

PROPOSED CONSTITUTION AND BY-LAWS CHANGES FOR THE 57TH GCC

The Grand Council of Kappa Psi met August 4th-8th, 2015 to review and decide upon the following proposals. Based on results of discussion and voting of the Grand Council, the following changes are noted:

Amendments to the Constitution:

- I. Amendment** to Article I, Section 1 (003) – Kappa Psi Official Name
- II. Addition** to Article III, a section 9 (TBD) – Auxiliary Organizations Statement
- III. Amendment** to Article XV, Section 1 (035) – Publications (Proposal #3 en bloc)
- IV. Amendment** to Article XVII, Section 1 (037) – GCC Quorum (Proposal #4 en bloc)

Amendments to the By-Laws:

- V. Amendment** to By-Law V, Section 2 (075) – Proxies to the Grand Council (Proposal #4)
- VI. Amendment** to By-Law V, Section 3 (076) – Proxy & Reimbursement (Proposal #4)
- VII. Amendment** to By-Law V, Section 4 (077) – Proxy Forms (Proposal #4)
- VIII. Amendment** to By-Law VI, Section 1 (078) – GCC Fund & Proxies (Proposal #4 en bloc)
- IX. Addition** to By-Law XII, a section 17 (TBD) – Webpage Publication & Webmaster (Proposal #3)
- X. Amendment** to By-Law XIII, Section 13 (168) – Nicolas W. Fenny Industry Scholarship Award (Proposal #5 en bloc)
- XI. Elimination** of By-Law XIII, Section 14 (169) – Scholarship Award Calculation (Proposal #5)
- XII. Amendment** to By-Law XIII, Section 15 (170) – Scholarship Honor Certificate Definition
- XIII. Amendment** to By-Law XIII, Section 16 (171) – Scholarship Tray Calculation

Amendments to the Uniform Collegiate Chapter By-Laws:

- XIV. Amendment** to By-Law VI, Section 13 (C27) – Chapter Proxies (Proposal #4)

Amendments to the Uniform Graduate Chapter By-Laws:

- XV. Amendment** to By-Law VI, Section 10 (G24) – Chapter Proxies (Proposal #4)

Amendments to the Uniform Province By-Laws:

- XVI. Amendment** to By-Law III, Section 1 (P05) – Province Dues Deadlines (Proposal #8 en bloc)
- XVII. Amendment** to By-Law III, Section 2 (P06) – Province Dues Deadlines (Proposal #8)

Kappa Psi Pharmaceutical Fraternity Legislative Proposals
Presented at the 57th Grand Council Convention
Denver, CO August 4-9th, 2015

Proposal #1:

ARTICLE I
NAME AND OBJECTIVES

Original Legislation:

003. Sec. 1. The name of this society shall be Kappa Psi Pharmaceutical Fraternity, Incorporated, which hereinafter may be referred to as the Fraternity.

Proposed Change:

003. Sec. 1. The name of this society shall be Kappa Psi ~~Pharmaceutical~~ Pharmacy Fraternity, Incorporated, which hereinafter may be referred to as the Fraternity.

Submitted by:

Tony Welder, North Dakota Grad & Beta Sigma Chapter

Rationale:

The North Dakota Grad Chapter is advocating a partial name change for our fraternity, Kappa Psi Pharmaceutical Fraternity. The definition of “pharmaceutical” is a chemical or drug. When I graduated in 1961 that was an appropriate reference since we were limited to dispensing chemicals or drugs.

Pharmacists do so much more now. We are becoming a true member of the healthcare community. Consulting and getting to know the patient’s health and needs is an important part of our profession. Patients depend on us for proper medication consultations, flu shots, screening for blood pressure, diabetes and so much more.

There are powerful precedents for this action. Checking with the leadership of the National Alliance of State Pharmacy Associations (NASPA) confirmed there are no longer any state pharmacy associations using “pharmaceutical” in their name. All have changed to either “Pharmacists” or “Pharmacy”. E. g.: North Dakota Pharmacists Association. National pharmacy organizations have done the same. The former National Association of Retail Druggists was changed to National Community Pharmacists Association. Pharmacists no longer wanted to be called “druggists.” The American Pharmaceutical Association changed to American Pharmacists Association due to member requests. Politicians and others sometimes mistakenly identified them as a drug manufacturer.

This proposal is supported by a very enthusiastic 90% of Beta Sigma Collegiate Chapter members at NDSU and an almost unanimous vote of the Beta Sigma alumni group. It’s time to consider defining our current and future role of this great profession with a more accurate descriptive name.

