

Northeastern - 2007 Provincial Council Meeting

HOW TO USE THIS LEGISLATION BOOKLET AT PROVINCIAL COUNCILS

This document describes in detail the Bylaw amendments and Ritual proposals that have been proposed to the Northeastern Provincial Council for consideration. Those Bylaw amendments and Ritual proposals passing (by majority vote) will go on to other Provincial Councils for discussion (as timing permits) and ultimately to Grand Chapter Congress in 2007 for consideration.

Any proposals that are related to Policy and Procedures may be discussed and voted upon by the Council, but ultimately all Policy and Procedures are administered by the Fraternity's elected Board of Directors. The Board, of course, will take any recommendation passed by a Provincial Council very seriously.

- Bylaw amendments must achieve a 2/3 majority vote at Congress to pass.
- Ritual proposals must achieve a 3/4 majority vote at Congress to pass.
 - Note: No ritual proposals have been received for the 2007 council meeting.
 - Any language with ~~strikethroughs~~ would be deleted if the proposal or amendment passes.
 - Any language listed in **bold** 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

Summarization of the Proposal/Recommendation:

Change Article III, Section 1 regarding the timing of Grand Chapter Congress to allow holding it in months other than August or September, as follows:

Section 1. Meetings --- The Grand Chapter shall meet ~~in either the month of August or September~~ every second year in the odd-numbered years. A meeting of the Grand Chapter may be deferred for one year at the direction of the Board of Directors but shall not be deferred for two years without authorization by a majority vote of the chapters in good standing.

Purpose of the Proposal/Recommendation and reason(s) for its submission:

As the size of the Grand Chapter Congress increases, the opportunities for securing appropriate facilities to conduct the meeting are complicated by the size and demographics of the Fraternity.

This proposal would give the Fraternity broader parameters in which to search for and secure locations for future Congresses.

Recommended implementation date and logic for selecting this date

Immediately upon passage.

Positive aspects of implementing Proposal/Recommendation

The Fraternity will have a greater selection of locations, hotels, and dates for which Grand Chapter Congress can be scheduled. This may allow for more negotiating room and lower prices. Additionally, it will help prevent conducting congress during the start of the fall term.

Negative aspects of implementing Proposal/Recommendation

Some may be concerned that removing the time restriction entirely will allow the Board of Directors to choose a time for congress in the middle of school semesters.

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

Costs of this proposal include modifications to Fraternity governing documents.

NOTES:

Passed

Passed as amended

Failed

PROPOSAL 2 – Bylaw Amendment

Submitted by: Katie Koch (chair) and National Alumni Development Committee

Summarization of the Proposal/Recommendation

1. Move many refranchising and chartering requirements for alumni chapters from bylaws to policies and procedures
2. Change the term refranchising to annual renewal
- 3a. Set initial fee to charter a voting alumni chapter at \$50 (currently charter fees depend on whether or not an alumni chapter has existed in the area before, this would make it equal).
- 3b. Include liability insurance premium (currently \$50) in the cost of chartering or renewing
- 3c. Set fees for newly formed alumni chapters and for re-chartering inactive alumni chapters as the same

Total annual cost for alumni chapters:

	Current	Proposed
	Chartering and/or Franchising Fee + Insurance Premium*	Chartering or Annual Renewal Including Insurance Premium
Chartering New Chapter (chapter has not previously existed in area)	\$75	\$100
Re-Chartering Inactive Chapter (chapter has previously existed in area)	\$100	\$100
Renew Active Chapter	\$75	\$75

*Insurance Premium for alumni chapters is currently \$50 annually

Purpose of the Proposal/Recommendation and reason(s) for its submission (may not exceed 100 words if ultimately submitted for Grand Chapter consideration)

This recommendation allows the Board of Directors to have more flexibility in addressing the needs of the alumni chapters and the overall Fraternity. This kind of detail should be policy and not “rigid” bylaws. Total annual costs for alumni chapters (including insurance premium) would remain similar to current costs under this proposal- see chart above. (Current alumni chapters would have no cost changes at all).

Recommended implementation date and logic for selecting this date

September 1, 2007. Since bylaws require 2/3 vote at Grand Chapter Congress, this would be implemented at the first quarterly implementation date after the 2007 Congress.

