Revisions of the Bylaws

Nominating the 2004-2006 Board

Treating mental illness in Texas

Special Hispanic feature - Part 1 of 3

Last chance to make your state conference reservations

The power of language
Revisions of the Bylaws
A full set of revised rules and regulations for a non-profit organization

NOMINATING COMMITTEE
Recommendations for the 2004-2006 NAMI Board

OPINION EDITORIAL
John E. Davis, State Representative, speaks on reform in Texas

HISPANIC CONNECTION
The first article in a series of three, by Pat Caballero-Buffington

SHARED EXPERIENCE
Diana Kern, NAMI Texas Public Policy Coordinator

NAMI CONFERENCE
Registration
Includes Hotel and Airline information

THE LAST WORD
Dr. King Davis

In Memory of
Garrard Bourget – Son of Mary & Mike Forman of San Antonio
Our Thoughts and Prayers are with the Families
Bylaw Revisions

The NAMI Texas Bylaws Committee and the NAMI Texas Board of Directors submit the following Revision of the bylaws to be approved at the NAMI Texas Annual Meeting in September in Corpus Christi.

A first version of this revision was voted on at a Special Meeting on June 14. Although this first version did not have the necessary votes to pass, the current revision can still be presented to the membership for their approval. According to the process outlined in the 10th edition of Roberts Rules of Order, Newly Revised, the suggestions for amendments put forward at the NAMI Texas Presidents’ Forum in May are considered the first degree amendments to the original version, along with additional refinements by the Bylaws Committee.

The NAMI Texas Board of Directors, at its meeting on July 12, made further, or the second degree, amendments to finalize the current Revision of the Bylaws. In addition, the NAMI Texas Board of Directors voted in support of the proposed revision, as stated below.

It is important to note that this Revision of the Bylaws incorporates the inclusion of the Resolutions passed overwhelmingly by the NAMI Texas membership at the 2002 annual state meeting:

- Permitting the election of up to 25% of directors on the Board of Directors to be non-consumer or family members,
- Acknowledging the importance of consumer inclusion in everything that involves NAMI Texas and its affiliates, and
- Developing an alternate statewide mail-in voting process.

Revisions of the Bylaws of NAMI Texas, Inc. a non-profit corporation organized under the laws of Texas

ARTICLE I Organization

Section 1. Name
The name of the organization is NAMI Texas, Inc., hereinafter referred to as the Corporation, which is the nonprofit state organization chartered by NAMI.

Section 2. Location
The principal office of the Corporation shall be located in the City of Austin, County of Travis, and State of Texas.

Section 3. Purpose
The purposes for which NAMI Texas is organized are exclusively charitable and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Law.

Section 4: Mission
The mission of NAMI Texas is to enhance the lives of persons affected by serious mental illness by providing support, education and advocacy. NAMI Texas will serve as the organization to provide the guidance, coordination and resources to assure and promote the communication and education of its affiliates.

- To facilitate the establishment of a network of local support groups/affiliates. These “grass roots” affiliates will serve as influential resource components in the development of decisions that affect persons with serious mental illness in Texas.
- To establish NAMI Texas as the self-help movement that performs a consumer-constituent role and is the pivotal voice of concern for persons with serious mental illness in Texas.
- To continue to initiate and participate in a statewide education program focusing on combating stigma associated with serious mental illness.
- To promote the development of programs for improved acute care; to increase rehabilitation; and to promote independence, employment possibilities and integration into the community for persons with serious mental illness.
- To monitor, evaluate and promote improved service delivery to persons with serious mental illnesses and to recommend changes to state agencies, the legislature, and the governor.
- To train NAMI Texas members, affiliates, consumers, professionals and interested others to speak as advocates.

Section 5. Vision
The vision of NAMI Texas is to ensure acceptance of and treatment for all Texans with serious mental illness to facilitate recovery.

While retaining our grassroots values, NAMI Texas will:

- become the most effective educator in the NAMI family, reaching all persons in the state who need and will accept education and support;
- dramatically grow the membership while reflecting the ethnic mix of the state’s population;
- eliminate stigma of mental illness making Texas the most consumer-friendly state in the nation; and
- lead the way with our advocacy efforts resulting in Texas becoming the leading state in terms of quality care for persons with serious mental illness.

ARTICLE II Membership

Section 1. NAMI Texas
NAMI Texas is an open membership organization

A. Member – Definition - A member is any person who endorses the mission of NAMI and NAMI Texas and pays dues in the amount and manner established by the Board of Directors of NAMI and NAMI Texas. A member as defined above and used henceforth, shall always mean a member in good standing with his/her affiliate and with NAMI Texas as of the record date for NAMI and NAMI Texas. A membership may be one individual or a family of individuals that is counted as one membership for the purpose of paying dues and voting.

B. Affiliate - An affiliate shall be constituted with members in good standing in accordance/compliance with NAMI national’s bylaws and/or procedures. This group shall have been granted affiliate...
status by NAMI upon recommendation by the Board of Directors of NAMI Texas.

1) Affiliates shall support the mission of NAMI and NAMI Texas, and pay the annual dues in the amount and manner established from time to time by resolutions of the Board of Directors of NAMI Texas and NAMI Texas.

2) Each Affiliate shall adopt bylaws for the governance of the Affiliate to be approved by NAMI Texas. Such bylaws shall not be in conflict with the bylaws of NAMI or the bylaws of NAMI Texas.

3) Each approved Affiliate shall apply for and obtain non-profit status indicated for a registered Section 501(c)(3).

Section 2. Voting Rights
A. Members shall be voting members of an Affiliate.

B. Any member as defined in Article II section 1A shall become a voting member if dues are received by NAMI and NAMI Texas by the NAMI Texas record date.

C. A member may support and work within several Affiliates, but shall be a voting member of only one (1) Affiliate for NAMI and NAMI Texas.

D. Members shall nominate and elect members of the Board of Directors of NAMI Texas.

E. Members shall adopt and amend the Bylaws of NAMI Texas as established by the methods and formulae described in Article XV, Section 1 of the NAMI Texas Bylaws.

Section 3. Record Date
The record date for determining members who are eligible to receive notice of the annual or special meeting of the membership, to vote, and to otherwise take action, shall be sixty (60) days prior to the annual or special meeting unless the Board of Directors adopts by resolution an alternate record date. Such record date shall be not less than ten (10) days or more than sixty (60) days prior to the annual or special meeting of the membership.

