ARTICLE I - NAME

The name of the organization shall be Nebraska Optometric Association, Inc.

ARTICLE II - OBJECT

[Revised 10/2006]
The purposes for which this Association is organized are to improve the vision care and health of the public, to promote the art and science of the profession of optometry, to enhance the professional skills of optometrists, and enhance the business environment for members. The Association shall be affiliated with the American Optometric Association for purposes stated in the constitution and bylaws of that body.

ARTICLE III - MEMBERSHIP

SECTION 1. There shall be nine classes of membership: Active, Partial Practice, Honorary, Student, Affiliate, Retired, Life, Federal Services.

SECTION 2. ACTIVE MEMBERS
Active members are optometrists who are currently licensed in the state of Nebraska, and whose dues to the Nebraska Optometric Association are up to date.

SECTION 3. PARTIAL PRACTICE MEMBERS
A licensed optometrist who works less than 16 hours per week in compensated optometrically related activities and whose dues to the Nebraska Optometric Association are up to date may be a partial practice member. Partial Practice Members may affiliate through AFOS provided the member meets the AOA requirements for AFOS membership. [Revised 9/2013]

SECTION 4. HONORARY MEMBERS
Honorary members of this Association shall be those who have performed outstanding service in the field of health, optometry, optics or have rendered a conspicuous contribution to the advancement of organized optometry.

Such Honorary membership shall first be approved at a meeting of the Board of Directors at least 15 days prior to a regularly scheduled meeting of the general
membership. Honorary membership shall be continuous but may be revoked by the Board of Directors for cause as determined by the Board of Directors.

SECTION 5. STUDENT MEMBERS
Student membership will be granted to students who apply for membership and are enrolled in an approved Optometric College or University or who are in an approved residency or internship program. Student membership may continue until the end of the calendar year in which the student has graduated and been licensed to practice or until he or she has completed a qualified residency or internship. [Revised 9/2013]

SECTION 6. ASSOCIATE MEMBERS
An individual who is not an optometrist but has a substantial interest in the profession of optometry and contributes to the advancement of the interests of this Association (a Public Associate Member), or a paraoptometric who is and continues to be sponsored by an optometrist who is a member of this Association (a Paraoptometric Associate Member), are eligible as Associate Members. Such membership shall become effective when the application is approved by the Board of Directors. [Revised 9/2013]

SECTION 7. RETIRED MEMBERS
An optometrist who has attained at least 55 years of age and who has been an active, partial practice, or federal services member and is no longer engaged in compensated optometrically related activities, who has not been approved for Life Membership, and whose dues are up to date with the Nebraska Optometric Association shall be a retired member of the association.

Individuals eligible for Retired Membership may elect to pay dues (known as Retired Members With Benefits) and be entitled to benefits as set forth in these bylaws, or may elect not to pay dues (known as Retired Members Without Benefits) and be members of this Association in name only and not entitled to membership benefits. [Revised 9/2013]

SECTION 8. LIFE MEMBERS
An optometrist who has been an Active, Partial Practice, or Federal Services member of this Association for at least 45 years; whose dues are up to date with the Nebraska Optometric Association shall be eligible for Life Membership. Such membership shall be effective upon approval of the Board of Directors, except that any member of this Association who is classified as a Life Member as of September 1, 2013 shall retain Life Member status.

Members who provide medical certification of terminal or other serious debilitative illness may request that years of membership requirement be waived for Life Membership. [Revised 9/2013]

SECTION 9. AFFILIATE MEMBERS
An optometrist who is an active member of another state association may become an affiliate member of the Nebraska Optometric Association.
SECTION 10. FEDERAL SERVICES MEMBERS
Licensed optometrist on active duty in the armed services of the United States or an active duty in the commissioned Corps of the United States Public Health Service or a full-time employee of the Veterans' Administration or other federal government entity shall be a federal services member. Such membership may continue until the end of the calendar year in which the federal services member leaves the full-time federal service.

