

Constitutional Amendment #1

An NAGPS Constitutional Amendment to amend Article I of the NAGPS Constitution to bring NAGPS in compliance with Internal Revenue Code.

BACKGROUND: NAGPS is a 501(c)3 tax-exempt, nonprofit corporation. In order to maintain our tax-exempt status, we need to comply with all federal laws and regulations concerning 501(c)3 status. The one requirement for our organizing document is a provision that our organization be dedicated to exclusively tax-exempt purposes (<http://www.irs.gov/charities/charitable/article/0,,id=123368,00.html>). At least one student government the author knows has been audited and forced by the IRS to include a similar statement in their constitution. We might as well avoid the whole audit part of that process.

Incidentally, gender and sex do not mean the same thing. Gender refers the social roles connected with masculinity and femininity, while sex refers to a biological state. Since gender is mentioned later on, the word gender is replaced with sex to satisfy our sociologically inclined members.

Underlined text is inserted into the existing text, and strikethrough text is deleted from the existing text.

SEC. 1. The National Association of Graduate-Professional Students amends Article I, Section 2 of the NAGPS Constitution as follows:

Section 3. Activities

- A. This corporation is organized and operated exclusively for charitable and educational purposes within the meaning of Section 501(c)3, Internal Revenue Code.
- B. No activities of the Association shall discriminate against any individual or group of individuals on the basis of: age, socioeconomic status, disability, ethnic or national origin, ~~gender~~ sex, marital status, political orientation, race, religion, gender identity and expression, or sexual orientation.
- C. No activity of the Association shall directly or indirectly participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office.

Constitutional Amendment #2

An NAGPS Constitutional Amendment to strengthen our membership process while increasing the flexibility available to the Board of Directors.

BACKGROUND: The term "member" is typically defined in nonprofit law as a person with some level of voting rights in an organization. This amendment is intended to preserve what most believe to be the status quo, but is currently undermined by vague language. The most important parts are retained in the Constitution – who has voting rights and who does not – while other powers are delegated to the board to ensure future flexibility.

Underlined text is inserted into the existing text, and strikethrough text is deleted from the existing text.

SEC. 1. The National Association of Graduate-Professional Students amends Article II of the NAGPS Constitution as follows:

Article II. Membership

Section 1.

Membership is available to any organization of ~~graduate/professional~~ graduate and/or professional students at a college or a university in the United States of America. Membership is also available to any individual, corporation, organization, or institution interested in supporting the mission of the Association.

~~Section 2.~~

~~Membership is available to any individual, corporation, organization, or institution interested in supporting the mission of the Association.~~

~~Section 3.~~

~~There are four designations of membership: regular-organizational, developing organizational, individual and affiliate.~~

Section 2.

Organizations representing graduate and/or professional students on a broad scale at a college or university in the United States, with membership in good standing in the Association, are voting members of the Association. Individual students enrolled in a college or university in the United States, with membership in good standing in the Association, are voting members of the Association. The Board of Directors shall enact By-Laws to determine the relative voting power of individual and organizational members.

Section 3.

Any member that does not meet the requirements of Section 2 above shall not be a voting member of the Association. They may engage in any other activity of the Association, except as limited by the By-Laws.

Section 4.

The Board of Directors shall enact By-Laws and/or policies detailing membership categories and fees.

Constitutional Amendment #3

An NAGPS Constitutional Amendment to amend the Constitutional Amendment process.

BACKGROUND: The current process for vote-by-mail constitutional amendments takes a full 60 days prior to voting, and then an undetermined time until at least two-thirds of members mail back a yes vote or one-third mail back a no vote. Also, the current language is at least a little unclear on whether amendments may be passed with 2/3 of regular members in attendance at a National Conference, or still requires 2/3 of the entire membership.

This amendment seeks to clarify that only 2/3 of the entire membership may approve constitutional amendments at a National Conference. It also limits how long an amendment will remain pending before the membership in a mail ballot. The final vote will be calculated based on how many members cast a ballot in sixty days of voting. The organization will thus reward participation and avoid the prospect of apathy crippling the association's ability to change.

Note: One can still abstain from a vote by just mailing a blank or undervoted ballot.

Underlined text is inserted into the existing text, and strikethrough text is deleted from the existing text.

SEC. 1. The National Association of Graduate-Professional Students amends Article VI of the NAGPS Constitution as follows:

Article VI. Amendments

~~Section 1.~~

~~Amendments may be made to this Constitution by a vote of two-thirds of Regular Members in good standing, voting either at a National Membership Meeting or by a mail ballot.~~

~~Section 2.~~

~~Amendments may be proposed by any voting member in good standing, Region, or by the Board of Directors, at least sixty (60) days prior to the vote.~~

~~Section 3.~~

~~Proposed amendments must be sent in writing to all members at least forty-five (45) days prior to voting.~~

Section 1. General Provisions

Amendments to this constitution may be proposed by any voting member, region, or director of the Association. On approval, Constitutional Amendments shall take effect immediately unless otherwise specified.

Section 2. National Membership Meeting

Constitutional Amendments shall be proposed thirty (30) days prior to voting at a National Membership Meeting, in order to be considered at that meeting. The Board of Directors shall ensure that each member attending

receive a copy of the proposed amendment at the start of the conference in which the National Membership Meeting takes place. The Constitutional Amendment may be amended by majority vote of the National Membership Meeting. Amendments to this constitution offered at the National Membership meeting shall be approved by a two-thirds (2/3) majority vote of the entire voting membership of the Association. The National Membership Meeting may by majority vote forward the Constitutional Amendment to a mail ballot; in that case, a member may vote either in person or by mail.

Section 3. Mail Ballots

Constitutional Amendments may be proposed at any time to be available by a mail ballot. All members shall be sent a mail ballot, unless they had otherwise voted in person on the same measure at a National Membership Meeting. Amendments to this constitution shall be approved by a two-thirds (2/3) majority vote of the voting membership of the Association that has cast a ballot within sixty (60) days of the date of mailing.