Section 4. Voting Process
A. Votes cast by NAMI Texas members in good standing NAMI Texas as of the record date shall be by official secret ballot in person or by mailed ballot provided by NAMI Texas according to procedures adopted by the Board of Directors.

B. References to votes cast by Members or votes eligible to be cast by Members shall mean the votes of Members who were Members of NAMI and NAMI Texas as of the Record Date and who are present at the meeting or by mail-in ballot as determined by the number of Members who sign up for ballots at the meeting and/or ballots which have been mailed in prior to the meeting according to procedures adopted by the Board of Directors.

C. Cumulative voting shall not be permitted. Mailed ballots expire at the end of the meeting for which they were issued.

Section 5. Good Standing
For purposes of determining a member’s right to vote, a member in “good standing” shall be defined as one in which the annual dues of the member have been received by NAMI and NAMI Texas during the 12 months preceding the record date for NAMI Texas voting.

Section 6. Affiliate Membership Dues
Any affiliate as defined in Article II, Section 1B shall become/remain an Affiliate upon receipt of the annual dues of its members and certification by NAMI and NAMI Texas, as outlined in the NAMI Texas bylaws. NAMI Texas dues will be determined and assessed according to procedures adopted by its Board of Directors.

Section 7. Name
The name of each NAMI Texas Affiliate shall begin with “NAMI” followed by a geographically descriptive term such as city, county or region.

Section 8. Use of NAMI and Logo
NAMI Texas acknowledges that NAMI controls the use of the name, acronym, and logo of NAMI, and intellectual properties, and electronic properties, and that use of the logo and name by NAMI Texas shall be in accordance with NAMI policy. Upon termination of affiliation with or charter by NAMI, the use of these names, acronyms, materials and logo by NAMI Texas shall cease.

ARTICLE III – Membership Meetings
Section 1. Annual Meetings
The annual business meeting of the membership shall be held during September or October of each year. The purpose of this meeting may include the election of Board members, and the adoption of any amendments to or revision of the Bylaws. Written notice of this meeting shall be mailed to each Affiliate and each member not less than ten (10) days or more than sixty (60) days prior to the meeting. All membership business meetings shall be open meetings.

Section 2. Special Meetings
A. Special meetings may be called by the President, or by meeting any one (1) of the following three (3) requirements:

1) A written request signed by at least one-half of the Board of Directors.

2) A written request signed by Presidents of the Affiliates whose combined membership totals at least thirty five percent (35%) of the members who were members as of the last Record Date.

3) A written request signed by the Presidents of thirty percent (30%) of the Affiliates as of the record date.

B. No business shall be transacted at special meetings except as stated in the notice of the meeting. Written notices of special meetings shall be mailed not more than forty five (45) days, and not less than thirty (30) days prior to the meeting.

Section 3. Quorum
A quorum shall be established if two (2) of the following three (3) conditions are met:

A. Seventy five (75) members as of the record date are in atten-
dance at the meeting.

B. Twenty percent (20%) of the total NAMI Texas Affiliates are represented by members of their Affiliate, who have been certified to represent the Affiliate and who are present for certification, according to procedures as established by NAMI Texas. A member shall be certified to represent only one Affiliate.

C. Ten percent (10%) of the requested mail-in ballots are returned.

**Section 4. Voting**

A majority of the votes cast by members shall, except where otherwise required by law, by the Articles of Incorporation, or by these Bylaws, decide any issue brought before any regular or special meeting.

**ARTICLE IV – Board of Directors**

**Section 1. Composition**

The Board of Directors shall consist of fifteen (15) directors in number elected by the membership. Nine (9) of the fifteen (15) directors will be elected to represent the nine (9) regions of the state and six (6) will be elected at-large.

**Section 2. Qualifications**

All nominees for the Board of Directors shall be NAMI members in good standing, residents of Texas and be willing to serve their elected term/s. The board shall consist of, at least seventy-five (75) percent, persons who have or have had mental illness or their family members.

**Section 3. Nominations**

A. Nominations for all directors shall be made by the members through their Affiliates, according to procedures developed by the Board of Directors. No Affiliate may nominate more than one individual from their own affiliate for a director per election. Nominations and resumes shall be in writing and forwarded to the office of the President of the Organization and the Nominating Committee not less than ninety (90) days prior to the commencement of the next annual meeting. The office of the president shall publish the name, nominator, and resume of each individual so nominated.

B. Diversity: NAMI Texas recognizes that diversity is strength. To help in the governance of NAMI Texas, the Nominating Committee will actively seek nominations from qualified candidates:

• With mental illness;
• From under represented communities in NAMI Texas including people of varying races, disabilities, ethnicities, creeds, sex and religions;
• Who represent different geographical and political communities; and
• Who are of varying ages.

C. The Nominating Committee will prepare a slate of nominees for the Board of Directors. This slate shall include nominees in excess of the vacant positions.

**Section 4. Terms of Office**

A. Directors may serve no more than two consecutive full terms.

B. Commencing in 2004 and at each annual meeting thereafter, the membership shall elect five (5) directors: three (3) directors representing three (3) of the nine (9) regions according to procedures developed by the Board of Directors, and two (2) directors at large for a term of three (3) years or until the respective successor shall have been duly elected and qualified to succeed a director whose term will expire at the end of such meeting.

C. Those serving in the capacity of Board officers in 2003 (President, Vice President, Secretary, Treasurer) shall have the opportunity to serve an additional one (1) year period before applying for re-election as a Director.

D. The term of the immediate past President as Ex-Officio Director shall not exceed one (1) year.

E. The terms of any Officer or Director shall be extended, if necessary, until his or her successor is duly elected.

F. No two family members/relatives shall serve on the Board of Directors at the same time. No NAMI Texas employee or employee’s immediate family member shall serve on the NAMI Texas Board of Directors as a voting member.

**Section 5. Start of Term**

New Board directors will assume office at the close of the annual meeting. At the first meeting of the Board of Directors after the annual meeting (no longer than 45 days from said annual meeting), the board will elect the officers, along with an additional director to serve on the Executive Committee, from among the directors for a term of one year. Officers are eligible for reelection.

