funding for treatment, research, and service programs;
- F. continually improving the management of NAMI Oklahoma's operations and developing

- greater organizational capacity to achieve goals;
- G. working to raise sufficient funding through public and private means to maximize support of program services and achievement of organizational goals; and
 - H. promoting scientific research for cures, improved treatment options, and prevention of mental illness.
 - I. recognizing mental illnesses as biological brain disorders.

ARTICLE I

ORGANIZATION OF THE CORPORATION

Section 1 Membership

Membership will include individual/family members and open door members. Membership is for all levels of NAMI: national, state, and local affiliate.

1. Individual/Family Members

An Individual/Family Member can be a family member, consumer, or friend of a person with mental illness who accepts the mission of NAMI Oklahoma and has paid current dues to an affiliate or as otherwise provided for herein. Individual/family membership refers to both an individual or family/household.

2. Open Door Membership

Individuals may apply for membership through an open door policy. “Open Door” members are defined by income or economic necessity at the discretion of NAMI Oklahoma or its affiliates. “Open Door” members shall have all the rights and privileges of members who pay full dues.

Section 2 Affiliates

Affiliates will be formed within geographical boundaries, such as county lines. All affiliates shall include NAMI before their affiliation name to indicate affiliation with the National Alliance on Mental Illness. An affiliate is defined as a group of five or more individual members or family members who have been recommended for affiliation by NAMI Oklahoma by the NAMI Oklahoma Board of Directors and granted affiliation by NAMI.

A member may support and work in several affiliates, but shall be a voting member of only one affiliate for NAMI Oklahoma purposes.

The affiliate's activities and purposes shall not violate the following:

- (1) the limitations established in Title 18 of Oklahoma Statutes, Section 851 through 862;
- (2) the regulations of the US Internal Revenue Service as set forth in IRS Code, Section 501 c (3) regarding nonprofit corporations and specifically as set requirements for qualification as a tax exempt nonprofit corporation.

A list of the individual members of the affiliate, along with a summary of affiliate activities, shall be provided to NAMI Oklahoma in addition to the dues payment. Dues are not refundable or prorated.

Section 3 Endorsement of Affiliate Applications

NAMI Oklahoma shall consider all affiliate applications for membership. If the proposed affiliate is not endorsed within ninety (90) days of the receipt of the application, the issue will be considered a dispute, to be resolved through the provisions of Article IX of the *Bylaws*.

Section 4 Non Discrimination

NAMI Oklahoma, its member affiliates, and staff shall not discriminate against any individual or groups of individuals, either within or outside of NAMI Oklahoma, on the basis of race, color, religion, sex, age, national origin, sexual orientation, or disability in any requirements for membership or in its policies or actions.

ARTICLE II

MEMBERS' RIGHTS AND RESPONSIBILITIES

NAMI Oklahoma's board members and employees will become familiar with and adhere to NAMI Oklahoma's policy documents regarding confidentiality, knowledge of ethics, and its conflict of interest policy.

Section 1 Responsibilities

Members shall promote, advance, and support the goals, missions, and tasks as set forth in the *Bylaws* Preamble. Nothing herein shall limit in anyway any member's rights as an individual to participate in any political, business, or personal activity. A board member's term will be three years. A board member may be re-elected to serve one additional term. If a board member is appointed to fill a vacant seat, their term of the seat filled will not be applied to the total years to serve as an elected board member.

Section 2 Voting Rights

Any member in good standing shall be entitled to equal rights and privileges to nominate candidates, vote in elections, attend membership meetings, participate in deliberations, and vote upon the business of such meeting.

Section 3 Participation

Each member is strongly encouraged to attend and participate in the meetings and activities of NAMI Oklahoma. In addition, each member should be ever mindful of the power and influence of votes in deciding organizational issues.