FAQ on CA #3

Why did I get rid of the notification requirements?

When thinking about this, the first question I asked is: what is the original purpose of the sixty day notification period? The original idea has to be so that a constitutional amendment doesn't just come from nowhere, with no discussion to be had on the issue. I suppose the original intent of the writer is to promote discussion and keep the board from controlling the debate.

However, as the system is now, I don't think that it accomplishes either of those goals. As it is, it is very difficult for someone who is not an officer of the organization to mount any resistance to a constitutional amendment, because of the difficulty in contacting other schools. While I suppose extra time does help such a situation, it isn't a very strong way to mount an opposition. Other changes to the bylaws would make the situation much better, such as providing a short time to prepare opposition statements, or allowing proponents and opponents access to contact members. I didn't write anything here, but it's certainly a good idea for the board to consider.

So far as encouraging debate, it's likely that the sixty day provision stifles debate. Think about it: You're a proponent, and an opponent convinces you to make a minor change that will make it more palatable, more than a month into the waiting period. In order to make the change, you'd have to restart the whole process, contact everyone again, and go through the whole waiting period. Add on another 90 or so days to collect mail responses, and you've just taken 180 days to pass an amendment. Since most of our terms in student government are only twice that, it makes it hard to care. So if I'm writing the amendment, I'm unlikely to want to compromise. That's a great deal of the logic behind allowing the National Conference to amend the bill as well – compromise can occur there, because there are enough people to make a difference.

And if an amendment gets pulled while people are still discussing it, it's no big deal. This assumes that a discussion will take place. While I can't ensure that your board won't try to undermine your membership, or that the amendment proponents will attempt to negotiate their proposal first, these are basic features of republican governance. We have to take it on faith that our elected representatives will act in our best interest, and that grad students will seek compromise before confrontation. And, despite everything I experienced as an officer of NAGPS, I sure have enough faith to believe in that.

I still want to add a pre-vote notification, but otherwise like the changes.

Write a bylaw adding the notification back in. If the board were to suspend that bylaw, they'd have to give a pretty good explanation not to have the amendment fail. Again, I don't recommend this, but it is an option.

Why a sixty day time limit to vote?

Ultimately, a democracy should favor those who participate. The current system can favor nonparticipation by opponents of a measure, which is always way easier than asking people to participate. The time limit eliminates this degenerate case, and gives a level playing field. Even during slow times like the summer, two months should be more than enough time for someone to respond. And seriously, we've had amendments die due to not enough mail ballots being sent back.

What's up with these snail mail ballots? Get with the times.

Electronic voting works well with many schools. It also has been known to cause problems at other schools, such as voter fraud or technical errors. This amendment leaves open the possibility of electronic mail ballots, though, in the absence of any bylaws on the topic, the Ombuds has traditionally interpreted "mail" as postal mail. I should warn, however, that email headers are fairly easy to fake, if you have an open SMTP server to use. The real issue here is the technical competence of the NAGPS organization. Given that the resources of the organization are already stretched by maintaining a website, opening the possibility of electronic voting didn't seem like a good idea at this time.

Constitutional Amendment #4

The NAGPS Executive/Board Reform Act (NEBRA) of 2009, a Constitutional Amendment to restructure the NAGPS Board of Directors.

BACKGROUND: The NAGPS Board of Directors currently has sixteen voting members, which leads to long and frequently unfocused meetings. This Act keeps the existing officers, but restructures the NAGPS into three working groups: the Board of Directors, the Advocacy Committee, and the Membership Committee.

Under this plan, the Board of Directors will be the highest decision-making body in NAGPS, and will be responsible for basic organization and finances. They will also be responsible for ensuring services, such as membership benefits or health care, continue to be offered. The Board of Directors will be composed of the current membership of the Executive Committee: President, Vice President, Secretary, Financial Controller, and Ombuds Coordinator.

The Advocacy Committee combines the existing committee chairs, to be lead by the NAGPS President. As advocacy, either on campus or in DC are major components of Social Justice/Human Concerns, Legislative action, International Student welfare, and Employment rights, this committee serves to coordinate such efforts. Members of this committee will not have to be concerned with Board business, though they (and the Regional Coordinators) will be nonvoting members of the Board, and may participate if they wish.

The Membership Committee is already extant, and will serve as the primary meeting for Regional Coordinators. This group will be able to concentrate on membership through recruitment, networking, and events. It will be led by the Vice President, and remain similar to the current structure, but with a more limited voting membership. Regional Coordinators will also be nonvoting members of the Board.

The amendment also removes superfluous titles from the Constitution. The Secretary alone is currently also called Information Exchange Coordinator and Chief Information Officer in the Constitution and Bylaws.

A section is added to ensure basic tenets of the election process are added to the Constitution, including insuring the right of members to elect officers, and stating the procedure for interim appointments.

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SEC. 1. The National Association of Graduate-Professional Students amends Article VI of the NAGPS Constitution as follows:

Article IV. Board of Directors

Section 1.

There shall be a Board of Directors which shall act for the Association between National Membership Meetings. Such actions may be overruled by a majority vote of the membership, either at a National Membership Meeting, or by mail ballot.

Section 2. Members

~~The Board of Directors shall be composed of the Executive Coordinator, the Membership Coordinator, the Information Exchange Coordinator, the Social Justice Coordinator, the Financial Controller, the Regional Coordinators, the Ombuds Coordinator, and the Chairs of Standing Committees as defined in the By-Laws.~~

Voting members of the Board of Directors of the Association shall be the following officers of the Association:

- A. President
- B. Vice President
- C. Financial Controller
- D. Secretary
- E. Ombuds Coordinator

Section 3. Quorum.

A simple majority of the Board of Directors shall constitute a quorum to conduct business.

Section 4. Term of Office

Officers shall take office thirty (30) days after the date of their election, and shall serve until replaced.

