

# **Southern - 2013 Provincial Council Meeting**

## **HOW TO USE THIS LEGISLATION BOOKLET AT PROVINCIAL COUNCILS**

This document describes in detail three Bylaw amendments that have been proposed to the Southern Provincial Council for consideration. The Bylaw amendments will go on to Grand Chapter Congress August 2013 for consideration.

- Bylaw amendments must achieve a 2/3 majority vote at Congress to pass.
  - Any language with ~~strike throughs~~ would be deleted if the proposal or amendment passes.
  - Any language listed in ALL CAPS indicates language that would be added if the amendment or proposal was adopted.
  - Language in *italics* is included occasionally for explanatory purposes.

### **EXAMPLE:**

~~Bylaws~~ - would be deleted

BYLAWS - would be added

*Bylaws* - would be an explanatory note offering more detail or interpretation

# PROPOSALS

## PROPOSAL 1 – Bylaw Amendment

### ***SUBMITTED BY:***

Board of Directors (Revised language submitted by Joe Ward, Vice President-Organizational Development on July 23, 2012 and passed by Board at August 2012 meeting.)

***DATE:*** July 23, 2012

### ***Summarization of the Proposal/Recommendation.***

The Vice President-Organizational Development (VPOD) position is not needed on the Board of Directors to be an effective piece of the growth of our organization. Having the VPOD serve as an appointed Chairperson takes politics out of play while providing the organization a position on the committee level that can oversee committees and long term planning the same way a Vice President position does.

***Proposal Details (and/or exact Policy or Bylaw Language proposed -- use ALL CAPS for new language and ~~strikethrough~~ for deletions.)***

Bylaws Article II. “Organization and Government”:

**Section 10. Board of Directors ---** The Board of Directors shall be the supreme executive, legislative, and judiciary body of this Fraternity in the interim when the Grand Chapter is not meeting in session and shall consist of the Grand President, the immediate Past Grand President, the Vice President-Finance, ~~the Vice President-Organizational Development~~, the five (5) Provincial Vice Presidents, the two (2) most recently named Collegians of the Year, and the Executive Director. The Executive Director shall serve without a vote. The members of the Board of Directors and the Regional Vice Presidents shall constitute the Grand Officers of this Fraternity.

Bylaws Article IV. “Board of Directors”:

**Section 5. Election and Tenure of Office ---** All Grand Officers, except the Collegians of the Year and the Executive Director, shall be elected at the Grand Chapter Congress. The Grand President, ~~Vice President-Organizational Development~~ and the Vice President-Finance shall be elected by the Grand Chapter. The Provincial Vice Presidents shall be elected by the chapters in their respective Provinces. The Regional Vice Presidents shall be elected by the chapters in their respective Regions. All Grand Officers, except the Collegian of the Year and the Executive, shall take office immediately upon the final adjournment of the Grand Chapter Congress at which they are elected and shall serve for a period of two (2) years and until their successors are elected and duly qualified. No Grand Officer **shall serve in the same office for more than two (2) consecutive full** terms with the exception of Provincial Vice Presidents and the Regional Vice Presidents who may serve four (4) consecutive full terms. Any election to fill a vacancy covering a partial term will not be considered in ascertaining the number of consecutive terms. The Collegians of the Year shall be selected as prescribed by the Board of Directors and the Laws of the Fraternity and shall serve a two (2) year term as designated by the Board of Directors.

**Section 8. Vacancies** --- Should a vacancy occur in the position of Grand President, the immediate Past Grand President shall assume the position of Grand President. Should a vacancy occur in the position of immediate Past Grand President, ~~Vice President-Organizational Development~~ or the Vice President-Finance, the position shall be filled by the Board of Directors. The member appointed to fill the position of immediate Past Grand President shall be a Past Grand President. Should a vacancy occur in the position of Provincial Vice President, the Grand President shall have the duty of appointing an interim Provincial Vice President to serve, pending a special election by the chapters in the Province, to be called by the Grand President, within sixty (60) days. Should a vacancy occur in either of the Collegian of the Year positions, the Board of Directors shall ask the runner-up in the selection of the Collegian of the Year in the year involved to serve the unexpired portion of the term. Members filling vacancies shall serve until the next succeeding Grand Chapter Congress, at which time any further unexpired term shall be filled by the Grand Chapter or as otherwise prescribed for in the Laws of this Fraternity.