Section 4 Rules during Business Meetings

Robert's Rules of Order Newly Revised, the latest edition shall be the parliamentary authority in conducting all meetings. Absentee ballots and proxy votes will not be permitted

Section 5 Conflict of Interest & Code of Ethics

All members of the Board and staff shall sign the "NAMI Oklahoma Conflict of Interest Statement" (Addendum 1) prior to taking office and every year thereafter. The statements will be kept on file at the NAMI Oklahoma office.

No NAMI Oklahoma Board of Director member or staff employee may be an owner, employee, or stockholder of any firm contracting with NAMI Oklahoma.

Section 6 Honoraria

When a board member speaks on behalf of NAMI to any group or organization with the president's authorization, any honoraria will be paid to NAMI.

Section 7 Confidential Materials

At the end of a board member's term of office or upon termination of an employee's employment, he or she shall return, at the request of NAMI, all documents, papers or other material that may contain or be derived from confidential information in his or her possession.

Section 8 Whistleblower

No disciplinary action shall be taken against an employee or Board member who has brought to the attention of NAMI Oklahoma governance allegations of wrongdoing or malfeasance on the part of the NAMI staff, its officers, employees, and independent contractors. The Whistle Blowers provisions will exist with reference to the codes of the current Oklahoma Whistle Blower law.

ARTICLE III

Section 1 Board of Directors

The Board will be composed of not more than eighteen (18) voting members, and not less than twelve (12) voting members. A voting board member's term of office will be three years, beginning January 1. The Board, as conferred by the Articles of Incorporation, may exercise all the powers of the corporation.

Past presidents, whose term has expired, can remain on the board ex-officio (without vote) as long as they continue to be a dues-paying member of NAMI Oklahoma

The Board is the policy tribunal of NAMI Oklahoma. The Board will set a membership dues structure that is in agreement with the dues structure established by NAMI. The board members shall attend board meetings, accept committee assignments, and provide a leadership role.

Board members shall be members in good standing. The Board shall consist of no less than 50% that are a parent, other relative, friend, or guardian of a person or persons who have or have had mental illness, or a person with a brain disorder (consumer). At least one consumer shall be a member of the board. No board member, officer, or corporate officer can be related to another board member, or a paid staff member by blood, marriage, or consanguinity.

In the event of a vacancy or open position, the board may appoint a replacement for the unexpired term of the vacancy.

Any board member may be removed for cause by a 2/3 majority vote of the board members in attendance. Such removal shall also constitute removal from the Executive Committee if applicable. Any such removal shall be without prejudice to the person so removed. Just cause for removal may be:

- non-disclosure of any conflict of interest;
- non-performance of specified duties, or membership responsibilities;
- conduct resulting in public scandal, dishonesty, or other conduct deemed inappropriate;
- unexcused absences from three consecutive board meetings; or
- prohibited relationship with staff (see Article III, Section 1, paragraph 3).

Section 2 Executive Committee of NAMI Oklahoma

The elected officers shall be a President, Vice-President/President-elect, Secretary, and Treasurer. The appointed officers shall be the Immediate Past President and Parliamentarian. The Executive Director may attend, if requested by the President. The Parliamentarian and Executive Director are non-voting members. Their term shall be for two years or until a successor has been qualified. Each officer shall be a member of the Board. The Executive Committee shall be subject to the authority of the Board and shall exercise all of the powers of the Board between meetings of the Board except electing officers, filling vacancies on the Board, or replacing Officers or board

members.

When an Executive Committee member is unable to fulfill his or her term, the Board will fill that office by electing a board member, with the exception that the Vice-President will succeed to the Presidency and the Board will elect a new Vice-President. If the Past President's position becomes vacant, it will remain vacant.

1. President

The President shall preside at all meetings of the organization: General Membership, Board of Directors, and Executive Committee meetings. The President shall appoint all committee members. The President shall be an ex-officio member of all committees except the governance committee. He/she shall call Executive Committee meetings and Board of Director meetings. The President, in general, shall exercise all powers customarily lodged in that office. The President shall authenticate by his/her signature, when necessary, acts, orders, and proceedings of NAMI Oklahoma.