SEC. 2. The National Association of Graduate-Professional Students amends Article V of the NAGPS Constitution as follows:

Article V. Officers-Elections

~~Section 1. President.~~

~~The Executive Coordinator shall serve as President.~~

~~Section 2. Vice President~~

~~The Membership Coordinator shall serve as Vice President.~~

~~Section 3. Secretary.~~

~~The Information Exchange Coordinator shall serve as Secretary.~~

~~Section 4. Treasurer.~~

~~The Financial Controller shall serve as Treasurer.~~

Section 1.

National Officers of the Association shall be elected annually at the National Membership Meeting. The NAGPS shall enact By-Laws to ensure that elections proceed in a fair and impartial manner.

Section 2.

Regional Officers of the Association shall be elected annually at the their respective Regional Membership Meetings. The NAGPS shall enact By-Laws to ensure that elections proceed in a fair and impartial manner.

Section 3.

In the event that a national officer position or regional coordinator position becomes vacant, the Board of Directors shall appoint a replacement officer, who shall hold office until the end of that position's term.

SEC. 3. The National Association of Graduate-Professional Students amends Article V of the NAGPS Bylaws as follows:

Article V. Board of Directors

Section 1. Qualifications

The Board of Directors shall be selected from those individual persons duly recognized as bona fide representatives of an Organizational Member in good-standing or Individual Student members in good-standing at the time of election.

Section 2. Terms of Office

- A. National Officers and Committee Chairs shall serve from the completion of the National Meeting at which they were elected to the end of term.
- B. The term of Office for the Board of Directors, with the exception of the Regional Coordinators, shall coincide with the fiscal year. Regional Coordinators shall serve from the completion of the Regional Membership meeting at which they were elected to the completion of the next Annual Regional Membership Meeting or for a period of one year whichever comes earlier.

Section 3. Duties

- A. The Board of Directors (BOD) shall:
 - 1. Manage NAGPS by the stated purposes of Article I, Section 2, of the Constitution;
 - 2. Set a date and location for the National Membership Meeting, at least 120 days before the Meeting;
 - 3. Schedule general meetings for the Board of Directors;
 - 4. Establish dues and membership guidelines;
 - 5. Appoint ad hoc committees;
 - 6. Review and approve the Chair of each ad hoc committee;
 - 7. Prepare a monthly report summarizing the activities of each Director to be distributed to the appropriate constituencies.
- ~~B. The Executive Coordinator shall:
 - 1. Serve as the Association's Chief Executive Officer (CEO);
 - 2. Chair the meetings of the Board of Directors;
 - 3. Represent NAGPS in external affairs;
 - 4. Serve as an Ex Officio member of the Board of Directors, for the year following their term as Executive Coordinator;
 - 5. Prepare and submit an annual written report to the organization at the National Conference.~~

- ~~C. The Membership Coordinator shall:~~
- ~~1. Assume the position of Executive Coordinator, should the position become vacant mid-term, as defined in Article IX, Section 10;~~
 - ~~2. Chair the Membership Committee, as described in Article VII, Section 4;~~
 - ~~3. Assist the Executive Coordinator and Ombuds Coordinator in new board member orientation;~~
 - ~~4. Prepare and submit an annual membership report for the organization at the National Conference.~~
- ~~D. The Information Exchange Coordinator shall:~~
- ~~1. Serve as the Association's Secretary & Chief Information Officer (CIO);~~
 - ~~2. Report the minutes of all Board of Directors and National meetings;~~
 - ~~3. Manage a clearinghouse of information for the membership;~~
 - ~~4. Oversee production and distribution of a National Newsletter at least twice a year;~~
 - ~~5. Promote a comprehensive electronic mail network among the membership;~~
 - ~~6. Oversee production and distribution of special topic reports as directed by the Board of Directors;~~
 - ~~7. Conduct all mail balloting for NAGPS.~~
- ~~E. The Financial Controller shall:~~
- ~~1. Serve as the Association's Chief Financial Officer (CFO);~~
 - ~~2. Prepare a budget for NAGPS and its activities;~~
 - ~~3. Oversee the collection and distribution of all funds;~~
 - ~~4. Keep appropriate records of all fiscal transactions by NAGPS;~~
 - ~~5. Prepare a report for each Board of Directors Meeting.~~
- ~~F. The Regional Coordinators shall:~~
- ~~1. Be responsible for the recruitment and retention of members within their region;~~
 - ~~2. Provide monthly updates on NAGPS activities to members within their region via their electronic Regional discussion list, and/or the production of a Regional newsletter comparable to the monthly reports of the President;~~
 - ~~3. Represent interests of the members of their Region to the Board of Directors;~~
 - ~~4. Coordinate efforts of regional and state volunteers;~~
 - ~~5. Be responsible for appointing a person to act as proxy for that region in writing, who is not a Board member and a member of that region, by electronic mail or phone, subject to 2/3 approval of members of that region in good standing at a duly called regional meeting. If no proxy is given, or if the proxy is not approved by the region, the region may, by a 2/3 majority of regional attendees at a conference, appoint a temporary voting representative to the Board until the duly elected regional coordinator arrives.~~

- G. ~~Committee Chairs shall:~~
- ~~1. Be responsible for coordination of NAGPS' efforts regarding Committee issues at the national level;~~
 - ~~2. Advise the Board of Directors on issues of concern to their Committees;~~
 - ~~3. Represent interests of the members of their Committee to the Board of Directors;~~
 - ~~4. Provide regular updates on NAGPS activities to the members of their Committee via their electronic Committee discussion list, and/or the production of a Committee newsletter;~~
- H. ~~The Ombuds Coordinator shall:~~
- ~~1. Be responsible for maintaining channels of communication between NAGPS Committees (standing and ad hoc) and the Board of Directors;~~
 - ~~2. Oversee the process of amending and restructuring of the By-Laws and Constitution in accordance with the goals of NAGPS;~~
 - ~~3. Oversee the job performance of the Board of Directors and report to the Executive Coordinator and Information Exchange Coordinator when job performance of any member of the Board of Directors is unsatisfactory;~~
 - ~~4. Serve as the NAGPS Parliamentarian;~~
 - ~~5. Coordinate efforts of Committee volunteers.~~