**Section 6. Vacancies**

In the case of any vacancy of one or more of the regular members of the Board of Directors, the Board of Directors shall elect the person or persons who shall fill the vacancy or vacancies until the next annual membership meeting, at which meeting the voting members shall elect the person or persons for the then remaining unexpired term or terms. In the event of a vacancy that occurs after the close of the ninety (90) day nomination period prior to an annual meeting, but still prior to the annual meeting, the Board of Directors shall elect a replacement to serve until the subsequent annual meeting (that is, the meeting that takes place after the next cycle of the nominating period). In the event of a vacancy, replacement Directors serving less than fifty (50) per cent on the unexpired term can serve the un-expired and two (2) full terms. Replacement Directors serving more than fifty (50) per cent on the unexpired term can serve the unexpired term and only one (1) full term.

**Section 7. Removal of a Director**

A. Any Director who has two (2) absences without cause from scheduled Board of Directors meetings within a twelve (12) month period and who has not notified and been excused by the President seventy two (72) hours prior to the meeting shall be removed from office.

B. Whenever in its judgment the best interests of NAMI Texas and its local Affiliates will be served thereby, any Director may be removed from office by the vote of not less than 2/3 of the total membership of the Board of Directors. (Texas Non-Profit Corporation Statutes Article 1396-2.15 - Removal of Director)

**ARTICLE V – Directors’ Meetings**

**Section 1. Regular meetings**

The Board of Directors shall meet at least twice a year at such time and place as the Board of Directors selects. Written notice shall be mailed to each member of the Board of Directors and each Affiliate not less than thirty (30) days prior to the meeting. The first Board of Directors’ meeting of the fiscal year shall be held no later than forty-five (45) days after the annual meeting.

**Section 2. Special Meetings**
Special meetings may be called by the President or by written request of at least five (5) Directors. Written notice shall be mailed to each member of the Board of Directors and each Affiliate not less than thirty (30) days prior to the meeting. The time, place, and purpose of the meeting shall be stated in the notice.

Section 3. Meeting Agenda
A published agenda shall be the order of business for all Board of Directors meetings.

Section 4. Quorum
A majority of the Board of Directors shall constitute a quorum at any meeting; and a majority of those present in either case shall have power to act in all matters, except as specifically provided to the contrary elsewhere in these Bylaws, provided, however, that no real estate of the corporation shall be sold, leased, mortgaged, or otherwise disposed of, except by resolution approved by not less than a majority of the Board of Directors.

Section 5. Governing Powers
The Board of Directors’ highest duty is to preserve and perpetuate NAMI Texas. The Board shall have the power and duty to establish policy, adopt budgets, and other powers and duties necessary or appropriate for the administrative affairs of NAMI Texas. The Directors may perform all such acts as are not designated to be done by the entire membership, or prohibited by law, the Articles of Incorporation, or the Bylaws. The Board of Directors has the authority to hire or dismiss the Executive Director/CEO, and is responsible to oversee, monitor and evaluate the Executive Director/CEO.

Section 6. Responsibilities/Duties
A. In addition to the responsibilities vested in them by these Bylaws, the directors shall be vested with the responsibility to execute the corporate purposes as stated in the Statement of Purpose contained in the Articles of Incorporation and the expressed consensus of the members. It shall be the continuing responsibility of the Board of Directors to evaluate the overall function of the organization to ensure that the purposes are being adequately served.
B. All board members are expected to be supporters of the organization—to attend and participate in meetings, to contribute financially to the extent possible, and to make investments of their time and their talents.
C. The Board of Directors shall have the final authority to resolve the interpretation of any conflicts or ambiguities in the Bylaws.

ARTICLE VI – Officers/Employees/Agents

Section 1. Designation
The officers of NAMI Texas shall be President, Vice President, Secretary, and Treasurer. Officers may only hold one office at a time. Members of the Board of Directors shall elect the officers from among the directors and they shall take office at the conclusion of the meeting in which they are elected. The term of any officer may be extended if necessary, until his/her successor is duly elected.

Section 2. Duties of Officers
A. President: The President shall have the authority for the general supervision of the affairs of NAMI Texas under the direction of the Board of Directors. The President shall appoint all standing committees (see Article VII, Section 2) and shall be an ex-officio member of all committees except the Nominating Committee and the Audit Committee, and shall exercise general oversight over the work of all committees and that of the other officers in order to assure that the objectives of NAMI Texas are executed in the best possible manner. The President shall authenticate by her/his signature, when necessary, all actions, orders, and proceedings of NAMI Texas. The President shall have such powers and perform such other duties as prescribed by these Bylaws and the Articles of Incorporation, and shall have any other powers and duties usually vested in the office of a President of a corporation. The President is authorized to appoint a parliamentarian. The President shall preside at all meetings of NAMI Texas membership and the NAMI Texas Board of Directors.
B. Vice President: The Vice President shall succeed in the presidency in case of a vacancy in that office and shall perform the duties of the President in the President’s absence or disability. The Vice President shall aid the President in the performance of such duties as may be assigned by the President.
C. Secretary: The Secretary shall keep an accurate record of the proceedings and business transactions at all meetings of the NAMI Texas membership, of the NAMI Texas Board of Directors, and Executive Committee meetings. The Secretary shall mail or submit to each Director, within thirty (30) days, a draft of the minutes of each meeting. Minutes shall be corrected and accepted at the next meeting, with the final copy distributed to the Affiliates. The Secretary or designee shall be custodian of all of the records of NAMI Texas except those that may be necessary to the President and Treasurer in the conduct of their office. All records shall be held in the NAMI Texas office. The Secretary or designee will send out notices of meetings and otherwise perform the duties and functions customarily performed by the secretary of a corporation.
D. Treasurer: The Treasurer shall have the responsibility for all monies, securities and other valuable properties of NAMI Texas. He or she shall ensure that a full and accurate account of receipts and disbursements of NAMI Texas is kept in records belonging to NAMI Texas. The Treasurer shall cause all monies and other valuable effects to be deposited in the name and to the credit of NAMI Texas in such accounts and in such depositories as may be designated by the Board of Directors. The Treasurer shall render to the President and the Board of Directors a written detailed account of the Treasurer’s transactions and of the financial transactions, whenever required by the President, the Finance Committee, or a majority of the Board of Directors. The Treasurer shall further perform such other duties as the President or Board of Directors direct, and such other duties as usually pertain to the office of treasurer.