**Section 9. Recall of the Grand President, ~~Vice President-Organizational Development,~~ Vice President-Finance and Dismissal of a Collegian of the Year or Immediate Past Grand President** --- Should two-thirds (2/3) of the Fraternity's chapters or two-thirds (2/3) of the members of the Board of Directors, excluding the member being considered, feel that the Grand President, ~~Vice President-Organizational Development,~~ Vice President-Finance, immediate Past Grand President or Collegian of the Year should be recalled or dismissed for any reason, the charges must be in writing, and shall specify the particular act or acts complained of, the time and place of the commission thereof, or the circumstances surrounding the reasons for requesting a recall and shall be presented to the office of the Executive Director. The Board of Directors shall be empowered to vote on the recall or dismissal. Recall or dismissal shall be effective by a seventy-five percent (75%) vote of the Board.

Bylaws Article V. "Duties and Powers of the Board of Directors":

~~**Section 3. Vice President-Organizational Development** --- The Vice President-Organizational Development shall chair the Organizational Development Committee and will oversee the development, maintenance and updating of the strategic and annual operating plans of the Fraternity. The Vice President-Organizational Development shall have such other powers and duties as prescribed in the Laws of the Fraternity.~~

Bylaws Article VI. "Standing Committees":

**Section 2. Organizational Development Committee** --- The Organizational Development Committee shall be chaired by the ~~Vice President-Organizational Development~~ CHAIRPERSON and shall include the Vice President-Finance, the two most recently named Collegians of the Year and at least three (3) additional members, appointed by the Grand President, who shall not be members of the Board of Directors. Should the Grand President wish to appoint an individual to the committee who is not a member of the Fraternity, such appointment shall require approval by a majority vote of the Board of Directors. The Executive Director shall serve as an ex-officio member of the committee. The committee shall be responsible for the maintenance and annual updating of the Fraternity's strategic long-range plan and annual operating plan and shall cause these plans to be presented annually to the Board of Directors for review and approval. The Organizational Development Committee shall also make copies of the long-range and annual operating plans available to the chapters.

***Recommended implementation date and logic for selecting this date***  
Grand Chapter Congress 2013

***Positive aspects of implementing Proposal/Recommendation***

Helps the organization maintain long term growth without holding a VP position. Also may open up to more volunteer leaders stepping up to wanting to be chair of this committee without having the demand of being on the Board of Directors.

***Negative aspects of implementing Proposal/Recommendation***

People might feel that by moving this position to just a committee chair position, they have one less voice on the Board of Directors

***Provide a brief cost analysis of the Proposal/Recommendation (if applicable)***

Cost to update bylaws and staff time, but cost savings in VPOD travel budget and meeting expense reimbursement greatly out ways any accrued costs.

**NOTES:**

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Passed

Passed as amended

Failed

COMMENT FROM BOARD OF DIRECTORS — This Bylaw Amendment is the result of a proposed Bylaw Amendment reviewed by Provincial Councils in 2012. Based on feedback from the Council Meetings, revisions were made and this new recommendation has been proposed for consideration at the 2013 Grand Chapter Congress. (Previously **R12-21 Revised**, now **R12-56**.)

## PROPOSAL 2 – Bylaw Amendment

### ***SUBMITTED BY:***

Board of Directors (Revised language submitted by Vice President-Finance Shane Borden and Executive Director Bill Schilling on July 5, 2012 and passed by Board at August 2012 Board meeting.)

***DATE:*** July 5, 2012

### ***Summarization of the Proposal/Recommendation.***

We are currently nearing the upper end of the allowed dues amount per Bylaws (\$45 per semester). This recommendation seeks to allow the Board of Directors to better manage dues and initiation fees by removing the current maximum and minimum levels, and in their place implement a maximum annual percentage increase. Specifically, the proposal leaves the current rates “as is” and will allow for future increases at a rate of no more than ten (10) percent annually. A chart of fees and dues change history is attached. Allowing the Board of Directors to manage Fraternity finances within the given parameters will mitigate the potential for larger dues increases and potential future reduction in services due to long implementation cycles.