Section 4. Election Guidelines

- A. ~~The Executive Coordinator, Membership Coordinator, Social Justice Coordinator, Information Exchange Coordinator, Financial Controller and Ombuds Coordinator shall be elected at the National Membership Meeting.~~
- B. ~~Chairs of standing committees, with the exception of the Executive and Membership Committees, may be nominated by their committees as well as by the members present at the National Membership Meeting and shall be elected at that National Membership Meeting.~~
- C. ~~Regional Coordinators shall be elected by their respective regions at their Regional Membership Meeting and be seated at the conclusion of the Regional Membership Meeting.~~
- D. ~~For all elections, if there are more than 2 persons running for a single office, Instant Run Off Voting shall be used: Each voter shall rank the candidates in order of most to least preferred. No candidate may be ranked twice, and no candidates may be ranked equally. A candidate receiving more than 50% of first choice votes wins the election. In the case that no candidate receives more than 50% of the first choice votes, the candidate receiving the fewest number of first choice votes shall be eliminated and ballots listing that candidate as their first choice shall be recounted using their second choice candidate. If a ballot has no more available choices ranked on it, that ballot shall be declared "exhausted" and not~~

~~counted in that round or any subsequent round. This process shall repeat until one candidate receives more than 50% of the votes.~~

*Section 5. Board of Directors
Meetings*

- A. General Provisions
1. Each Director has one vote which may be cast in person or by electronic media.
 - ~~2. The chair may vote only in the event of a tie, or in the event the chair's vote affects the outcome.~~
 3. For a quorum, a majority of Directors must be present, either physically or by electronic media.
 4. If all Directors agree in writing, a meeting is not required, to take action on a proposal.
 5. If a quorum is present, a majority vote of those Directors present, physically or by electronic media, decides the outcome of any matter, which does not amend the By-Laws.
 6. A two-thirds vote of all Directors is required to amend the Bylaws.
 7. Each director shall present a report at each board meeting, whether physical or via electronic means, which shall count as their attendance for that meeting.
 8. Each director shall actively participate in meetings, by attending physical meetings and by contributing and voting in e-mail meetings.
 9. Signed, written absentee ballots for specific issues shall be allowed for physical meetings.
 10. A summary of motions passed at each meeting will be sent to each member within fourteen days of the end of the meeting, and a copy of the minutes from each Board meeting will be sent to each member school within two months of the end of the meeting.
- B. Frequency
1. The Board of Directors shall meet physically at least twice per year; once at any time other than the National Conference, and once at said conference.
 2. The Board of Directors shall also meet regularly via e-mail between physical board meetings.
- C. Notification
1. The ~~Executive Coordinator~~ President must send an agenda to all Directors ~~and Assistants~~ at least twenty-one (21) days prior to any physical Board of Directors meeting, and at least fourteen (14) days prior to any e-mail meeting.

Section 6. Procedures

- A. Any actions taken by a Director on behalf of NAGPS may be overruled by a majority vote of the Board of Directors or of members in good-

standing.

~~B. Resignation~~

- ~~1. A Director's written resignation is effective when received by the Executive Coordinator. In the case of resignation of the Executive Coordinator, said notification is effective upon receipt by the Secretary.~~

- ~~CB.~~ When the Board of Directors lets a contract for an amount in excess of two thousand dollars (\$2,000), the Board shall solicit bids from competing firms. Before the contract is let, the Board must receive at least three competitive bids, or show cause as to why that is not possible. The Board shall notify all members in writing and provide explanation as to why the particular bid was selected.

Section 7. Membership

- A. The following officers, enumerated in the NAGPS Constitution, are voting members of the Board of Directors:
 1. President
 2. Vice President
 3. Secretary
 4. Financial Controller
 5. Ombuds Coordinator
- B. The following officers are ex-officio, non-voting members of the Board of Directors:
 1. All nationally elected Committee Chairs
 2. All Regional Coordinators
 3. The immediate past President

SEC. 4. The National Association of Graduate-Professional Students enacts Article VI of the NAGPS Bylaws as follows. All subsequent articles shall be renumbered appropriately:

Article VI - Officers

Section 1. Election Guidelines

- A. The following officers shall be elected annually at the National Membership Meeting:
 - a. President
 - b. Vice President
 - c. Secretary
 - d. Treasurer
 - e. Ombuds Coordinator
 - f. Human Concerns Chair
 - g. Legislative Concerns Chair
 - h. Employment Concerns Chair
 - i. International Student Concerns Chair
 - j. Public Relations Chair

- B. The following officers shall be elected annually at their respective regions, and are seated immediately at the conclusion of the Regional Membership Meeting:
 - a. Regional Coordinator
- C. Chairs of standing committees, with the exception of the Advocacy and Membership Committees, may be nominated by their committees as well as by any member present at the National Membership Meeting. All other officers may be nominated by any member at the National Membership Meeting.
- D. For all elections, if there are more than 2 persons running for a single office, Instant Run-Off Voting shall be used: Each voter shall rank the candidates in order of most to least preferred. No candidate may be ranked twice, and no candidates may be ranked equally. A candidate receiving more than 50% of first choice votes wins the election. In the case that no candidate receives more than 50% of the first-choice votes, the candidate receiving the fewest number of first choice votes shall be eliminated and ballots listing that candidate as their first choice shall be recounted using their second choice candidate. If a ballot has no more available choices ranked on it, that ballot shall be declared "exhausted" and not counted in that round or any subsequent round. This process shall repeat until one candidate receives more than 50% of the votes.
- E. No person may hold more than one nationally elected office or regional coordinator office simultaneously. Regional offices other than regional coordinator are not subject to this limitation, though it is the intent of NAGPS to involve as many members as possible.