Positive aspects of implementing Proposal/Recommendation

- Gives Board of Directors the same ability to adjust/adapt alumni chapter chartering as it has for collegiate chapters
- The term annual charter renewal is easier to understand than the term franchise
- Liability insurance premium included in the cost of chartering or renewing simplifies, clarifies, and allows chapters to pay one easy fee instead of separate fees for chartering/franchising and insurance. Eliminates confusion and misunderstanding.
- Fees for newly formed alumni chapters and for re-chartering inactive alumni chapters are currently not the same and confusing to understand. Having one fee for both is much easier to understand.

Negative aspects of implementing Proposal/Recommendation

- Some may not like increasing “control” given to the Board of Directors over requirements and fees related to chartering or renewing an alumni chapter.

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

None

~~strikethrough text~~ removed

bold text- inserted

SUGGESTED CHANGES TO BYLAWS PERTAINING
TO FRANCHISING AND CHARTERING FEES
(Bylaws require 2/3 vote at Grand Chapter Congress)

**ARTICLE XI
ALUMNI CHAPTERS**

Section 1. Charter and Renewal --- Each **group of brothers seeking** chapter which seeks to be chartered as an **alumni chapter** by the Board of Directors shall pay a chartering fee of **twenty five dollars (\$25.00) established by the Board of Directors.** In addition, it shall submit a list of **proposed** officers (~~Form L~~); and a roster of **its those brothers committed to** membership. ~~Only after this is done will the issuance of a charter be considered. Any requirements on minimum number of members or any other requirements for charter recognition or renewal shall be determined by the Board of Directors.~~

Section 2. Franchise Renewal — Each chapter chartered by the Board of Directors shall remain chartered as long as it submits a list of officers annually and a membership roster annually. An annual franchise renewal fee of ~~twenty five dollars (\$25.00) shall be due, payable and postmarked on or before June 30th of each year. Failure to remit this fee by the above date shall cause the chapter to be placed on an inactive status. If any alumni chapter becomes inactive, it may become active again by submitting a new list of officers, a new roster of members, the franchise renewal fee of twenty five dollars (\$25.00) and a charter renewal fee of twenty five dollars (\$25.00).~~

**ARTICLE XVII
NEW COLLEGIATE AND ALUMNI CHAPTERS**

~~**Section 6. Eligible Groups for Alumni Chapters** — Petitions for the authorization of the establishment of an Alumni Chapter must be signed by at least ten (10) Alumni Members of this Fraternity, in good standing and who reside in the locality in which it is proposed to establish such Alumni Chapter. The petition must be approved by the Executive Director. Each Alumni Chapter shall maintain a minimum membership of at least ten (10) members at all times.~~

Section 7 6. Designation of Alumni Chapters --- The Alumni Chapters shall be called after the locality in which they are situated or by such other title as may be approved by the Board of Directors. No Alumni Chapter shall include the Greek letter designation of any Collegiate Chapter in its name and no Alumni Chapter shall restrict or limit its membership to alumni of any specific Collegiate Chapter or Chapters.

SUGGESTED CHANGES TO POLICIES PERTAINING
TO FRANCHISING AND CHARTERING FEES

C. ALUMNI CHAPTERS

Policy 14. Inactive Alumni Chapters—A chapter not on probation or receivership, whose membership reaches nine or less, will be placed on inactive status. As soon as the membership is increased to ten (and the other ~~franchise charter~~ renewal requirements ~~under Article XI, Section 2 of the Bylaws~~ are met) the chapter becomes active again. **A chapter that does not submit annual renewal requirements before June 30 will also be placed on inactive status.**

Policy 15. Chartering New and Inactive Chapters—Any alumni member in good standing may be recognized as a contact person for **alumni representation or for** alumni chapter expansion in a specific geographic location. **When a person becomes an alumni contact, the Central Office will notify the Regional Vice President and Provincial Vice President. Petitions for the authorization of the establishment of a voting Alumni Chapter must be signed by at least ten (10) Alumni Members of this Fraternity, in good standing and who reside in the locality in which it is proposed to establish such Alumni Chapter. The petition must be approved by the Board of Directors. Each Alumni Chapter shall maintain a minimum membership of at least ten (10) members at all times. To charter a new chapter, a group of brothers must submit chartering requirements including a list of officers, a roster of at least ten (10) members, a chartering fee of \$100, and a copy of the proposed chapter bylaws to the Central Office. Refer to Bylaws Article XI, Section 1 and Article XVII, Sections 6 and 7. If any alumni chapter becomes inactive, it may become active again by submitting chartering requirements including a list of officers, a roster of at least ten (10) members residing in the locality of the chapter, a chartering fee of \$100, and a copy of the chapter bylaws to Central Office.**