SECTION 11. Rights and Duties of Members

A. Every member shall uphold the honor and dignity of the profession of optometry, discharge the duties of an optometrist with fidelity and integrity and observe the Code of Ethics adopted by this Association.

B. All members shall have membership rights as set forth in these bylaws except that only Active and Partial Practice Members shall be eligible to vote or to serve as elected or appointed officers or directors of the Association.

SECTION 12. The Board of Directors may, in appropriate cases, suspend or expel any member because of the revocation or suspension of the member’s license to practice optometry; the violation of any federal, state, local or other applicable law, rule or regulation relating to the practice of optometry; or the violation of the code of ethics of this Association, as the case may be. Such member may be suspended or expelled by a vote of two-thirds (2/3) of the Board of Directors. Requirements for notifying such member and opportunities for appeal and reinstatement shall be as set forth in the bylaws of the American Optometric Association. [Revised 9/2013]

SECTION 13. Members will be allowed to change membership classification only once per year. Applications for a change in membership classification submitted between January 1 and April 30 will be retroactive to the beginning of that calendar year. Applications submitted between May 1 and December 31 will be effective January 1 of the following year. No changes in classification will be accepted for prior periods or prior years. [Added 9/2013]

ARTICLE IV - DUES

SECTION 1. Dues for the Nebraska Optometric Association may be increased up to 5% annually, by the Board of Directors at the direction of the Board. Any increase above 5% annually must be approved by 2/3 of the votes cast at a general membership meeting of the Association.

NOA dues amounts shall be in addition to dues for membership in the American Optometric Association. [Revised 10/2010]
SECTION 2. Membership renewals are due January 1 of each year and are delinquent on March 1. If a member has not made either an annual payment or an installment payment under an approved payment plan by March 1, such membership shall be considered delinquent and the membership may be terminated upon action by the Board of Directors. For members paying dues on an approved payment plan, installment payments due after March 1 which are not made within 60 days of their due date shall be considered delinquent and the membership may be terminated upon action by the Board of Directors.

Notification of past due payments shall be sent to members prior to such time as their membership becomes delinquent.

SECTION 3. Members may pay dues to the Association by any periodic payment plan accepted by the Board of Directors. Member must advise the Association office of such proposed plan prior to March 1 of each year. If accepted, members shall make such payments on the stipulated dates. All payments made under such plan must be completed no later than December 1 of the current fiscal year.

SECTION 4. For the first four years of active practice, excluding military service, immediately following graduation and the issuance of Nebraska license, the following dues schedule shall prevail for Active Members:

Calendar year of licensure: Free
1st full calendar year after license is issued: 10% of NOA dues
2nd year: 20% of NOA dues
3rd year: 50% of NOA dues
4th year: 75% of NOA dues
Each year thereafter: 100% of NOA dues

A member shall only be eligible for the above schedule of reduced dues once, no matter how many times the individual may transfer from one membership classification or from another affiliated association. An optometrist licensed for four years or less, and who works 16 hours or less per week may elect to pay dues as a Partial Practice member instead under the provisions described in Section 6. [Revised 9/2013]

SECTION 5. Optometrists who transfer into Nebraska and who have been licensed for five years or more may apply for a dues reduction for the first two years of practice in the state. If approved by the Board of Directors, dues for such members shall be 50% of full Active Member dues for the first calendar year of practice in Nebraska and 75% of full Active Member dues for the second calendar year of practice in Nebraska. Thereafter, members shall pay full Active Member dues. [Added 10/2006]

SECTION 6. Dues for Partial Practice Members shall be determined in a like manner as AOA dues for Partial Practice Members. [Revised 9/2013]
SECTION 7. Honorary members, Life members, and Student members shall be exempt from payment of dues unless membership is maintained in another membership category. [Revised 9/2013]

SECTION 8. Dues for Affiliate members, Associate members, Federal Service members or for any cases not specifically covered in these bylaws, shall be determined by the Board of Directors. [Revised 9/2013]