### ***Proposal Details (and/or exact Policy or Bylaw Language proposed -- use ALL CAPS for new language and ~~strikethrough~~ for deletions.)***

Bylaws Article XV “Finances”:

**Section 5. Initiation Fees ---** The total initiation fee to be paid by each member of the chapter shall be determined by the Bylaws of the chapter, but shall in no event be less than the national initiation fee plus the lease fee of an official badge of this Fraternity. Each chapter shall be responsible for the collection of the initiation fees. No pledge shall be initiated by any chapter until the entire local initiation fee has been paid in full and all other financial obligations have been fulfilled to the satisfaction of the chapter. Each chapter Vice President-Finance shall remit, immediately following the initiation, to the Central Office a national initiation fee which ~~shall be no less than thirty dollars (\$30.00) nor more than ninety five dollars (\$95.00), as may be~~ IS determined from time to time by the Board of Directors, for each Collegiate, Faculty and Honorary Member initiated. THIS FEE IS SUBJECT TO CHANGE AT A RATE OF NO MORE THAN TEN (10) PERCENT ANNUALLY. Failure to remit such initiation fees promptly shall cause the chapter to be subjected to such disciplinary action as may be provided for in the Laws of this Fraternity.

Bylaws Article XV “Finances”:

**Section 6. Collegiate Dues ---** The national dues of the Collegiate Members ~~shall not be less than fifteen dollars (\$15.00) per semester and trimester or ten dollars (\$10.00) per quarter, nor more than forty five dollars (\$45.00) per semester and trimester or thirty dollars (\$30.00) per quarter as may be~~ ARE determined from time to time by the Board of Directors FOR EACH TYPE OF ACADEMIC TERM. THIS FEE IS SUBJECT TO CHANGE AT A RATE OF NO MORE THAN TEN (10) PERCENT ANNUALLY. National dues shall be payable thirty (30) days from the first day of classes in each academic term. The Board of Directors may establish such discount for prompt payment as it may deem advisable.

***Recommended implementation date and logic for selecting this date***

Following Grand Chapter Congress 2013

***Positive aspects of implementing Proposal/Recommendation***

The Board of Directors should have the flexibility to manage the finances of the Fraternity. They are elected to do so and have demonstrated great success in that over the years. They have also demonstrated restraint in dues and fees increases, while seeking other forms of revenue -- always thinking first of the burden students face with these fees.

Initiation fees for collegians were \$50 in 1982, \$65 in 1993, and were raised to the current \$70 in 2002. Faculty and Honorary initiation fees have both been set at a nominal \$30 for many years. Collegiate dues were \$75 in 2001 and then were raised to \$80 in 2007 where they have remained.

Since the current dues are nearing the current Bylaws stated maximum, it is wise and proper to institute a model which gives the Board of Directors the proper flexibility to do their job managing the Fraternity.

***Negative aspects of implementing Proposal/Recommendation***

Some may feel a Board of Directors will take advantage of higher limits to unnecessarily raise costs for students. Some may feel lower limits are more appropriate.

***Provide a brief cost analysis of the Proposal/Recommendation (if applicable)***

No specific dues or fees changes are in mind at present. The Bylaws change will allow the Board to consider higher dues or fees "sooner" if there is a demonstrated need for it in budgeting.

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Passed

Passed as amended

Failed

COMMENT FROM BOARD OF DIRECTORS — This Bylaw Amendment is the result of a proposed Bylaw Amendment reviewed by Provincial Councils in 2012. Based on feedback from the Council Meetings, revisions were made and this new recommendation has been proposed for consideration at the 2013 Grand Chapter Congress. (Previously **R11-27**, now **R11-27 Revised**.)

## FEES AND DUES HISTORY

Per Bylaws Article XV, Sections 5 and 6, dues are capped at \$45 per semester and \$30 per quarter. Initiation fees are capped at \$95.