Policy 16. ~~Franchising~~ Renewing Currently Active ~~Existing~~ Chapters—To be recognized continuously as an alumni chapter, the chapter must complete ~~franchising~~ **annual renewal** requirements between April 1 and June 30 each year for the upcoming fiscal year. ~~Franchising Annual renewal~~ requirements include a list of officers, a roster of at least ten members residing in the locality of the chapter, ~~a franchise an annual renewal~~ fee of \$2575, and a copy of the chapter bylaws, ~~and a charter renewal fee of \$25 if franchising has lapsed.~~

Policy 17. Liability Insurance Premium—~~Upon initial recognition as an alumni chapter, an invoice for liability insurance will be sent to the chapter. All alumni chapters receive an invoice for liability insurance upon annual franchise renewal.~~ **Liability insurance is provided to all alumni chapters upon chartering or annual renewal. The fees for annual renewal and chartering include the liability insurance.**

Policy 18. Alumni Chapter Awards-Criteria for the selection of alumni awards are found in the *Awards and Recognition Guide* (www.dspnet.org).

Policy 19. Boundary and Location Approval for Alumni Chapters-If an alumni chapter locality is equally divided by a regional boundary, the leadership of the alumni chapter under consultation of the two affected Regional Vice Presidents, will determine the region to which the alumni chapter will belong. The Regional Vice President will be consulted in determining the chapter locale for the purpose of officer eligibility. If a disagreement arises between the chapter and the Regional Vice President in determining boundaries or locales, the Provincial Vice President makes the decision.

Policy 20. Notification Upon Formation of New Alumni Chapter—When ~~a new~~ **an** alumni chapter ~~franchises~~ **charters**, the Central Office will notify the Regional Vice President and Provincial Vice President. ~~This does not apply to refranchising of existing chapters.~~

Policy 21. Naming an Alumni Chapter—

- A. The initial naming of an alumni chapter shall take place with the chartering of the chapter. After the initial naming of an alumni chapter, a name change for an alumni chapter in good standing can only take place ~~in odd years~~ at the time of annual ~~refranchising~~ **renewal**, which occurs from April 1 - June 30 for the upcoming fiscal year.
- B. The naming of an alumni chapter must meet the following criteria: The first part of the name must directly reflect the name of a city where the chapter is focused; the alumni chapter cannot be named the same as any Region or Province; the use of a hyphen (- or /) is permitted; no other punctuation is to appear in the name. The words “alumni chapter” will follow the name designation. (e.g. Seattle-Latte Land Alumni Chapter, not Latte Land-Seattle).
- C. In the instance where ~~an~~ a **previously chartered** alumni chapter is **seeking to recharter** ~~rechartering~~ after a time of inactivity, the alumni chapter can request a name change ~~during the initial refranchising process~~. If a ~~rechartering alumni chapter~~ **it** does not request a name change, the chapter shall take the name of the chapter that previously existed in that area. ~~After one fiscal year of inactivity, an alumni chapter in any particular geographical area is considered “lapsed.” Therefore, any alumni chapter forming in a geographical area where a lapsed alumni chapter previously existed will be subject to all fees applying to the rechartering of a lapsed alumni chapter according to the interpretation of the *National Bylaws* regardless of any request to change the name of the alumni chapter; an alumni chapter forming in the same geographical area as a pre-existing alumni chapter will not be considered a newly chartered alumni chapter.~~
- D. To request a name change, the alumni chapter must file the required “Alumni Chapter Name Change Request Form” (see item G. below) to the Central Office according to the criteria stated above. Approval of the name change is at the discretion of the Executive Director or his/her designee. A decision will be communicated to the alumni chapter within a reasonable time of the request. If approval of a name change is granted, the change will be effective immediately. All name change requests will be kept on file at the Central Office.
- E. For insurance purposes, the alumni chapter must file for an EIN/TIN number with the IRS within 30 days of the approved name change. The new number must be communicated to the Central Office in a timely manner.
- F. Alphabetical listings of alumni chapters are to be determined by the first word of the city/state beginning in the alumni chapter name.
- G. Alumni Chapter Name Change Request Form

ALUMNI CHAPTER NAME CHANGE REQUEST FORM

Alumni Chapter Name _____

Name of Submitter _____

Position _____

New Name of Alumni Chapter: _____

Did you and/or the chapter review policy C.21 (www.dspnet.org) before taking this action?