SECTION 9. Retired Members who elect to be Retired Members Without Benefits shall be exempt from payment of dues. Retired Members who elect to be Retired Members With Benefits shall pay 50% of the AOA dues amount for such category as NOA dues. [Added 9/2013]

SECTION 10. Each member in good standing required to pay the annual NOA dues specified in Article IV may apply to the NOA Board of Directors for temporary special reduction or waiver of dues. Such waivers or special reductions are intended for periods of economic hardship that are the result of natural disasters, war, health emergencies, or other serious misfortune. Such waivers shall be reviewed at least annually by the Board of Directors. [Revised 9/2013]

ARTICLE V - OFFICERS & DIRECTORS

SECTION 1. The Board of Directors shall consist of the officers and up to nine directors.

A. The membership shall elect eight directors. These directors shall serve two-year terms, with four elected in even-numbered years and the other four elected in odd-numbered years. Such directors shall be elected at the Annual Meeting in accordance with the provisions of Article VIII of these bylaws. Terms of directors shall commence January 1 and end December 31. [Revised as of 10/97]

B. The Board, at its discretion, may elect a ninth director in order to provide representation for segments of the membership that may otherwise not be represented. Such director may be elected at the Board’s first meeting following the Annual Meeting and he/she shall serve with a term to commence January 1 and end on December 31 of that year. Such member may not serve as Secretary/Treasurer. [Revised as of 10/97]

C. In order to be an officer or director, a person must be a licensed optometrist and an Active or Partial Practice member in good standing. A member in good standing shall mean a member who is not delinquent in paying dues to this Association. [Added 10/2006]

SECTION 2. Officers shall be a President, President-Elect, Vice-President, Immediate Past President, and Secretary/Treasurer.

A. The Vice-President shall automatically succeed to President-Elect; the President-Elect shall automatically succeed to President; and the President shall automatically
become the Immediate Past President at the conclusion of their terms. [Revised as of 10/97]

B. The Vice-President shall be elected by the membership at the Annual Meeting in accordance with the provisions of Article VIII of these bylaws. A member must have served at least two years as member of the Board of Directors in order to qualify for nomination to the office of Vice-President.

C. One of the directors shall serve as Secretary/Treasurer. He/she shall be elected by the Board at its first meeting following the Annual Meeting and shall serve a one-year term as Secretary/Treasurer. Should that director’s term end prematurely through resignation, death or other removal, the Board shall elect another director to fill the unexpired portion of the one-year term as Secretary/Treasurer.

D. Officers’ terms shall commence on January 1 and end on December 31 to coincide with the Association’s fiscal year. [Added as of 10/97]

SECTION 3. The officers will serve between regular Board meetings and shall have all powers of the Board of Directors to transact business of an emergency nature in between Board meetings. All such transactions shall be reported in full at the next regularly scheduled meeting of the Board of Directors.

SECTION 4. Vacancies among officers or directors shall be filled by the Board of Directors until the next regular or special meeting of the general membership.

SECTION 5. Any officer or director who moves from the state of Nebraska during his/her term of office shall be automatically have his/her office declared vacant by action of the Board of Directors. Any officer or director who does not maintain an active membership in the association for any reason, shall be removed from the office by action of the board of Directors.

ARTICLE VI - DUTIES OF OFFICERS AND DIRECTORS

SECTION 1. The president shall preside over all meetings of the Association and board of Directors; call such special meeting as are necessary; appoint all committees and assign their duties and the duties of the various members of the Board of Directors; be an ex-officio member of all committees; certify all official acts of the Association; assign committees; and perform such other duties as are usual to the office. [Revised 11/98]

SECTION 2. The president elect shall assist the president in the performance of the function of that office, and shall make plans for the implementation of programs when he/she assumes the office of president. In the event of the inability of the president to perform his/her duties, the president elect shall assume and take over the duties of the president until such time as the president is able to resume his/her duties and the functions as president.
SECTION 3. The vice president shall assist the president in the performance of the functions of that office, and shall assist the president elect in making plans for the implementation of programs when he/she assumes the office of president. In the event of the inability of the president and president elect to perform their duties, the vice president shall assume and take over the duties of the president until such time as the president or president elect is able to resume his/her duties and functions as president.