Section 2. Duties of Officers

- A. All national officers and regional coordinators shall:
 - 1. Prepare and submit an annual written report and financial statement (if appropriate) to the organization at the National Conference.
- B. The President shall:
 - 1. Serve as the Association's Chief Executive Officer (CEO);
 - 2. Chair the meetings of the Board of Directors;
 - 3. Represent NAGPS in external affairs;
 - 4. Serve as an *Ex Officio* member of the Board of Directors, for the year following their term as President;
- C. The Vice President shall:
 - 1. Assume the position of President, should the position become vacant mid-term, as defined in Article X, Section 10;
 - 2. Chair the Board of Directors in the absence of the President.
 - 3. Chair the Membership Committee as Membership Coordinator, as described in Article VIII, Section 4;
 - 4. Assist the President and Ombuds Coordinator in new officer orientation;
- D. The Secretary shall:
 - 1. Serve as the Association's Secretary & Chief Information Officer

(CIO);

2. Report the minutes of all Board of Directors and National meetings;
3. Collect reports from all standing committees of the Association.
3. Manage a clearinghouse of information for the membership;
4. Oversee production and distribution of a National Newsletter at least twice a year;
5. Promote a comprehensive electronic mail network among the membership;
6. Oversee production and distribution of special topic reports as directed by the Board of Directors;
7. Conduct all mail-balloting for NAGPS.

E. The Financial Controller shall:

1. Serve as the Association's Chief Financial Officer (CFO);
2. Prepare a budget for NAGPS and its activities;
3. Oversee the collection and distribution of all funds;
4. Keep appropriate records of all fiscal transactions by NAGPS;
5. Prepare a report for each Board of Directors Meeting.

F. The Regional Coordinators shall:

1. Be responsible for the recruitment and retention of members within their region;
2. Provide monthly updates on NAGPS activities to members within their region via their electronic Regional discussion list, and/or the production of a Regional newsletter comparable to the monthly reports of the President;
3. Represent interests of the members of their Region to the Board of Directors;
4. Coordinate efforts of regional and state volunteers;
5. Be responsible for appointing a person to act as proxy for that region in writing, a member of that region, by electronic mail or phone, subject to 2/3 approval of members of that region in good standing at a duly called regional meeting. If no proxy is given, or if the proxy is not approved by the region, the region may, by a 2/3 majority of regional attendees at a conference, appoint a temporary voting representative to the Board until the duly elected regional coordinator arrives.

G. Committee Chairs shall:

1. Be responsible for coordination of NAGPS' efforts regarding Committee issues at the national level;
2. Advise the Board of Directors on issues of concern to their Committees;
3. Represent interests of the members of their Committee to the Board of Directors and Advocacy Committee;
4. Provide regular updates on NAGPS activities to the members of their Committee via their electronic Committee discussion list, and/or the production of a Committee newsletter;
5. Prepare a report and submit it via e-mail or mail to the Secretary by

the day that occurs five (5) days prior to the Advocacy Committee meeting.

6. Any Committee Chair who fails to participate in at least 2 Advocacy Committee meetings may be considered in nonfeasance.

H. The Ombuds Coordinator shall:

1. Be responsible for maintaining channels of communication between NAGPS Committees (standing and ad hoc) and the Board of Directors;

2. Oversee the process of amending and restructuring of the By-Laws and Constitution in accordance with the goals of NAGPS;

3. Oversee the job performance of the Board of Directors and report to the President and Secretary when job performance of any member of the Board of Directors is unsatisfactory;

4. Serve as the NAGPS Parliamentarian;

5. Coordinate efforts of Committee volunteers.

Section 3. Resignation

A. A Director's written resignation is effective when received and accepted by the President. In the case of resignation of the President, said notification is effective upon receipt by the Secretary.

SEC. 5. The National Association of Graduate-Professional Students amends Article VI of the NAGPS Bylaws as follows:

Article ~~VI~~-VII. Standing Committees

Section 1. General Provisions

A. Standing committees include the:

1. Legislative Concerns Committee
2. Human Concerns Committee
3. Employment Concerns Committee
4. Public Relations Committee
5. International Student Concerns Committee

~~B. Committee Chairs shall issue an annual report and a financial statement, if appropriate, at the National Membership Meeting.~~

~~C. Each Committee Chair shall prepare a report and submit it via e-mail or mail to the secretary by the day that occurs 14 days prior to the BOD meeting.~~

~~C. Any Committee Chair who fails to participate in at least 2 BOD meetings may be considered in nonfeasance.~~

B. Each standing committee shall elect from among their membership a Vice Chair, who shall represent the committee to the Advocacy Committee or chair the committee meetings in the absence of the Chair.

SEC. 6. The National Association of Graduate-Professional Students amends Article VII, Section 1 of the NAGPS Bylaws as follows:

Section 1.

A. _____ The Board of Directors shall convene the following committees of

the board as necessary; ~~with chairs and committee memberships as specified in sections 2-5:~~

- ~~A. Executive Committee~~
- ~~B₁. Finance Committee~~
- ~~C. Membership Committee~~
- ~~D₂. Personnel Committee~~
- B. The following are internal standing committees of NAGPS:
 - 1. Advocacy Committee
 - 2. Membership Committee

SEC. 7. The National Association of Graduate-Professional Students amends Article VII, Section 4 of the NAGPS Bylaws as follows:

Section 4. Membership Committee

- A. The Membership Committee shall be composed of the Vice President, serving as Chair, Regional Coordinators, Regional Membership Coordinators, State Coordinators, Public Relations Chair, and any NAGPS members in good standing who indicate interest in serving on the Committee.
- B. The Membership Committee shall designate appropriate membership categories for applicants and certify satisfaction of requirements for membership. The committee shall also advise the Board of Directors concerning strategies for recruitment and retention of individual and organizational members.
- C. Quorum for this committee shall be a simple majority of Regions represented by a member.