THE LEGISLATIVE COMMITTEE DOES NOT RECOMMEND ADOPTION

Legislative Committee Rationale:

The legislative committee believes this amendment should come before the Fraternity for consideration as a legitimate question worth reviewing as a whole. However, the legislative committee inherently disagrees with a vast majority of the rationale provided by the authors. First, is the definition of pharmaceutical. While the authors are correct that the term taken as a noun refers to a drug or chemical, when taken as an adjective, which is what it should be as a "type of Fraternity" it means "of or related to pharmacy or pharmacists" and by extension the pharmaceutical industry. (dictionary.com, Merriam-Webster online). On the flip side, if you look at the definition of "Pharmacy" Merriam-Webster online defines pharmacy as "the art, practice or profession of preparing, preserving, compounding or dispensing medical drugs (n)" or "a place where medicines are compounded or dispensed (n)" and thus does not address the "problem" posed by the authors. We also agree that we do so much more than just dispense medications, however we also do more than just patient care as well. We have members who aren't "pharmacists" in the technical definition, but work in industry, for insurance companies, for academic institutions, and/or do research as well as lawyers who work in pharmacy law. We believe that changing to "Pharmacy" automatically excludes hundreds if not thousands of our current members, which, based on the constitutional sections noted below, would seem to go against the founding principles of our Fraternity.

Per Article I, sec 2 of the Constitution, "The objectives are to conduct a fraternal organization, to advance the profession of Pharmacy... and to foster scholarship and pharmaceutical research." (paraphrased)

Per Article III, "Kappa Psi shall receive as Members, only persons who are teachers in, students in, or graduates of Schools or Colleges of Pharmacy, or who are students currently enrolled in a School of pre-pharmacy." This would indicate that you do not need to be practicing Pharmacy from the traditional sense, but looking at the industry more globally to be part of our organization. Schools of Pharmacy (depending on their size) have other tracks besides the PharmD program, what about Pharm Sciences? or PhD? What about teachers who are PhDs (not PharmDs or RPhs)? What about the pre-pharm aspect - many of those go on to alternate professions, should they then be removed from the Fraternity or given different status if they are not working in "Pharmacy?" These points would need to be clarified in terms of intent as well as how to address them in other parts of the Constitution with regards to legislative changes.

The second question is the issue of precedence noted in the rationale. We believe the intent of such organizations are inherently different from that of Kappa Psi. Although one of the goals is to promote the profession of Pharmacy, we also are, primarily, a student organization with graduate components. This is opposed to most other pharmacy/pharmacist organizations where they are organizations for pharmacists, many of which have a student component. The other thing is, our organization and its members tend to be more tightly tied to the history and traditions of our order, being a Fraternal organization, rather than a state or national society.

Beyond just the name change, there are financial and organizational issues that must be accounted for with regards to this change. We will need to update all charters, documents and currently branded paraphernalia at the international level as well as for Chapters. Many of these items would need to be completely replaced leading to potential financial losses on varying scales. The Fraternity will need to

apply for changes to our incorporated status, as well as any individual chapter who is currently incorporated (roughly 1-2 dozen chapters). All Chapters will have to apply for changes to their names with the IRS (which isn't fun or easy) and any other legal documents will need to be changed as well. This is a fairly large legal issue whether we want it to be or not. If the Fraternity does believe that this should be further investigated, we instead recommend a Fraternity member propose a resolution to look into the full data-driven impact of such a change on the structure, function and financials of the Fraternity as a whole.

Proposal #2:ARTICLE III
MEMBERSHIP**Original Legislation:** Section 9 does not currently exist.**Proposed Change:** Add the following Language.

Sec. 9. The Fraternity does not recognize or approve the existence of auxiliary organizations not authorized in writing by the Executive Committee. No organization, unless authorized by the Executive Committee or as otherwise permitted by the Constitution or By-Laws, shall use the words, letters, logos or symbols of the Fraternity, or otherwise represent affiliation with the Fraternity.

Submitted by: Robert Mancini, Grand Counselor**Rationale:**

As Kappa Psi continues to grow and modernize we have to be aware of potential areas of liability. Some Chapters still operate unsanctioned affiliate programs or other auxiliary memberships. Although non members of the Fraternity, members in these types of auxiliary organizations can make Kappa Psi legally responsible for their actions due to affiliation. This statement will help protect the Fraternity should unsanctioned organizations claim to be acting on our behalf as it will indicate the Fraternity does not authorize auxiliary organizations. In addition, it ensures a proper approval process for utilization of the words, letters, logos and symbols of the Fraternity. Language was carried over directly from the policy.