2. Vice-President

The Vice-President shall perform the duties of the President during the President's absence and other such other duties as may be assigned and will succeed to the presidency in case of a vacancy in that office. The Vice-President will be considered the President Elect and will function with the President in a way to learn about the role and responsibility of the position of President.

3. Secretary

The Secretary will be responsible for assuring that timely notice is sent out prior to all meetings and will be responsible for the proper keeping of the minutes and records of NAMI Oklahoma Board of Directors meetings and minutes of Executive Committee meetings except for meetings lawfully closed to the public, and minutes other duly authorized meetings. The Secretary shall submit to each member of the Board and, upon request, each affiliate, the minutes of each meeting of the membership, meeting of the Board, within thirty (30) days following such meeting.

4. Treasurer

The Treasurer shall insure that all financial records are maintained in a manner that is in accordance with the laws of the state of Oklahoma, consistent with the Internal Revenue Codes, and generally receipted and deposited in a timely manner. An operational checking account shall be maintained. NAMI Oklahoma income and expenses shall be accounted for in a manner established by the Board and that authorized expenses shall be paid in a timely manner. The Treasurer will also ensure that financial reports and returns required by local, state, and federal agencies and by funding sources are completed and submitted in a timely manner and an annual audit, as required

by funding sources, is completed. The Treasurer will serve as Chair of the Finance Committee.

5. Immediate Past-President

The immediate Past President shall aid the President in the performance of such duties as may be assigned by the President.

6. Parliamentarian

The Parliamentarian shall be appointed by the President and shall act as advisor to the officers and the members of the organization in matters pertaining to interpretation of the Constitution and to parliamentary usage; and serve as a member ex officio, without vote, on the executive committee and Board.

Section 3 – Executive Director

An Executive Director may be employed by the Board and shall have general direction of and supervision over the day-to-day affairs of NAMI Oklahoma. The Executive Director shall execute contracts, authenticate by his/her signature, when necessary, acts, orders, and proceedings of NAMI Oklahoma. The Executive Director may delegate some of the secondary duties of the Secretary and/or Treasurer to the office staff when such assignments are prudent and economical.

ARTICLE IV

MEETINGS

Section 1 General Meetings

A general membership meeting will be scheduled each year to conduct necessary business requiring action by NAMI Oklahoma members in general. The members present at a meeting shall constitute a quorum.

When feasible, the election of board members to the Board will be conducted at this meeting. Members and affiliates will be provided a thirty (30) day notice of such meetings. Members will be notified through the NAMI Oklahoma newsletter. The affiliates shall be notified by written or electronic methods.

The Board may also call for special meetings of the general membership. Notice of all meetings of the membership shall be publicized through NAMI Oklahoma newsletters or other communications to the members stating the time and place of meetings and citing, to the extent feasible, the business to be covered. The written or electronic notice will be sent at least fourteen (14) days before the meeting.

Section 2 Board of Directors' Meetings

The Board shall meet at least four (4) times annually. Written or electronic notices of such meetings shall be sent to each board member at least seven (7) days prior to the meeting, citing the time and place of the meeting and listing the major items on the agenda. A quorum shall consist of one-half (1/2) of the members of the Board.

The President or one-third (1/3) of the board members may request a special meeting. Board members will be provided at least forty-eight (48) hours written or electronic notice of such meeting. The notice will include the time and site of the meeting and list the major items on the agenda.

Personnel matters shall only be discussed in Executive Session. In the event a single issue requires immediate action, the board members may be polled electronically and the action will be ratified at the next Board Meeting. If one-third (1/3) of the members object to a polling, no action can be taken until a meeting can be held.

Section 3 Executive Committee Meeting

The Executive Committee shall meet at the call of the President or of two other officers of the committee. All minutes of the Executive Committee except for portions lawfully closed to the public (Executive Sessions), shall be reported in writing to all board members within seven (7) days. Actions of the Executive Committee shall be subject to revocations by majority vote of the Board of Directors at their next meeting, except when legally binding commitments have been made.