SEC. 8. The National Association of Graduate-Professional Students amends Article VII, Section 2 of the NAGPS Bylaws as follows:

~~*Section 2. Executive Committee*~~

- ~~A. The Executive Committee shall be composed solely of the Executive Coordinator, serving as Chair, the Membership Coordinator, the Information Exchange Coordinator, the Financial Coordinator, and the Ombuds Coordinator.~~
- ~~B. The Executive Committee shall advise the Executive Coordinator as (s)he sees fit and perform such duties as given to it by actions of the Board of Directors.~~

Section 2. Advocacy Committee

- A. The Advocacy Committee shall be composed of the President, Legislative Concerns Committee Chair, Employment Concerns Committee Chair, International Student Concerns Committee, Human Concerns Chair, and Public Relations Chair. The President shall serve as chair of the committee.
- B. The Advocacy Committee shall coordinate advocacy campaigns and exchange information between standing committees.
- C. The committee shall meet regularly.

SEC. 9. All references to "Executive Coordinator" in the By-Laws shall be replaced with "President".

SEC. 10. Any sections displaced shall be renumbered accordingly. The NAGPS Secretary is empowered to correct typos and formatting.

Frequently Asked Questions (FAQ) about NEBRA (CA #4):

Why did you delete that important section?

It's probably not actually gone, just somewhat reorganized. Since many officers are no longer on the Board of Directors, it no longer makes sense to be in the Board of Directors article of the bylaws. There's also a slight reorganization to note that committee chairs and regional coordinators are still considered officers, even though they are not directors.

Here's a quick index of struck sections, and where they have been moved to:

Struck	Replacement
Const V Sec. 1-4	Bylaws VI, Sec 3., sub. B-E
Bylaws V Sec. 3, sub. B-H	Bylaws VI, Sec. 2, sub. B-H
Bylaws V, Sec. 4	Bylaws VI, Sec. 1
Bylaws V, Sec. 5, sub. A(2)	omitted (odd number of votes)
Bylaws V, Sec. 6, sub. B(1)	Bylaws VI, Sec. 3
Bylaws VII, Sec. 1, sub. B	Bylaws VI, Sec. 2, sub A
Bylaws VII, Sec. 1, sub. C-D	Bylaws VI, Sec. 2, sub. G(5) and G(6)
Bylaws VII, Sec. 2	omitted (same composition as Board now)

Note: These are using the new numbering system (a new Section VI is inserted). Other sections struck should be replaced immediately below with modified language.

Why do you want to make the Board of Directors smaller?

Worrying about a small board is a legitimate concern. I know that, as Legislative Concerns Chair of NAGPS last year, I felt that I was occasionally left out by the Executive Committee (*statement referring to Brent Laabs*). I don't know if it's actually true, but having a small board can feel like you're being led by an elite club. However, I feel that these obstacles can be overcome for the greater good of the organization (more on how later).

The Board meetings, as of now, are somewhat long and inefficient. Everyone makes their report, and topics range from the regional meeting in Timbuktu to employment policy at Guam State University (hyperbolically, anyway). By separating the process into different groups, it allows each set to develop their strengths without having to deal with the administration of the Board of Directors.

As for leaving people out, there was a simple solution for that: allow other officers of the board to serve as *ex officio* members of the Board, so that anyone can participate in the discussions if need be. Trust me – from all of my experience as a grad student in an undergraduate student government, you do not need to have a vote to be influential. You just need a voice in the conversation, and this amendment provides that.

Three committees – were you trying to replicate the federal three-branch model?

Actually, not really. While I've spent a lot of time looking at student governments that use a three branch model (primarily undergraduate), it doesn't seem useful or appropriate here. While this plan may evoke some healthy competition between the

“branches”, the main goal here is to divide labor evenly, and allow officers to concentrate on their particular tasks.

Following the model of the Membership Committee, I just decided to create a space for the remaining officers. The main purpose of the Committee Chairs seems to be advocacy, and this is a large reason why many members join NAGPS. The idea seemed to fit perfectly within the new structure.

At a deeper level, this grouping of three matches the Harms- Laabs model of student government. We believe that student government has three fundamental purposes: (1) Services and activities, (2) Personal and professional development (education), and (3) Advocacy on behalf of students. The Advocacy portion will clearly be led by the Advocacy Committee. Services and administration will be handled by the Board. And finally, personal and professional development is a large part of the goal of our Regional Conferences, making this a primary purpose of the Membership Committee. The networking function of the regions could also be considered professional development. While there will certainly be crossover outside the core purpose of each group, this model still helps NAGPS to accomplish its goals.

Wouldn't a larger Board of Directors be better? Why change?

The sad truth is that most of the reason work doesn't get done in NAGPS is due to a lack of time commitment on the part of its officers. As my friend from Davis once said to me, “[student government] would be a lot better if people just did their jobs.” So really, the main question in this restructuring should be: does this help/persuade people to do their jobs more?

Obviously, I believe that it does, or I wouldn't have written up this whole amendment. If a person takes a job like International Student Concerns Chair, it's because they want to dig in and really advocate for international students. They probably aren't as concerned with finance or recruitment, and hey, that's cool. But if they are, they can put in extra time to be a part of the other committees as well.

I see this change as eliminating the distractions, and giving our officers a chance to really concentrate on their area of expertise. Instead of talking about website contracts, the Membership Committee could be talking about how to get member schools to network. And more than that, it should make our officers happier about their jobs. Right now, no one really looks forward to the Board phone call. But if I had a phone call where we help mobilize students to action – I know I would enjoy that call, even if it took a couple hours. This change better uses our officers' time, which will lead to a more effective association.

Won't we lose the benefits of having a large Board of Directors?

Possibly yes, but we can mitigate those costs. In theory, having everyone gather on one phone call should allow for information to be shared from any avenue in the organization. In reality, the long meeting is not a conducive environment for sharing information effectively. In the new system, certain members will be the main avenues for information moving between the committees and the board: The President for the Advocacy Committee, the Vice President for the Membership Committee, and the Public Relations Chair between the two committees.