THE LEGISLATIVE COMMITTEE RECOMMENDS ADOPTION**Legislative Committee Rationale:**

This is primarily a legal issue. Any time our name is attached to something that isn't a Fraternity sanctioned entity; it opens us to potential legal threats. When an organization or other subsidiary organization exists, and they are not members, they are not subject to our Constitution, By-Laws or policies. Therefore, the Fraternity can not control the issue and if they do something wrong or illegal and our name is tied to it, we could be sued. Therefore, this statement is a way to protect the Fraternity that we have in our Constitution that no entity is legally sanctioned by us (this currently includes all Chapters, Provinces & the Foundation) and thus should not be identifying themselves as Kappa Psi in anyway. Prohibited organizations are currently outlined in the Fraternity Policy Manual.

Proposal #3:

Article XV, Section 1
By-Law XII, Section 17
Publications

Original Legislation:**Article XV, Section 1**

035. *Sec. 1.* Kappa Psi Pharmaceutical Fraternity, Incorporated shall publish its legal documents: The Constitution and By-Laws, and Uniform Chapter and Province By-Laws, an official journal to be known as THE MASK of Kappa Psi Pharmaceutical Fraternity, Incorporated, a manual to be known as THE HANDBOOK of Kappa Psi Pharmaceutical Fraternity, Incorporated; an official directory to be known as THE AGORA; a guide for the Chapters known as THE POLICIES AND PROCEDURES MANUAL; and any additional publications deemed to be in the interest of the Fraternity by the members of the Executive Committee.

By-Law XII, Section 17 does not currently exist

Proposed Change (en bloc):**Article XV, Section 1**

035. *Sec. 1.* Kappa Psi Pharmaceutical Fraternity, Incorporated shall publish its legal documents: The Constitution and By-Laws, and Uniform Chapter and Province By-Laws, an official journal to be known as THE MASK of Kappa Psi Pharmaceutical Fraternity, Incorporated, a manual to be known as THE HANDBOOK of Kappa Psi Pharmaceutical Fraternity, Incorporated; an official directory to be known as THE AGORA; a guide for the Chapters known as THE POLICIES AND PROCEDURES MANUAL; a website with the domain www.kappapsi.org; and any additional publications deemed to be in the interest of the Fraternity by the members of the Executive Committee.

Add the following language

Sec. 17. The Fraternity shall utilize the domain www.kappapsi.org as its official webpage. This webpage shall be under the management of the Webmaster, who shall be appointed for a term and at a honorarium determined by the Executive Committee and shall be responsible to the Grand Council for the website on a continual basis.

Submitted by: Robert Mancini, Grand Counselor

Rationale:

Since Kappa Psi has an official webpage and domain that is property of the Fraternity, it should be considered an official publication of the Fraternity and covered under the new copyright and branding policies created by the Executive Committee. In addition, if we are to have an official appointed Webmaster, their position, means of appointments and information on if they shall be paid needs to be reviewed and approved by the Grand Council by means of By-Law addition. Language was formulated similar to Sec 5 of this By-Law to match wording similar to the Editor of the MASK. There is a policy for the Webmaster which is similar to

THE LEGISLATIVE COMMITTEE RECOMMENDS ADOPTION

Legislative Committee Rationale: As above

Proposal #4:

ELIMINATION OF PROXY VOTING AT GCC (changes voted on en bloc)

Article XVII 037 Sec. 1

By-Law V 075 Sec. 2, 076 Sec. 3, 077 Sec. 4

By-Law VI 078 Sec. 1

Uniform Collegiate Chapter By-Law VI C27, Sec. 13

Uniform Graduate Chapter By-Law VI G24, Sec. 10

Original Legislation:**ARTICLE XVII**

037. *Sec. 1.* A quorum for any meeting of the Grand Council shall be three-fourths (3/4) of its accredited membership registered either in person or by proxy at said meeting.

UNIFORM BY-LAW V

075. *Sec. 2.* If a Chapter sends only one (1) representative to the Grand Council, that representative shall be entitled to cast two (2) votes. If a Chapter or Province is unable to send any representatives, its votes or vote may be assigned by proxy to any other Member, Chapter or Province except Members of the Executive Committee, Advisory Committee, Editor of *THE MASK*, or Grand Council Convention General Chairman. No votes other than those of Chapters or Provinces may be assigned by proxy.

076. *Sec. 3.* No funds for representation shall be paid to a Chapter in arrears or to a Chapter represented by proxy. No funds for representation shall be paid to Graduate Chapters or to Provinces.