Section 3. Executive Director/CEO
The Executive Director is the chief executive officer (CEO) of NAMI Texas under the direction of the Board of Directors and the Executive Committee. The Executive Director reports to the President of NAMI Texas, as well as to the full Board of Directors, and is responsible for the oversight of and the daily operation and management of the organization. The Executive Director/CEO has the authority to hire and dismiss employees of NAMI Texas. The Executive Director/CEO has no voting rights on the Board of Directors.

ARTICLE VII – Committees

Section 1. Executive Committee
The Executive Committee shall consist of the four (4) elected officers of NAMI Texas and one (1) other director elected from the board. The Executive Committee, by concurring consent of at least three (3) mem-
The Board of Directors shall provide for the creation of an Audit Committee, a Finance Committee, a Bylaws/Governance Committee, a Nominating Committee and other suitable standing committees and special Ad hoc committees as needed. The President shall make all appointments to such committees subject to the approval of the Board of Directors. The President, prior to approval by the Board of Directors, may form study committees. Procedures for all committees will be developed by the Board of Directors.

Section 3. Audit Committee
The President shall appoint an Audit Committee of three (3) NAMI Texas members, at least one of whom shall be a Director. The committee is responsible for the naming of an independent CPA (Certified Public Accountant) auditor who will audit the corporation books and prepare the report for presentation to the Audit Committee, then to the Board of Directors. The Audit should be completed within 120 days following the fiscal year end.

Section 4. Tenure of Committees
All committee members shall serve from appointment to August 31 or until their successors are appointed, not to exceed one (1) year. Ad hoc Committees shall be appointed by the President with approval of the Board of Directors, as the need arises, to carry out a specified task, at the completion of which it automatically ceases to exist. The President, with approval of the Board of Directors, shall appoint members.

ARTICLE VIII – Financial

Section 1. Fiscal
A. The Executive Director/CEO shall prepare an annual operating budget draft for review by the Executive Committee. Upon review, the proposed budget shall be submitted to the Board of Directors for approval prior to or at the first meeting of the Board held in the budget year.

B. NAMI Texas shall publish an annual report of activities to include prior year fiscal information and programmatic results. (TX Statutes Article 1396-2.23A Financial Records and Annual reports)

Section 2. Contracts
The Board of Directors may authorize any two (2) Officers or agents of NAMI Texas, in addition to the Officers so authorized by these Bylaws, to enter into any contact or execute and deliver any instrument in the name of and on behalf of NAMI Texas; and such authority may be general or confined to specific instances.

Section 3. Checks
All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of NAMI Texas shall be signed by such Officer or Officers, agent or agents of NAMI Texas, and in such manner as shall from time to time be determined by resolution of the Board of Directors. Payments should not exceed forty five (45) days of due date.

Section 4. Deposits
All funds of NAMI Texas shall be timely deposited to the credit of NAMI Texas in such bank, trust companies, or other depositories as the Board of Directors may select.

Section 5. Contributions
The Board of Directors may accept on behalf of NAMI Texas any contribution, gift, bequest, or devise for the general purpose or for any special purpose of NAMI Texas, according to procedures outlined in the Policies and Procedures. Any contribution, gift, bequest, or donation shall be placed in NAMI Texas General Funds, unless otherwise stipulated, and shall be dispersed by NAMI Texas through normal budget authorizations.

ARTICLE IX – Books and Records
NAMI Texas shall keep correct and complete books and records of accounts, as prescribed in the Policies and Procedures, and shall keep minutes of proceedings of its Board of Directors and committees having any of the authority of the Board of Directors. Any member, with proper written notice, may inspect the books and records in the NAMI Texas office during an agreed upon time within normal business hours, subject to maintaining confidentiality of consumer names and contributor names.

ARTICLE X – Fiscal Year
The fiscal year of NAMI Texas shall begin on the first day of September 1 and end on the last day of August of each year.

ARTICLE XI – Seal
NAMI Texas shall not have a corporate seal.

ARTICLE XII – Non-Discrimination
Neither NAMI Texas nor its Board of Directors nor any Member Affiliate shall discriminate against any person or group of persons on the basis of race, disability, ethnicity, creed, sex, religion, or age in requirements for membership, its policies or actions.

ARTICLE XIII – Waiver of Notice
Whenever any notice is required to be given under the provisions of the Texas Nonprofit Corporation Act or under the provisions of NAMI Texas Articles of Incorporation or bylaws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XIV – Parliamentary Authority
Parliamentary authority shall be the current edition of Robert’s Rules of
**ARTICLE XV – Amendments/Revisions**

**Section 1. Revision or Amendments to Bylaws**

Any NAMI Texas Member may propose revisions or amendments. Any such proposed revisions or amendments shall be submitted in writing to the Bylaws Committee and the President not less than one-hundred and twenty (120) days prior to the date of the next annual or special meeting of the membership. All proposed revisions or amendments shall be reviewed and commented upon by the NAMI Texas Board of Directors and then communicated to each Affiliate not less than thirty (30) days prior to the next meeting that a vote shall be taken. The proposed revisions or amendments, along with comments by the Board of Directors, shall also be communicated to each member either personally by mail, facsimile transmission, E-mail, or made available on the NAMI Texas website, not less ten (10) or more than thirty (30) days prior to the same meeting. A two thirds (2/3) majority of the members casting votes (Article II, Section 4, and Article III, Section 4) at an annual or special meeting shall be required to revise or amend the Bylaws. Amendments to the NAMI Texas Bylaws shall become effective immediately after the meeting in which such amendments are approved.

**Section 2. Amendments to the Articles of Incorporation**

Amendments to the Articles of Incorporation may be recommended to the members by a resolution of the Board of Directors. A vote of two thirds (2/3) of the members casting votes at an annual or special meeting shall be required to amend the Articles of Incorporation (according to procedures outlined in the Texas Non Profit Corporation Statutes).

**ARTICLE XVI – Dispute Resolution**

The Board of Directors shall be vested with authority to mediate disputes among and between Affiliates and Chapters, and between NAMI Texas and Affiliates/proposed Affiliates/Chapters.