Before moving on, we should ask the question: why do we have a large board in the first place? As I said above, it seems good for sharing information at first glance. Additionally, it may feel more appropriate for all officers to have equal voting rights.

Most graduate or professional student governments are operated as councils, where all officers have equal voting rights. It is likely the form of self-governance with which we are most familiar, so we have chosen it for NAGPS. However, 16-member boards are just too large for a nonprofit organization. I personally believe that over ten members is clumsy, while less than 5 (legal minimum 3) feels too elite. Given the current structure, I felt that 5-7 is a good target size for the Board and all of our committees.

Why get rid of the title "Executive Coordinator"?

I assume the original intent was to show that the President is just another officer, and shouldn't have undue influence on the organization. While this may be a noble idea, it's just not true. The President has a wide range of powers, not the least of which is setting the agenda of the Board of Directors. Until we hire staff, the President will remain the big kahuna of the association. A large part of the President's job involves interacting with outside organizations. I wouldn't know *a priori* what an Executive Coordinator does – are they staff? An officer? An assistant? I don't expect anyone else would either. I would expect any major dude off the street would tell you what a President does.

Constitutional Amendment #5

An NAGPS Constitutional Amendment to create an Advocacy Coordinator and a Membership Coordinator.

BACKGROUND: This amendment seeks to expand on the new three-committee structure, proposed in NEBRA, to make add new officers and make better use of existing board members.

Currently, President and Vice President are two of our most overtaxed positions, with a lot of duties chairing meetings, writing letters, advocating, and recruiting. These are precisely the positions that should be the most flexible, as they should be able to support and oversee the operations of all of NAGPS.

This bill creates two new positions to increase the effectiveness of the Advocacy Committee and Membership Committee: The Advocacy Coordinator and the Membership Coordinator, respectively. This change gives each committee a voice on the Board of Directors, should provide better communication to the committees, and allow the President and Vice President the time to take a wider role in the Association.

SEC. 1. This bill shall only be enacted if the NEBRA Act of 2009 is enacted. This bill shall then be enacted subsequently to the NEBRA Act.

SEC. 2. The National Association of Graduate-Professional Students amends Article IV, Section 2 of the NAGPS Constitution as follows:

Section 2. Members

Voting members of the Board of Directors of the Association shall be the following officers of the Association:

- A. President
- B. Vice President
- C. Financial Controller
- D. Secretary
- E. Ombuds Coordinator
- F. Advocacy Coordinator
- G. Membership Coordinator

SEC. 3. The National Association of Graduate-Professional Students amends Article V, Section 7 of the NAGPS Bylaws as follows:

Section 7. Membership

- C. The following officers, enumerated in the NAGPS Constitution, are voting members of the Board of Directors:
 1. President
 2. Vice President
 3. Secretary

4. Financial Controller
5. Ombuds Coordinator
6. Advocacy Coordinator
7. Membership Coordinator

SEC. 4. The National Association of Graduate-Professional Students amends Article VII, Section 2(A) of the NAGPS Bylaws as follows:

- A. The Advocacy Committee shall be composed of the ~~President-Advocacy Coordinator~~, Legislative Concerns Committee Chair, Employment Concerns Committee Chair, International Student Concerns Committee, Human Concerns Chair, and Public Relations Chair. The ~~President-Advocacy Coordinator~~ shall serve as chair of the committee.

SEC. 5. The National Association of Graduate-Professional Students amends Article VII, Section 2(A) of the NAGPS Bylaws as follows:

- A. The Membership Committee shall be composed of the ~~Vice President-Membership Coordinator~~, serving as Chair, Regional Coordinators, Regional Membership Coordinators, State Coordinators, and any NAGPS members in good standing who indicate interest in serving on the Committee.

SEC. 6. The National Association of Graduate-Professional Students amends Article VI, Section 2(B) and 2(C) of the NAGPS Bylaws as follows:

- B. The President shall:
 1. Serve as the Association's Chief Executive Officer (CEO);
 2. Chair the meetings of the Board of Directors;
 3. Represent NAGPS in external affairs;
 4. Serve as an Ex Officio member of the Board of Directors, for the year following their term as President;
 5. ~~Serve as chair of the Advocacy Committee, described in Article VII, Section 2.~~
 6. Assist, coordinate, and enable NAGPS officers in fulfilling the mission of NAGPS.
- C. The Vice President shall:
 1. Assume the position of President, should the position become vacant mid-term, as defined in Article IX, Section 10;
 2. ~~Chair the Membership Committee as Membership Coordinator, as described in Article VII, Section 4;~~
 3. ~~Assist the President and Ombuds Coordinator in new officer orientation;~~
 3. Assist, coordinate, and enable NAGPS officers in fulfilling the mission of NAGPS.

SEC. 7. The National Association of Graduate-Professional Students enacts Article VI, Section 2(I) and 2(J) of the NAGPS Bylaws as follows:

- I. The Membership Coordinator shall:
 1. Serve as chair of the Membership Committee.
 2. Coordinate NAGPS Regions and assist Regional Coordinators in fulfilling their duties.
 3. Inform the Board of Directors on activities of the Membership Committee and regional activities.
 4. Inform the Membership Committee on activities of the Board of Directors.
- J. The Advocacy Coordinator shall:
 1. Serve as chair of the Advocacy Committee.
 2. Coordinate NAGPS Standing Committees and assist Committee Chairs in fulfilling their duties.
 3. Inform the Board of Directors on activities of the Advocacy Committee and advocacy activities.
 4. Inform the Advocacy Committee on activities of the Board of Directors.

SEC. 7. Any sections displaced shall be renumbered accordingly. The NAGPS Secretary is empowered to correct typos and formatting.

FAQ about CA #4:

Why isn't this included in NEBRA?

The NEBRA Act was intended to preserve as much as our organizational structure as possible, while reducing the voting members of the Board of Directors. Ultimately, that required the creation and elevation of the Advocacy Committee and Membership Committee, respectively, in order to coordinate officers. Since this changes the structure of NAGPS in a different way, I believe that the membership deserves a chance to vote on these provisions separately.