Section 4 All NAMI Oklahoma Meetings

NAMI Oklahoma will act in accordance with the laws of the State of Oklahoma. Be it known that any statement in the NAMI Oklahoma ByLaws that inadvertently or otherwise conflicts with the laws of the State of Oklahoma is null and void.

ARTICLE V

STANDING AND SPECIAL COMMITTEES

NAMI OKLAHOMA will maintain standing committees as specified in ARTICLE V Sections 1-8. In addition, special committees may be formed when needed if approved by the Board. Each committee should be composed of more than one Board member, serving a two-year term.

DUTIES OF COMMITTEES

1. Governance Committee

The Governance Committee shall review the resumé and qualifications of each Board of Director

nominee and prepare a slate of nominees to be recommended to the general membership at the annual meeting. The Governance Committee will attempt to seek nominees from affiliates. The Governance Committee shall recommend a slate of officers to the Board prior to the election of officers.

2. Bylaws Committee

The Bylaws Committee will propose and accept proposed written amendments to these bylaws. The committee will review them and issue an opinion to the Board as to the acceptability of the proposed amendments.

3. Finance Committee

Each year the Finance Committee shall prepare a budget for the ensuing fiscal year. The committee will review the income and expenditures of the previous year and shall propose projected income and expenditures for the ensuing year. The expenditures shall not be greater than ninety-eight percent (98%) of the projected income. Each quarter the Finance Committee will review the income and expenditures of NAMI Oklahoma.

4. Public Policy Committee

The Public Policy committee identifies local, state, and federal public policy issues for consideration of possible action by the board. The Committee will work in coordination with the Executive Director, The Board and its affiliates.

5. Fundraising Committee

The Fundraising Committee will oversee fundraising activities including NAMIWalks and other general fundraising but excluding oversight of program grants relating to provision of services.

6. Affiliate Committee

The Affiliate Committee will help open communication and maintain a bond between NAMI Oklahoma and the state's affiliates and among the affiliates themselves. This will promote understanding of affiliate needs, highlight affiliate strengths, and aid positive outcomes.

7. Special Committees

The Board of Directors will determine the duties, duration, and subject of the special committees at the time of their formation.

ARTICLE VI

NOMINATIONS and ELECTIONS

Section 1 Board of Directors

The board of directors' members shall be elected at the general membership meeting. The call for recommendations of nominations of Board members shall be thirty (30) days in advance of the general membership meeting. The notice will also be sent by written or electronic methods to all affiliates at least thirty (30) days in advance. The notice shall include a list of the positions to be filled.

Each board position shall be numbered starting with number one (1) and ending with number eighteen (18). In 2010 positions one (1) through six (6) will come open for election. In 2011 positions seven (7) through twelve (12) will come open for election. In 2012 positions thirteen (13) through eighteen (18) will come open for election. This election cycle will continue each year so that six (6) director positions are open for election each year. In the above order, six (6) positions will continue to come open for election each year. In the event six (6) candidates are not forthcoming, the election will proceed with the available candidates.

Section 2 Written Nominations

Written nominations must be submitted to the governance committee twenty-one (21) days prior to the date of the meeting. Each nomination shall be accompanied by an application and a brief resumé of the candidate's qualifications, experience, and general information.

Section 3 Slate of Nominees

The Governance Committee shall prepare a slate of nominees to be recommended to the membership attending the general meeting.

Section 4 Officer Elections

Officer elections shall take place during the first or second Board meeting of every election year. The governance committee shall submit a recommended slate of officers to the Board at least fourteen (14) days prior to the election. The term of office of the Executive Committee members shall begin the first of July and end June 30 of the next election year.

Section 5 Nomination of NAMI OK Peer Leadership Council

On an annual basis (one year term), the Governance Committee shall nominate a consumer to serve as NAMI Oklahoma Peer Leadership Council representative and an alternate. Upon election by the Board, they shall serve as a non-voting advisor to the NAMI Oklahoma Board and a representative to the national NAMI Peer Leadership Council. If the Peer Leadership

representative or alternate is elected to the Board, he/she will have full voting rights.