**Section 1. Procedure for dispute resolution relative to the By-laws between Affiliates/proposed Affiliates/Chapters of Affiliates**

A. The Board of Directors shall mediate resolution of disputes relative to the Bylaws, which cannot be successfully resolved by the principals. The Board of Directors of the Affiliate(s)/proposed Affiliate(s), which are party to the dispute, shall notify the President of NAMI Texas, in writing, about the existence of the dispute. The names of persons authorized to act on behalf of the disputants will be included in the notification. The NAMI Texas President shall investigate the dispute and work with the parties to mediate a resolution.

B. In the event that resolution of the dispute cannot be achieved within ninety (90) days from the receipt by the NAMI Texas President of written notice from the Board of Directors of any member Affiliate or organizers of a proposed Affiliate, of the existence of the dispute or by agreement sooner, the dispute, together with the names of persons authorized to act on behalf of the Affiliate/proposed Affiliate, shall be referred by the NAMI Texas Board of Directors to the NAMI Board of Directors for final and binding resolution.

**Section 2. Procedure for dispute resolution between NAMI Texas and Affiliate/proposed Affiliates/Chapters of Affiliates**

A. The NAMI Texas President shall receive written notice from the Board of Directors of the Affiliate(s)/proposed Affiliate(s) which are party to the dispute, notifying the NAMI Texas President of the existence of the dispute. The NAMI Texas President shall investigate the dispute and work with the parties to mediate a resolution.

B. In the event that resolution of the dispute cannot be achieved within ninety (90) days from the receipt by the NAMI Texas President of written notice of the existence of the dispute, or by agreement sooner, the dispute, together with the names of the persons authorized to act on behalf of the disputants, shall be referred to the NAMI Board of Directors for final and binding resolution.

**ARTICLE XVII – Indemnification of Officers and Directors**

No Director of NAMI Texas shall be liable to NAMI Texas or its members for damages for an act or omission in a director’s capacity as director, except to the extent otherwise provided by a statute of the State of Texas. NAMI Texas may indemnify persons for whom indemnification is permitted by Article 1396-2.22A of Texas Non-Profit Corporation Act and may purchase such indemnification insurance as the Board of Directors from time to time shall determine. The Board of Directors shall have the power to define the requirements and limitations for NAMI Texas to indemnify directors, officers, members, or others related to NAMI Texas.

**ARTICLE XVIII**

Whenever not otherwise provided in the Bylaws, the internal affairs of the corporation shall be governed by the procedures established in the General Not-For-Profit Corporation laws of the State of Texas.

The following motion was made and passed unanimously by the NAMI Texas Board of Directors on July 12:

**MOTION.** Doug Elbert moved the Board approve these proposed revised bylaws and recommend approval by the membership including giving accolades to the three committee members, Jackie Shannon, Bill Matthews and Leroy Zweifel.

Mike Katz seconded the motion and it passed unanimously.
Sylvia DeLeon

Sylvia DeLeon is the winner of Rio Grande Valley Unit’s Student Social Worker of the Year award. Sylvia, a Valley native, graduated with a Master of Science in Social Work from UTPA in May 2003. Sylvia was previously employed as the South Texas Regional Coordinator for the National Alliance for the Mentally Ill of Texas (NAMI Texas). She believes that the issues of mental health can be strengthened with objectivity and focus and is committed to building the networks and partnerships necessary to make mental health a priority in this region.

Nina Shannon

Nina Shannon was selected by the Gulf Coast Counseling Association to receive the Humanitarian Award for her outstanding service in the field of mental health. She volunteered for three years for ACCESS (Aransas County Counseling and Educational Support Service, Inc.) serving on the board, helping to organize the administration, and as coordinator of volunteers. Shannon started the NAMI affiliate in the Rockport-Fulton area and has served as president for six years. For six years she also has been a member of the Mental Health Advisory Committee, working as president and organizing the Fun Walk For Mental Health for four years. She has assisted with classes for the mentally ill and helped to organize fundraisers.
NOMINATING COMMITTEE

NAMI Texas
Board Nominations – 2004-2006
Nomination Committee: Betty Cox, Tom Jackson and Hal Whitfield

First Vice President Candidate for the 2004-2005 Term

Your NAMI Texas Nominating committee is recommending Ed Kuny for a full term as NAMI Texas First Vice President beginning January 1, 2004 through December 31, 2005. The following is a brief biography of Ed’s background and experience. He graduated from Millikin University in 1953 and then received a commission in the Navy during the Korean War and served 7 years in the Submarine Force.

Ed and Sally’s (Ed’s wife) 44 year old son, Thomas, was diagnosed with schizophrenia some 29 years ago. Ed and Sally have both been very active in NAMI for the past 20 years. Both have served on the NAMI Dallas Board. Ed recently served as President of NAMI Dallas and earlier served as Treasurer. Ed and Sally have served NAMI Dallas well and continued guiding Thomas’ improvement in controlling schizophrenia. They helped start the Dallas Friendship Club – a “drop-in” center for local people with a mental illness.

Ed has retired from business after successfully serving 40 years and in recent years as Vice President of Directors Investment Group. The Kuny’s have moved to San Marcos and have started a Support Group within the NAMI Austin Affiliate.

Ed is now an elder in the First Presbyterian Church of San Marcos. He received training and has been commissioned as a lay Pastor in the Presbyterian Church (USA). He was installed as Pastor of the First Presbyterian Church in Luling, Texas on June 8, 2003.

Ed has successfully served as NAMI Texas First Vice President to complete the previous Vice President’s term who resigned to complete the previous President’s term.

Your NAMI Texas Nominating Committee recommends Ed Kuny and appreciates your consideration.
Board Treasurer for the 2004 Term

Douglas Elbert, nominee for a full term as NAMI Texas Treasurer, has been the Fiscal Administrator and Program Accountant for East Texas Legal Service, Inc. for some 25 years. He retired and moved to Waco this past November, 2002. He is experienced in accounting and business management, and previously served as the Executive Director of a mental health organization, Recovery, Inc., of Chicago.

Doug has a bachelor’s degree in Commercial Science/Accounting from Seattle University and has served four years in the U.S. Air Force. He has previously served as NAMI Texas Treasurer.