I like the restructuring in NEBRA above, but I do not want any more officers? Will it work without this bill too?

I like to think of NEBRA and this bill as being some cowbell. The restructuring is good on its own, but hey, it could always use more cowbell. Christopher Walken says so. If you feel that NAGPS works fine with its current set of officers, and that adding redundant officers would be bad, you can vote for NEBRA and against this amendment. The Association will work well without a Membership Coordinator and Advocacy Coordinator, but I believe even better with them.

What was that about redundancy? Will this bill add unnecessary redundancy to the officers of NAGPS?

Not really. If anything, it adds necessary redundancy. In my experience on the NAGPS board, you get some good officers, you get some okay officers, and you get an occasional bad one. NAGPS is a very diverse group of member schools with officers that change every year, with not much personal communication outside the conferences, whose officers are full-time students with other student government commitments. Given that, officer failure is an unavoidable consequence of being the type of organization that we are. This is not intended to be a statement of blame – people often have very good reasons why they cannot commit their time the originally envisioned – but merely a statement of fact.

And it's not like there's a lot of room for error. On the current board, the only officer who does not chair a committee or chair at a conference is the Secretary. If one of our volunteer officers has a problem, then the many of the job duties are just dropped. There are some existing redundancies between the Vice President and the Regional Coordinators in recruitment, and the President takes on some advocacy roles. Only the Ombudsperson has a lot of time to take on a flexible role and assist other officers.

Therefore, we should plan to compensate for cases where officers get swamped with exams for a month, or just plain go AWOL. We allow our officers at the top – the President and Vice President – to be much more flexible and assist other officers. They can help to coordinate the entire organization, and take a broader and longer view on NAGPS strategy. The Advocacy and Membership Coordinators, as well as chairing a committee, can assist officers in their respective domains, and pick up the slack whenever necessary.

So why include these new officers on the Board of Directors?

There are several reasons here. First and foremost, I believe that these officers will

better represent their committee's interests to the Board. You know, the place where the money comes from. Additionally, as somewhat "higher" positions, they are more likely to attract experienced candidates that can provide mentorship to members of their committees. Finally, having a seven member board just makes me feel a little more comfortable than a five member board.

It doesn't seem like the new Vice President has much to do. What's up with that?

In the end, I've always sort of liked the "useless Vice President" model. Ultimately, that VP can become one of many things: A capable assistant to the President (The Adams), a less capable officer given the runner-up prize to keep them happy (The Quayle), a replacement for a less capable Prez who can keep things running (The Cheney). This model works successfully with many Graduate-Professional Organizations where the Vice-Prez (Vice-Chair) has little autonomy or individual roles other than to serve as co-captain. Either way, the redundancy at the top doesn't hurt matters. Additionally it allows the VP to determine what areas need support within the organization. It's not like we pay our officers anything.

Ultimately, the main purpose of the Prez and Veep is to provide both leadership and mentorship for the other officers. Experienced members will naturally drift towards both of these offices. If they have the time and commitment to take on roles like this, they can train, assist, and lead other members more easily with more freedom. Mentorship is the real key here. In an organization with ~50% annual turnover in officers (almost as bad as undergrads, yikes!), keeping experienced officers in leadership roles can help to train the next generation of NAGPS.

Bill #6

The Geography Awareness Act, a bill to amend the NAGPS Bylaws.

BACKGROUND: The U.S. Marshall Islands do not exist, and have not existed for some time now. The Marshall Islands became a sovereign nation in 1986, and has been in a Compact of Free Association with the United States ever since. Apparently, no one has looked at a map since the organization began, so let's solve this U.S. territories issue once and for all.

An insular area is a part of the United States not in one of the 50 states or the federal district. The vast majority of insular areas of the United States are in the Pacific Ocean, with the exceptions of Puerto Rico and the Virgin Islands.

Underlined text is inserted into the existing text, and strikethrough text is deleted from the existing text.

SEC. 1. The National Association of Graduate-Professional Students amends Article VIII of the Bylaws as follows:

Article VIII. Regions

For the purposes of this Association, the United States of America will be divided into Regions as follows:

Northeast: Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, Delaware, New York, New Jersey, Pennsylvania, West Virginia;

Southeast: Alabama, District of Columbia, Florida, Georgia, Maryland, North Carolina, Puerto Rico, South Carolina, Tennessee, U. S. Virgin Islands, Virginia; Midwest: Ohio, Michigan, Kentucky, Indiana, Illinois, Iowa, Minnesota, Wisconsin, North Dakota, South Dakota;

Southcentral: Missouri, Texas, Arkansas, Louisiana, Mississippi, Oklahoma, Kansas, Nebraska;

Western: Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, ~~U. S. Marshall Islands~~, Utah, Washington, Wyoming, and all other insular areas of the United States.

SEC. 2. NAGPS recognizes the following factoid as fun and educational: The farthest two universities in the Western Region are over 6500 miles apart, one quarter of the Earth's circumference. Hopefully, they will both be members one day.

About the Sponsor

Marrah Lachowicz-Scroggins serves at the NAGPS Secretary/CIO and is also part of a member school in good standing, the University of California-Davis, Graduate Student Association. You can contact Marrah Lachowicz-Scroggins, UCD GSA External Chair, at gsaexternalchair@ucdavis.edu.

About the Corresponding Author

Brent Laabs served as Western Regional Coordinator and Legislative Concerns Chair of NAGPS in 2008. In addition to working on the UC Davis Graduate Student Association's bylaws, he has written over fifty bills, constitutional amendments, and resolutions for UC Davis' undergraduate association, ASUCD. He first became interested in other organizations' bylaws when the ASUCD Internal Affairs Commission placed him on a special committee to investigate the UC Student Association's bylaws, and has studied many other organizations' bylaws since. Brent is currently in a professional certificate program at Ventura College, Ventura, California. You can contact Brent at bslaabs@gmail.com.

Document Draft, In Consultation

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