If elected, the Peer Leadership Council representative is then subject to the following emendation to the nepotism requirement of Article III, Section 1: “At least one consumer shall be a member of the board. Unless the Peer Leadership representative receives approval from the Board of Directors, no consumer representative board member can be related to another board member or a paid staff member by blood, marriage, or consanguinity.

Section 6 Nomination of NAMI OK Service Member, Veteran and Their Families Council

On an annual basis (one year term), the Governance Committee shall nominate a consumer and alternate to serve as NAMI Oklahoma Service Member, Veteran and Their Families Council. Upon election by the Board, they shall serve as a non-voting advisor to the NAMI Oklahoma Board and a representative to the national NAMI Service Member, Veteran and Their Families Council. If the Service Member, Veteran and Their Families Council representative or alternate is elected to the Board, he/she will have full voting rights.

If elected, the Service Member, Veteran and Their Families Council representative is then subject to the following emendation to the nepotism requirement of Article III, Section 1: “At least one consumer shall be a member of the board. Unless the Service Member, Veteran and Their Families Council representative receives approval from the Board of Directors, no consumer representative board member can be related to another board member or a paid staff member by blood, marriage, or consanguinity.”

Section 7 Consent

Only members who have consented to serve may be nominated for election.

ARTICLE VII

USE OF NAMI NAME AND LOGO

NAMI Oklahoma acknowledges that NAMI controls the use of the name, acronym, and logo of NAMI, and that our use of the logo and name shall be in accordance with NAMI policy. Upon termination of association with or charter by NAMI, the uses of these names, acronyms, and logo by NAMI Oklahoma and its members shall cease.

ARTICLE VIII

DISPUTE RESOLUTION

Section 1 Procedure for Dispute Resolution between Affiliates/Proposed Affiliates

The Board shall mediate resolution of any dispute between affiliates/proposed affiliates that cannot be successfully resolved by agreed upon principles. The President of the NAMI Oklahoma Board shall receive written notice from the Board of Directors of the affiliate(s)/proposed affiliate(s) which are party to the dispute, and will notify the affiliate's president of the existence of the dispute and the names of the persons authorized to act on behalf of the disputants. The President of the NAMI Oklahoma Board shall investigate the dispute and work with the parties to mediate a resolution.

In the event resolution of the dispute cannot be achieved within ninety (90) days from the receipt by the President of the NAMI Oklahoma Board of written notice of the existence of the dispute, the dispute, together with the names of persons authorized to act on behalf of the affiliate/proposed affiliate, shall be referred to the NAMI Board for final and binding resolution.

Section 2 Procedure for Dispute Resolution between NAMI Oklahoma and Affiliates/Proposed Affiliates

The Board shall mediate resolution of any dispute that cannot be successfully resolved between NAMI Oklahoma and its affiliates/proposed affiliates. The President of the NAMI Oklahoma Board shall receive written notice from an ad hoc committee established from the Board of Directors of the affiliate(s)/proposed affiliate(s) which are party to the dispute and will notify the affiliate's president of the existence of the dispute and the names of persons authorized to act on behalf of the disputants. The NAMI Oklahoma Board President shall investigate the dispute and work with the parties to mediate resolution.

In the event that the resolution of the dispute cannot be achieved within ninety (90) days from the receipt by the President of the NAMI Oklahoma Board of written notice of the existence of the dispute, the dispute, together with the names of persons authorized to act on behalf of the affiliate/proposed affiliate, shall be referred to the NAMI Board for final and binding resolution.

Section 3 Dispute Resolution

Any NAMI Oklahoma member or board member having a dispute or complaint with the administration of NAMI Oklahoma shall first discuss the matter with the Executive Director. In the event the dispute or complaint is not resolved, it then will be submitted to the Executive Committee who will investigate the matter and seek resolution of said complaint.

If the Executive Committee is unable to resolve the dispute they will submit the matter to the Board for final resolution.