Doug’s experience with the mental health system is firsthand. He struggled with mental illness through his 20’s, attending 5 different colleges and universities over an 8-year period in order to obtain his first year’s college credits. However, “after psychiatric treatment and psychotherapy along with gaining self-leadership skills...he was able to go back to school and receive an accounting degree in December, 1962.” He has worked full-time in accounting and administrative management ever since.

Doug’s goals for NAMI Texas are to improve NAMI Texas’ budget and financial report formats for simpler and more complete disclosure of information; to encourage widespread participation in the NAMI Texas SEA (Support, Education, Advocacy) Fund in order to provide the organization a strong and continuing base of support; to offer his expertise and guidance in accounting and fiscal integrity to the Executive Director and the Board; and to fulfill the requirements for Treasurer as outlined in the bylaws.

We are recommending Carolyn Hamilton to serve on the Nominating Committee and would appreciate your consideration:

Carolyn became involved with mental health issues when her Son was diagnosed with Schizophrenia in December, 1992. In February, 1993, she and her husband joined NAMI West Houston, becoming a Director in 1995, then President in 1996 to present, and subsequently a teacher of educational programs (NAMI Family to Family, NAMI Texas Visions for Tomorrow, NAMI C.A.R.E.) and an advocate for the persons with mental disorders and their families.

Also, she serves as a Director of The Gathering Place, a psychosocial clubhouse for the mentally ill in Houston, is a member of the Mental Health Mental Retardation Authority of Harris County Children’s Advisory Council, member of the University of Texas-Harris County Psychiatric Center Community Advisory Committee, ChildBuilders Advisory Board, Memorial Hermann Southwest Hospital Family Advisory Committee and a Director of the NARSAD Board.

Carolyn has been married for 42 years, Mother of two Sons and Grandmother of three. The Family has traveled extensively, living in England twice as well as various parts of the U.S. She has formed and organized spouse support groups for multi-cultural expatriate families all over the world and was a Volunteer in the Public School system for 16 years.

REMINDER

Think about who you want to nominate for new regional directors.
Texas is at a crossroads in its efforts to provide care for those Texans with the most serious mental illnesses.

The crisis is driven by many factors. The U.S. Surgeon General estimates that 5 percent to 7 percent of Americans have a serious mental illness – adults with schizophrenia, bipolar disorder or severe clinical depression; and children with serious emotional disturbances.

Texas has a growing population, which means a greater number of Texans have these disorders and are likely to need help. However, since our state funding has not kept pace, our public mental health system serves marginally about one-third of those most in need. With a better understanding that many mental disorders are survivable and treatable, this has eased the homelessness that once sent persons with a mental illness to institutions to be warehoused and out of public sight.

In 1990, then-President George H.W. Bush declared the next 10 years to be “the decade of the brain.” From this focus and investment of resources, scientific information broadened our understanding of how the brain gets sick. The advent of new treatment discoveries, for the first time, brought opportunities for eventual recovery. As more and more effective medications and better treatment techniques became available, the public mental health delivery system in Texas has not kept pace. Not from the lack of effort and skill of those who deliver the care, but from underlying structural, financial and organizational problems. In an era of better treatments, Texas needs a new public policy.

Our public mental health system resembles an acute care model, primarily engaging people with a mental illness only after they fall into a crisis. It treats them through the crisis but does not remain engaged because of rationing of resources, contributing to a revolving door of crisis stabilization, relapse and crisis again. For example, in 2002 there were more than 17,000 admissions to our state mental hospitals. More than 90 percent
were under a court order of involuntary commitment, in which a judge found the person to be a danger to self or others.

In an era of better treatments, Texas needs a new public policy.

During this past legislative session, we heard from our communities – from families, consumers, law enforcement, judges – that ever-increasing numbers of persons seen in our public mental health system are ending up in our jails and prisons. The Texas Criminal Justice Council shared data with Texas legislators that showed that the state’s jails and prisons may have become the de facto mental health system, with little hope of rehabilitation. The data handed lawmakers indicated that 29,000 inmates in Texas prisons, 100,000 adults and juveniles on probation and 10,000 adults in county and city jails had some contact with the public mental health system in the past.

The biggest unanswered question is whether lack of adequate treatment helped put these persons in conflict with the law, or whether it was easier to deal with them by sending them to jail instead of treating them. The Legislature could not fix all these problems in this session, especially given financial needs that ran contrary to a budget contraction. What we did was focus on those Texans most in need of treatment and for whom treatment works best. House Bill 2292 directs that the existing state resources be available for the most seriously ill (adults with schizophrenia, bipolar disorder, severe clinical depression and children with serious emotional illnesses) using disease management practices instead of crisis strategies. Disease management calls for treating the illnesses long term instead of tackling only acute “episodes” that too often result in relapse and contact with law enforcement. Targeting funds for disease management and the serious mental illnesses will stop the current rationing of resources that is overriding good clinical judgment.

There are no easy choices. But, to do nothing because we have no new money only continues the senseless and costly tragedy that results from a failed mental health policy. This step will move Texas toward a better funded mental health system. It must be one that delivers the intensity and duration of services necessary not just to stabilize, but also to enhance the quality of life of those experiencing the most severe and persistent mental illnesses.

Davis, a Republican, represents Texas House District 129 in Houston and serves on the House Appropriations Committee.

NEWSLETTER

Through a grant from The Texas Council for Developmental Disabilities NAMI Texas has developed a manual titled “How We Can “Change Our World” by Serving on Boards and Committees”.

We are now offering training to our affiliates and consumer groups around the state for serving on boards and committees. If you would like to have this training in your area please contact the NAMI Texas office at 512-693-2000 or send an email to dianne@texami.org
“What is cultural competence?” Cultural competence is the learned behavior, traditions and customs of a minority group. In as much, I am third-generation American of Hispanic heritage and have experienced the best and the worst of both worlds; therefore, I feel I am qualified to bringing valuable information and viewpoints from the Hispanic community to the table for the purpose of developing and implementing an “Outreach Program” in the Dallas and the surrounding areas objectively.

In writing this article, I have taken great measures to pass the information from the Hispanic community on to you as delicately as possible and with the intent of not offending anyone or any culture. Unfortunately, there is no handbook written on the appropriate behavior when interacting in the Hispanic community for a non-Hispanic to use as a guideline because the rules have not been defined. Therefore, I have taken it upon myself to purpose questions to the Hispanic community and from three-generations for the purpose of making an attempt to build on cultural competence of the Hispanic community for mental health awareness and treatment programs.