	69-70	82-83	87-88	89-90	90-91	91-92	92-93	93-94	94-95	95-96 through 97-98	98-99	99-00	*00-01	01-02	02-03	03-04	04-05 through 06-07	07-08	08-09 through 12-13
Alumni Dues	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Collegiate Dues	\$26		\$39.60	\$47	\$49	\$51	\$53	\$53	\$57	\$62	\$67	\$67	\$67	\$75	\$75	\$75	\$75	\$80++	\$80
Collegiate Initiation Fees	\$25	\$50	\$55	\$57	\$60	\$62	\$62	\$65	\$65	\$65	\$65	\$65	\$65	\$65	\$70**	\$70	\$70	\$70	\$70
Faculty Initiation Fees					\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30	\$30
Honorary Initiation Fees					\$15	\$15	\$15	\$15	\$15	\$15	\$15	\$15	\$15	\$15	\$15	\$30+	\$30	\$30	\$30
Badges		\$20	\$23	\$27	\$27	\$30	\$35	\$35	\$35	\$40	\$40	\$40	\$49*	\$50	\$50	\$50	\$50	\$50	\$50
Pledge Pins			\$3.50	\$3.50	\$3.50	\$3.50	\$5	\$5	\$5	\$6	\$8	\$8	\$8.50	\$8.50	\$8.50	\$8.50	\$8.50	\$8.50	\$8.50
Pledge Manuals				\$1.50	\$1.50	\$1.50	\$2	\$3	\$3.50	\$3.50	\$5	\$5	\$5	\$5	\$5	\$6***	\$6	\$6	\$6
Regalia <sup>1</sup>		\$30	\$30	\$30	\$30	\$40	\$40	\$45	\$45	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50

<sup>1</sup>Regalia fees are per chapter, per semester.

\*EC increased badge fee from \$40 to \$45 February 2000 for July 1, 2000 start. Additional changes result from elimination of 5% credit card surcharge and 5% shipping surcharge. Previous years' numbers all badges included 5% shipping. "Recent years" majority of badges included additional 5% credit card surcharge. Pledge manuals left at \$5.00 for 2000-01 despite revenue loss from the surcharge elimination.

\*\*Effective 1/01/03 for all initiations after that date.

\*\*\*Effective 7/1/03.

+Congress changed bylaws 8/03 to allow Board to set Honorary and Faculty fees. Board set both at \$30 shortly afterward.

++Effective 7/1/2007

## **PROPOSAL 3 – Bylaw Amendment**

### ***SUBMITTED BY:***

Board of Directors (Original written by Mark Chiacchiari, Grand President on July 28, 2012 and passed by Board at August 2012 meeting.)

***DATE:*** July 28, 2012

### ***Summarization of the Proposal/Recommendation.***

To make national committee chairs eligible for Golden Council.

### ***Proposal Details (and/or exact Policy or Bylaw Language proposed -- use ALL CAPS for new language and ~~strikethrough~~ for deletions.)***

Bylaws Article II “Organization and Government”:

**Section 18. Golden Council ---** The Golden Council of the Fraternity shall consist of qualified members who have served as Grand Officers, CHAIRS OF STANDING NATIONAL COMMITTEES, or on the staff of the Central Office. To be qualified, a member must be approved by the Board of Directors.

### ***Recommended implementation date and logic for selecting this date***

August 2013 by the Grand Chapter (Grand Chapter Congress)

### ***Positive aspects of implementing Proposal/Recommendation***

National committee chairs have been increasingly integral to the function of our Fraternity and function as extensions of the Board of Directors in carrying out volunteer work that is core to the Fraternity. This proposal recognizes individuals who have completed service in a single committee chair position by making them eligible for election to the Golden Council. By doing so, it adds them to a group that is occasionally consulted for feedback on national proposals and initiatives. Based on their experience in chairing a National Committee, they are a good resource when seeking such feedback.

Four years is the proposed minimum service duration to encourage committee chairs to provide optimal continuity for their committee through service over two biennia.

### ***Negative aspects of implementing Proposal/Recommendation***

Potentially dilutes the perceived importance of Golden Council by making more people eligible for election to it.

### ***Provide a brief cost analysis of the Proposal/Recommendation (if applicable)***

N/A

### **NOTES:**

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Passed

Passed as amended

Failed

**(R12-77)**