Any NAMI Oklahoma member seeking redress of disputes from sources outside NAMI Oklahoma shall be considered to have abridged their membership responsibilities.

ARTICLE IX

AMENDMENTS

Written amendments will be submitted to the Bylaws Committee. They will take them under advisement and modify them if necessary. The rejection of amendments is subject to review by the Board. If the committee approves the bylaws changes, the amendments will be submitted to the affiliates for their input at least thirty (30) days prior to a ratification vote at the next Board meeting. The ratification vote will require a 2/3 majority of the Board present and voting.

ARTICLE X

INDEMNIFICATION OF OFFICERS AND BOARD MEMBERS

No board member or officer of NAMI Oklahoma shall be liable to NAMI Oklahoma or its members for monetary damages for an act or omission in a board member's capacity as board member, except to the extent otherwise provided by a statute of the State of Oklahoma, or in the cases of gross negligence or intentional wrongdoing. NAMI Oklahoma may indemnify persons for whom indemnification is permitted by the State of Oklahoma to the fullest extent permissible under the law and may purchase such indemnification insurance, as the Board from time to time shall determine. The Board shall have the power to define the requirements and limitations for NAMI Oklahoma to indemnify board members, officers, members, or others related to NAMI Oklahoma.

ARTICLE XI

INCLUSION CLAUSE

Organizations and Affiliates shall be independent of other agencies and advocacy groups not affiliated with NAMI Oklahoma, and shall not share bylaws, articles of incorporation, or boards of directors with such other groups.

These are the current bylaws approved by a majority vote of the board members present and eligible to vote at a meeting of NAMI Oklahoma held on September 23, 2021.

President

Secretary

Addendum 1

CONFLICT OF INTEREST

WHEREAS, the proper governance of the nation's non-profit institutions depends on governing board members who give of their time for the benefit of their communities;

The giving of this service, because of the varied interests and backgrounds of the governing board members, may result in situations involving a dual interest, which might be interpreted as conflict of interest;

This service should not be rendered impossible solely by reason of duality of interest or possible conflict of interest;

This service nevertheless carries with it a requirement of loyalty and fidelity to the institution served, it being the responsibility of the members of the board to govern the institution's affairs honestly and economically, exercising their best care, skill, and judgment for the benefit of the institution; and

The matter of any duality of interest or possible conflict of interest can best be handled through full disclosure of any such interest, together with non-involvement in any vote wherein the interest is involved.

NOW, THEREFORE, BE IT RESOLVED: That the following policy of duality and conflict of interest is hereby adopted:

- 1. Any duality of interest or possible conflict of interest on the part of any governing board member should be disclosed to other members of the board and made a matter of record, through an annual procedure and when the interest becomes a matter of board action.**
- 2. Any governing board member having a duality of interest or possible conflict of interest on any matter should not vote or use his/her personal influence on the matter, and he/she should not be counted in determining the quorum for the meeting, even where permitted by law. The minutes of the meeting should reflect disclosures that are made, abstentions from voting, and the quorum situations.**
- 3. The foregoing requirements should not be construed as preventing the governing board member from briefly stating his/her position in the matter, nor from answering pertinent questions of other board members since his/her knowledge may be of great assistance.**

4. No Board of Director member shall have any pecuniary interest in serving on the governing board. This prohibition shall not prevent Board of Director members from being compensated or reimbursed for the actual amount of costs incurred while performing authorized functions by NAMI Oklahoma.

5. The governing board shall designate a person to develop, maintain and monitor a written policy, acknowledgment form, reporting form, and records and to enforce conflict of interest policies. The designee and executive director shall have the authority to appoint a qualified independent consultant on conflict of interest matters when deemed necessary.

BE IT FURTHER RESOLVED: That this policy be reviewed annually for the information and guidance of governing board members, and that any new member be advised of the policy upon entering on the duties of his/her office.

Signature acknowledges receipt and agreement to comply:

Signature: _____

Date: _____