In the infrastructure of the Hispanic community, there are many generations of Hispanics; however, the community is mainly comprised of first, second, and third generation of Hispanic’s who are American’s either legally or illegally, and through naturalization or by birthright. The general consensus from the Hispanic community is that it is very difficult to be bi-cultural because of the lack of peers, and role models who have over-come
diversity by paying their dues to society towards becoming an American, and paving the way for the generations that follow.

Remember, all people smile in the same language!

“Do you Speak English?”

First-generation of Hispanic’s in the community generally have a language barrier to overcome and when asked, “Do you speak English,” they will generally acknowledge your question as being a friendly gesture and they will generally smile and nod their head to be polite. However, bare in mind, the majority of the first-generation of Hispanic’s does not speak English and therefore they do not understand what you are saying? Also, remember they don’t know the rules either.

Second-generation of Hispanic’s have mastered the English language either through education, diligence, hard work and proud of it! Therefore, when asked, “Do you speak English,” they may take offense to that question because in their mind you are challenging their integrity as American’s because of the color of their skin.

Third-generation of Hispanic’s and beyond have achieved, at a minimum, a high-school level of education, and many have gone on to college and have become professionals at all levels. Therefore, the question, “Do you speak English” is taken as to mean “Are you ignorant or not?” The logic of the Hispanic of this generation is that you don’t ask a “white” person if they speak German, Russian, English, or Jewish or any other “white race” for that matter so why are you asking them. Consequently, “Do you speak English” can be construed as a racist remark or just an ignorant question for the intent of belittling the Hispanic cultural/ community/person and anger some Hispanic’s.

In as much, the viewpoint from the Hispanic community and myself is, “Stay away from that line of questioning.” Remember, all people smile in the same language! Altogether, the Hispanic community merely desires to be treated with the same respect, and consideration you would give another “white” person.

“How do you identify the various generations?” Use your common sense! However, if that fails, their general appearance and behavior is generally a give-away.

In the next issue of the Dallas-NAMI-Newsletter I will try to answer other questions you may have concerning achieving cultural competence of the Hispanic community, and please feel free to send any questions you may have to my e-mail address. It can be anonymous if you wish, but please be kind, por favor.

Patcaballeromail@aol.com

This is the first of a 3-part series. Look for parts 2 & 3 in upcoming newsletters.
Register early for conference and Save

HOTEL:
Conveniently located downtown in the Marina District, The Omni Marina Hotel is just minutes from area attractions, exciting nightlife and miles of sandy shores. Located at 707 N. Shoreline Blvd, the 20-story hotel has a restaurant, indoor-outdoor pool and exercise room. Ample free parking is available at the hotel.

The hotel will provide free van service to and from Corpus Christi’s airport. For service, call the hotel at 361/887-1600 from the airport or call to make reservations in advance. Return trips to the airport are by arrangement with the hotel.

The Omni Marina Hotel is holding a block of rooms at $80.00 single, $100.00 double, $110.00 triple and $120.00 quad per night. The cut-off date for accepting reservations into this room block is Thursday, September 4, 2003. Reservation requests received after 5:00 p.m. local time, at the Omni Marina Hotel, on the cut-off date, will be accepted on a space and rate availability basis. Check-in time is 3:00 p.m. and checkout time is noon.

All reservations must be guaranteed by a valid major credit card, which will be supplied at the time of reservation. Cancellations will be accepted prior to 12 p.m. noon local hotel time, on the day of arrival.

For more information about the hotel, call (361)887-1600 and identify yourself as attending the NAMI Texas Conference in September.

AIR:
Southwest Airlines offers up to 10% off most fares for air travel to and from the NAMI Conference with the convenience of Ticketless Travel. To qualify, call Southwest Airlines Group and Meetings Reservations at 800-433-5368 and reference the assigned I.D. Code G0115. Reservation Sales Agents are available 7:00 a.m.–8:00 p.m. Monday-Friday or 8:30 a.m.–5:30 p.m. Saturday and Sunday, Central Standard Time.

Reminder
Don’t forget to mail in your exhibitor registration

The cut-off date for accepting reservations into this room block is Thursday, September 4, 2003.
2003 NAMI Texas Conference Registration Form

Setting the Standard - Lighting the Way

September 18–20, 2003
OMNI Marina-Corpus Christi
(361) 887-1600
707 North Shoreline
Corpus Christi, Texas

Name: (to be printed on name tag)

Address:

City, State, Zip:

Daytime Phone: 
Fax:

Email address:

Please check which registration fee you are enclosing:

☐ Consumer Registration ($65)
☐ General Registration ($75)
☐ I wish to add a donation of $__________
for registration fees paid for others.
☐ Late Consumer registration 8/29/03 ($70)
☐ Late General registration 8/29/03 ($85)
☐ Thursday 9/18 Kickoff reception/Flagship
$25.00

Please check all that apply to you:

☐ Consumer
☐ Family Member
☐ Speaker/Presenter
☐ Mental Health Professional
☐ Exhibitor/Sponsor
☐ Member NAMI ________

Special Dietary Needs
☐ Vegetarian ☐ Diabetic

REGISTRATION FEES MUST BE POSTMARKED BY AUGUST 29, 2003. AFTER AUGUST 29, 2003 AN ON-SITE
REGISTRATION WILL BE CONSUMER $70 AND GENERAL $85.

CANCELLATION POLICY:

All Cancellations must be received in writing no later than August 29, 2003. All monies will be refunded
minus a $25.00 processing fee. After August 29, 2003, NAMI Texas will make no partial or full refunds
for cancellations or failure to attend the program.

Return registration form to:
NAMI/MGA Inc.
606 N. Carancahua, Suite 1500
Corpus Christi, TX 78476

Phone /Fax:
(361) 225-4500
(361) 225-4505(fax)

Charge your registration - Visa, Master Card, American Express:
Account number: ______________________________
Expiration Date: ______________________________
Signature: ______________________________
I would like to share an experience that I had this week. I went to a hearing at HHSC regarding the cuts in Medicaid counseling/psychological services. And for the first time since 1996, when I first began testifying, I realized what people meant when they said that I was courageous. For 3 and a half hours, I listened to providers-mostly psychologists and social workers, talk about the need for counseling/psychological services. I was impressed with what most of them said but disgusted, disappointed and angry at the way that they said it. They referred to their clients/patients as “schizophrenic” instead of person with schizophrenia, they talked about their bipolar patients, and worst of all, a few referred to their “demented patients”.