SECTION 4. The secretary/treasurer shall see that minutes of all meetings and transactions of the association are properly recorded; shall see that all monies are received and disbursed properly by the Association; shall see that a detailed record of all receipts and an audit is prepared by a Certified Public Accountant in accordance with policies adopted by the Board of Directors; shall see that all correspondence and business is properly carried out; shall certify, in connection with the president, all official acts of the association; shall prepare a financial report to be presented at the Annual Convention; shall assume the duties of the President in the absence of the president, the president elect and the vice president; and shall, at the expiration of this term of office, deliver to his/her successor, or to such person as the Association may designate, all funds, books, records and property of the association then in his/her custody or under his/her control. [Revised 9/2013]

SECTION 5. The Immediate Past President shall act as an advisor to the Board of Directors and the various departments and committees.

The duties shall include the changeover of all departments after the annual meeting and specifically to make certain that the correspondence and records are passed on to the proper officers and committee chairmen, and assist in the department or committee reorganization.

SECTION 6. The Executive Director shall assist the President in the discharge of the duties; shall manage the office of the Association including the employment and discharge of personnel; and shall perform such other administrative functions as may be authorized by the Board of Directors.

SECTION 7. The secretary/treasurer and executive director shall be bonded if required by the Board of Directors.

SECTION 8. The Board of Directors shall transact the business of the association between general membership meetings; shall establish administrative policies covering the affairs of the association and devise and develop measures for the Association's growth; shall within 45 days after the start of the fiscal year review the financial status of the association and adopt an operating budget for the ensuing year; shall adopt and adhere to a policy addressing requirements for a regular independent audit of the Association's finances; may employ or contract for the services of an executive director and define the duties; shall appoint committees not otherwise provided for; and shall generally conduct the business of the association for the benefit of the members. [Revised 9/2013]
SECTION 9. Whenever there is a vacancy for a professional position on the State Board of Optometry which does not involve potential re-appointment of an incumbent member of the Board of Optometry, the Board of Directors shall recommend up to five active members, or the number required by Nebraska law, for the Board of Optometry, whose names shall be submitted to the Director, Nebraska Department of Health and Human Services, [Revised 10/2006]

SECTION 10. A quorum of the Board of Directors shall consist of a majority of the total official elected Board members.

SECTION 11. Any officer or director may be removed from office by a majority vote of the Board of Directors at any regular or call meeting of the Board. Removal from office may be for an offense, or for neglect of duty. The accused shall have 15 days notice of the charges filed against him/her and the date for the hearing that he/she may appear and defend themselves before the Board of Directors.

ARTICLE VII - MEETINGS

SECTION 1. There shall be an annual meeting of the association in September, October, or November for the transaction of business of the association. An educational program with clinic may be scheduled by the association at the annual meeting. [Revised 9/2003]

SECTION 2. The association at its annual meeting may fix the time and place for the next annual meeting, but if this is not done, then the Board of Directors shall be vested with such power.

SECTION 3. The Board of Directors shall prepare the call and program for the annual meeting and shall have it published in the official publication of the association, or distribute it to the association members at least 30 days prior to the date of said meeting by mail or electronic transmission. [Revised 9/2013]

SECTION 4. Action taken at association meetings in the form of motions or resolutions, after being properly adopted, shall be effective until rescinded by the association. [Revised 9/2013]

SECTION 5. For the purposes of transacting business at the general membership meeting, a quorum will consist of not less than 25 active members. [Revised 9/2013]

SECTION 6. The president shall call a minimum of three Board of Directors meeting, excluding the annual meeting. The time and place for said meetings shall be at the discretion of the president, but he/she shall give at least seven days advance notice in writing and by mail or by electronic transmission to all directors prior to any Board of Directors meetings. A simple majority of the Board of Directors shall constitute a quorum to do business. [Revised 9/2013]

SECTION 7. This association shall be governed by the rules of order prescribed in Robert's Manual. [Revised 9/2013]
ARTICLE VIII - ELECTIONS

SECTION 1. The Nominating Committee shall be appointed by the President and ratified by the Board of Directors. The committee shall be comprised of the three most immediate past presidents of the Association plus other members chosen by the President. The President may serve as an ex-officio member of the committee.