Yes No

Was this name change approved by your chapter? Yes No

When and where was this vote conducted? Date: _____ Place: _____

How Does This Name Change Benefit Membership? _____

I, _____, am aware, pending approval of the request stated above, that my alumni chapter must file for an EIN/TIN with the IRS within 30 days. I take responsibility for communicating the new EIN/TIN to the Central Office for insurance purposes.

Signature _____ Date _____

Do Not Write Below This Point- For Central Office Use

This request was reviewed by: _____ Approved _____ Denied _____

Reasons for Denial: _____

This decision was communicated to _____ On _____

EIN/TIN _____

Signature _____ **Date** _____

NOTES:

Passed

Passed as amended

Failed

PROPOSAL 3 – Bylaw Amendment

SUBMITTED BY: Board of Directors

DATE: 08/02/06

Summarization of the Proposal/Recommendation

Change Bylaw Article IV, Section 4, to clarify that members may be nominated for Grand Offices as long as they reach the 3-year membership requirement by the date of their **election**.

Current Wording from National Bylaws, Article IV, Section 4:

Section 4. Qualifications for Office --- No one shall be nominated for or elected or appointed as a Grand Officer of this Fraternity, except the Collegians of the Year and the Executive Director, until such individual has been a member of this Fraternity for three (3) years and is an Alumni Member. The two (2) Collegian of the Year members of the Board of Directors are the two (2) most recently installed Collegians of the Year. In order to be nominated or elected as a Provincial Vice President, the legal residence of the member so nominated or elected shall be within the confines of that Province. A Grand Officer may not be appointed over a chapter for which the Grand Officer is a Chapter Advisor and any Grand Officer who accepts a position as a Chapter Advisor of a chapter supervised by the Grand Officer shall automatically become ineligible for office and such office shall be declared vacant.

Suggested Revised Wording for National Bylaws, Article IV, Section 4 (changes in bold):

Section 4. Qualifications for Office --- No one shall be nominated for or elected or appointed as a Grand Officer of this Fraternity, except the Collegians of the Year and the Executive Director, until such individual has been a member of this Fraternity for three (3) years and is an Alumni Member. **Members are allowed to be nominated for Grand Office, except the Collegians of the Year and the Executive Director, as long as they reach the three (3) year membership requirement by the date of their election.** The two (2) Collegian of the Year members of the Board of Directors are the two (2) most recently installed Collegians of the Year. In order to be nominated or elected as a Provincial Vice President, the legal residence of the member so nominated or elected shall be within the confines of that Province. A Grand Officer may not be appointed over a chapter for which the Grand Officer is a Chapter Advisor and any Grand Officer who accepts a position as a Chapter Advisor of a chapter supervised by the Grand Officer shall automatically become ineligible for office and such office shall be declared vacant.

Purpose of the Proposal/Recommendation and reason(s) for its submission

This is a housekeeping change to bylaws so it is clear that the nominations committee intends to allow members to be nominated and run for office as long as they reach the 3-year membership requirement by the date of their **election**.

Recommended implementation date and logic for selecting this date

For the 2007 GCC, the Nominations Committee Chair intends to interpret the current language to mean the date of **election**. A vote of the 2007 GCC, to clarify the language, will also serve to “ratify” this interpretation.

Positive aspects of implementing Proposal/Recommendation

Clarifies the nominations committee intent. Allows those who fall short to be pre-nominated and not have to wait until nominated from the floor if they reach the 3-year requirement during the due date of advance nominations and the election.

Negative aspects of implementing Proposal/Recommendation

None

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

None

NOTES:

Passed

Passed as amended

Failed

PROPOSAL 4 – Bylaw Amendment

Submitted by: Omicron Rho Chapter - Cornell University

Summarization of the Proposal/Recommendation

To clarify Bylaws Article XII, Section 11 “Election of Pledges” to avoid confusion by the wording regarding voting to select a pledge class. As it stands, it is unclear whether or not we should only re-vote if a potential pledge has EXACTLY 20% negative votes, or if we should re-vote if a potential pledge has 20% OR MORE. We would like to add the words “or more” into the bylaws to clarify this point. See current and suggested revised wording below.