Granted, I am sensitive to this kind of talk because of my mental illness. But I feel that because of my sensitivity, it is my responsibility to educate people (that obviously do not know any better) on language that is appropriate when referring to persons with serious mental illness (SMI).

And I tell you what, I felt like an idiot sitting there and listening to these degrading words. I felt embarrassed and ashamed of my past behavior and the weird thoughts that I had for so many years. I wanted to leave several times. But I wanted to show this roomful of people a “REAL face” of a “schizo” or “a bipolar” or “a manic-depressive” or even of a “demented patient”. For I knew that underneath all my past behaviors and delusional thoughts was a human like any other with needs, desires and hopes. I knew that I had been treated with disrespect. I knew that I had been made fun of. I knew that millions of people watch television and listen to songs exploiting persons with SMI by labeling them.

I also know that sometimes I make fun of myself by calling myself a “schizophrenic” and certainly I am promoting stigma just like others. I want to stop that and change my language. Words are important.

Anyway, I did stick it out at the hearing and when my name was finally called to testify, I showed them my face and let them know that I was a person with schizophrenia and that I had RECOVERED because of medications and therapy. It was the first time that I felt scared and embarrassed about myself but I felt determined to represent all those consumers out there who get labeled and treated with disrespect. I really wanted to use that time as a forum to teach “people first language”, but it wasn’t the right time.

The question to others and myself who must face the stigma of mental illness is, “What are we doing to educate the public about mental illness?” “Are we contributing to the stigma by using language that may appear demeaning or disrespectful?”

I make fun of myself, calling myself “schizophrenic”... I want to stop that and change my language.

Words are important.
Another challenge to mental health care reform

By DR. KING DAVIS
Originally printed in the Houston Chronicle on August 5, 2003

The recent recommendations to transform the U.S. mental health system, made by President Bush’s New Freedom Commission on Mental Health, come at a time when Texas is undertaking a massive, fiscally driven restructuring of its own.

Historically, mental health care has been primarily a financial responsibility of state government. States invested most of these funds in large state hospitals that employ thousands of state workers and give local communities a place to house persons with mental illness. The presidential commission’s recommendations reinforce the perspective that states have a responsibility for mental health care and the right to make decisions about their future direction. The essence of the federal report is to urge states to voluntarily improve the overall quality of their mental health systems at a time of limited and declining resources.

In Texas, the Legislature is requiring the Texas Department of Mental Health and Mental Retardation and local services to embark on a plan to make the most of significant cuts by redesigning the way in which the state structures and provides mental health services. However, the Legislature no longer considers closing one or more state hospitals as part of the restructuring plan. The disease management approach TDMHMR has developed calls for focusing the agency’s limited resources on providing services to those people with a mental illness who are in crisis or show signs of one of three priority illnesses (i.e. schizophrenia, major depression or bipolar disorder). All of this is taking place amid a massive reshuffling and consolidation of state agencies into one Health and Human Services monolith.

At the same time, the President’s New Freedom Commission on Mental Health’s Report, “Achieving the Promise: Transforming Mental Health Care in America,” outlines six goals for improving the mental health care system, including eliminating disparities in treatment, improving early diagnosis, erasing stigmas, changing minority involvement in the work force, and engaging in research. The report suggests accomplishing those goals by giving states greater latitude in spending existing federal dollars to transform their mental health systems. It is not clear whether states can realistically meet the challenges presented by the federal report, or whether Texas’ reorganization plan will improve quality. Nevertheless, the federal impetus offers an opportunity for dialogue and collaboration.

The success of implementing comprehensive state plans to improve mental health services may ultimately depend upon the willingness and ability of federal and state government officials to do two things: first, to fully embrace this opportune moment for innovation and, second, to remain flexible in implementing reforms that are effective while promptly modifying those that are not.

Both the commission’s report and the TDMHMR’s plans for redesigning benefits have drawn a fair amount of criticism, particularly regarding the needs of persons with mental illness who will no longer receive services and the lack of long-term directions for the future of the state and local mental health services system.

The most significant critique, however, is whether meaningful reform is even possible without a commitment of substantial new funding. Without new federal and/or state financial commitments, it seems unlikely that Texas and other states will be able to transform their systems to the extent envisioned in the report. The most that may be accomplished is to maintain essential services.

Unfortunately, having to do more or the same with less is an inescapable reality of our state’s current financial circumstances. This reality may last for several years -- perhaps a decade. State mental health systems across the country are struggling to maintain the quality of their existing level of services without doing irreparable harm to their clients or their mission. Therein is the challenge: developing and implementing a comprehensive plan for effective mental health services that can then be used to justify legislative support and more adequate funding in the future.

The President’s New Freedom Commission on Mental Health does not provide the answer to these dilemmas. What it does provide is a practical framework for discussion, flexible funding policies and a rationale for why the state should plan carefully in how it will meet one of its oldest responsibilities to its most vulnerable citizens.

Davis is the executive director of the Hogg Foundation for Mental Health and The Robert Lee Sutherland Chair in Mental Health and Social Policy in the School of Social Work at the University of Texas at Austin. He was a consultant on the President’s Commission report on the issues of cultural competency and children and their families.
Donate to NAMI Texas and help us conquer the stigma and discrimination against mental illness!

Conquering mental illness and destroying the stigma and discrimination against it takes work every day of the year. Help NAMI Texas shape a better future for those with mental illness by donating to our organization.

Name: ____________________________
Address: __________________________
City: __________ State: _____ Zip: ______
Telephone: _______________________

YES!
I want to help NAMI Texas in their mission to improve the lives of those with mental illness!
Please accept my donation of:

$ _______
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Join your local NAMI Affiliate
To find an Affiliate close to you, contact - NAMI Texas
512.693.2000 or go to www.namittexas.org
and click on “Affiliates”

NAMI Texas is a tax-exempt 501(c)3 organization and all donations are tax-deductible to the fullest extent of the law.

To find a NAMI Texas affiliate in your area, please call 1-800-633-3760.