SECTION 2. The Nominating Committee shall solicit nominations from the membership for director positions and for Vice-President when the elected member has resigned, died, been removed from office or when his/her term has expired. Nominations shall be evaluated by the Nominating Committee and names and background information about qualified candidates shall be submitted to the membership no less than 30 days in advance of the Annual meeting.

SECTION 3. Nominations may be made from the floor at the Annual Meeting. If there are two or more candidates for any position, voting shall be by secret ballot.

ARTICLE IX - SOCIETIES

SECTION 1. To facilitate the activities of the association, there may be Societies. Objectives, structure, and membership in such Societies shall be determined by the Board of Directors. [Revised 9/2013]

SECTION 2. The NOA President may appoint a president or chairperson for each Society, subject to ratification by the Board of Directors. [Revised 9/2013]

SECTION 3. Societies may assess and collect dues or fees to support Society activities, subject to approval by the Association’s Board of Directors. [Revised 9/2013]

ARTICLE X - FISCAL YEAR

SECTION 1. The fiscal year of this association shall correspond with the calendar year, beginning January 1 and ending December 31.

SECTION 2. Association societies shall arrange their fiscal year to correspond with that of the state association.

ARTICLE XI - CENSURE, SUSPENSION OR EXPULSION
SECTION 1. Members may be censured, suspended or expelled upon action of the Board of Directors for what the Board deems to be just cause.

SECTION 2. The Board of Directors, before censuring, suspending or expelling a member, shall provide such member with a written copy of the accusation or charges, provide for an informal hearing wherein all facts may be presented and discussed, and a written report of the final action of the Board provided such member.

SECTION 3. The Board of Directors shall advise such member of time, date, and place he may appear personally before the Board of Directors to answer any charges or violations to be considered. Such member shall have the right to appeal the decision of the Board of Directors and said case shall be heard by the association at the next duly called association meeting following the decision of the Board of Directors. The president shall place said matter on the agenda for the association's consideration and vote, and shall transcribe all evidence available and considered by the Board of Directors. A member who has been censured, suspended, or expelled shall have the right to submit a written statement to be read to the association prior to any action taken. After the case has been presented, the association shall sustain the Board's decision or restore such member to their original position and membership. The length of a suspension period shall in each instance be determined by the Board of Directors.

ARTICLE XII - COMMITTEES

SECTION 1. The president shall appoint such committees as necessary to administer the affairs of the association and to carry out its functions in an efficient manner.

SECTION 2. A Nominating Committee shall be appointed by the president. This committee shall exist and function according to Article 8, Section 1, 2, and 3 of the Bylaws. It shall present to the association the names of Active members nominated for elective office for the ensuing year. [Revised 11/98]

ARTICLE XIII - LOCATION OF OFFICES AND RECORDS

SECTION 1. The principal location of the office of the association shall be specified by the Board of Directors.

SECTION 2. The association shall have the authority to adopt a seal and to maintain custody and use thereof at the association office.

SECTION 3. Books, records, and reports shall be filed in the association office for use and availability to the general membership.
ARTICLE XIV - AMENDMENTS

The bylaws may be amended, or new ones adopted, at the business meeting of the association by two-thirds of the votes cast, provided that thirty (30) days notice has been given to the members by mail or published in its official monthly publication, of intent to amend or present new bylaws.

amended 10/25/90
dated 4/13/91
amended 9/28/91
amended 10/4/92
amended 10/15/93
amended 10/1/94
amended 10/6/95
amended 9/22/96
amended 10/4/97
amended 11/14/98
amended 10/23/00
amended 9/27/2003
amended 10/2006
amended 10/2010
amended 9/2013