Current wording from National Bylaws, Article XII, Section 11:

Section 11. Election of Pledges --- Except as provided hereinafter, no person shall be initiated into this Fraternity except through a Collegiate Chapter and by a secret vote of the members of said chapter, in good standing, constituting a quorum present at a regularly called meeting as may be defined by the Bylaws of the chapter and the Laws of this Fraternity. All elections to pledgship in this Fraternity shall be by secret ballot. To ensure against mistake, should twenty percent (20%) of the members present and voting, or five (5), whichever is greater, negative votes appear in the ballot box on the name of a prospective pledge, a second ballot shall be immediately taken. If twenty per cent (20%) of the members present and voting, or five (5), whichever is greater, negative votes appear in the ballot box on the second ballot, the prospective pledge shall be considered rejected. Before any ballot is cast, the ballot box, if used, shall be shown to the President, the Senior Vice President, and the Vice President-Chapter Operations, who shall severally vouch for the emptiness of the same. All qualified members of the chapter present shall vote. Failure to vote shall be construed as a favorable vote for the candidate. After all such members have voted, the ballot shall be declared closed, the same inspected, and the votes counted by the President, Senior Vice President and the Vice President-Chapter Operations. The declaration of these officers announcing the vote favorable or unfavorable to election shall be final. Should the name of the same prospective pledge be proposed and rejected a third time, the same prospective pledge shall never be proposed again in that chapter. The votes concerning prospective pledges described herein must be held before the individuals in question are formally accepted as pledges. Should the prospective pledge receive a favorable election, but be unable to accept pledgship, an election must be held in any subsequent academic term in which the prospective pledge’s name is proposed again.

Suggested revised wording for National Bylaws, Article XII, Section 11 (changes in bold):

Section 11. Election of Pledges --- Except as provided hereinafter, no person shall be initiated into this Fraternity except through a Collegiate Chapter and by a secret vote of the members of said chapter, in good standing, constituting a quorum present at a regularly called meeting as may be defined by the Bylaws of the chapter and the Laws of this Fraternity. All elections to pledgship in this Fraternity shall be by secret ballot. To ensure against mistake, should twenty percent (20%) **or more** of the members present and voting, or five (5) **or more**, whichever is greater, negative votes appear in the ballot box on the name of a prospective pledge, a second ballot shall be immediately taken. If twenty per cent (20%) **or more** of the members present and voting, or five (5) **or more**, whichever is greater, negative votes appear in the ballot box on the second ballot, the prospective pledge shall be considered rejected. Before any ballot is cast, the

ballot box, if used, shall be shown to the President, the Senior Vice President, and the Vice President-Chapter Operations, who shall severally vouch for the emptiness of the same. All qualified members of the chapter present shall vote. Failure to vote shall be construed as a favorable vote for the candidate. After all such members have voted, the ballot shall be declared closed, the same inspected, and the votes counted by the President, Senior Vice President and the Vice President-Chapter Operations. The declaration of these officers announcing the vote favorable or unfavorable to election shall be final. Should the name of the same prospective pledge be proposed and rejected a third time, the same prospective pledge shall never be proposed again in that chapter. The votes concerning prospective pledges described herein must be held before the individuals in question are formally accepted as pledges. Should the prospective pledge receive a favorable election, but be unable to accept pledgeship, an election must be held in any subsequent academic term in which the prospective pledge's name is proposed again.

Purpose of the Proposal/Recommendation and reason(s) for its submission

Our chapter has had issues properly interpreting this text, and feel that the addition of "or more" makes no changes to the rules, but could reduce the confusion surrounding this procedure for all chapters and chapters to come.

Recommended implementation date and logic for selecting this date

As soon as possible, no specific date preference since the proposed change doesn't alter the actual rule – but simply clarifies it.

Positive aspects of implementing Proposal/Recommendation

Chapters can be clear regarding when they should and should not re-vote when selecting the pledge class.

Negative aspects of implementing Proposal/Recommendation

None since the rules are not being changed, they are simply being clarified.

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

None.

NOTES:

Passed

Passed as amended

Failed