077. *Sec. 4.* All Delegates or proxies shall be determined in accordance with Chapter or Province By-Laws and Local Ordinances thereof, and shall be admitted to the Grand Council only upon presentation of proper credentials issued by the represented Chapter or Province. In the case of Delegate representation, the credentials must be in writing and signed by the Regent, Satrap, or Secretary of the Chapter or Province being represented. In the case of proxy representation, the credentials must be in writing and signed by the Regent or Satrap and Secretary of the Chapter or Province being represented. This form must be sent to The Central Office and postmarked at least one (1) month prior to the start of the Grand Council Convention. Proxy forms must be notarized.

UNIFORM BY-LAW VI

078. *Sec. 1.* The Grand Council Convention Fund shall be used to pay the transportation expenses equivalent to the lowest tourist class, round trip air fare from the Chapter location to the airport of the convention site for one (1) Delegate (not a proxy) from each Collegiate Chapter, each Member of the Executive Committee, and such other Members of the Grand Council designated by the Executive Committee. Any monies remaining in this fund following the determination of anticipated transportation expenses may be utilized to fund other portions of the Grand Council Convention.

UNIFORM COLLEGIATE CHAPTER BY-LAW VI

C27. *Sec. 13.* The Chapter, at least one (1) month preceding the Grand Council Convention or Province Assembly, shall elect Delegates and Alternate Delegate(s), who if unable to attend, shall, also, notify the Regent. If neither the Delegate nor Alternates Delegate(s) are able to attend, the Regent shall appoint a qualified member(s) of the Chapter to serve as Delegate(s). If it is not possible to send any Member, the Chapter or Regent may confer representation of the Delegate(s) to another

Chapter, or Province by proxy. All proxies must be in writing and certified as required by the rules of the Grand Council or Province.

UNIFORM COLLEGIATE CHAPTER BY-LAW VI

G24. *Sec. 10.* The Chapter, at least one (1) month preceding the Grand Council Convention or Province Assembly, shall elect Delegates and Alternates Delegate(s), who if unable to attend, shall, also, notify the Regent. If neither the Delegate or Alternate Delegate(s) are unable to attend, the Regent shall appoint a qualified Member(s) of the Chapter to serve as Delegate(s). The Delegate(s) shall be chosen from the Graduate Members of the Chapter. If it is not possible to send any Member, the Chapter or Regent may confer representation of the Delegate(s) to another Chapter, or Province by proxy. All proxies must be in writing and certified as required by the rules of the Grand Council or Province.

Proposed Change (TO BE VOTED ON EN BLOC):

ARTICLE XVII

037. *Sec. 1.* A quorum for any meeting of the Grand Council shall be three-fourths (3/4) of its accredited membership registered ~~either~~ in person ~~or by proxy~~ at said meeting.

UNIFORM BY-LAW V

075. *Sec. 2.* If a Chapter sends only one (1) representative to the Grand Council, that representative shall be entitled to cast two (2) votes. ~~If a Chapter or Province is unable to send any representatives, its votes or vote may be assigned by proxy to any other Member, Chapter or Province except Members of the Executive Committee, Advisory Committee, Editor of THE MASK, or Grand Council Convention General Chairman. No votes other than those of Chapters or Provinces may be assigned by proxy.~~

076. *Sec. 3.* No funds for representation shall be paid to a Chapter in arrears ~~or to a Chapter represented by proxy~~. No funds for representation shall be paid to Graduate Chapters or to Provinces.

077. *Sec. 4.* All Delegates ~~or proxies~~ shall be determined in accordance with Chapter or Province By-Laws and Local Ordinances thereof, and shall be admitted to the Grand Council only upon presentation of proper credentials issued by the represented Chapter or Province. ~~In the case of Delegate representation, the e~~Credentials must be in writing and signed by the Regent, Satrap, or Secretary of the Chapter or Province being represented. ~~In the case of proxy representation, the credentials must be in writing and signed by the Regent or Satrap and Secretary of the Chapter or Province being represented.~~ This form must be sent to The Central Office and postmarked at least one (1) month prior to the start of the Grand Council Convention. ~~Proxy forms must be notarized.~~

UNIFORM BY-LAW VI

078. *Sec. 1.* The Grand Council Convention Fund shall be used to pay the transportation expenses equivalent to the lowest tourist class, round trip air fare from the Chapter location to the airport of the convention site for one (1) Delegate ~~(not a proxy)~~ from each Collegiate Chapter, each Member of the Executive Committee, and such other Members of the Grand Council designated by the Executive Committee. Any monies remaining in this fund following the determination of anticipated transportation expenses may be utilized to fund other portions of the Grand Council Convention.

UNIFORM COLLEGIATE CHAPTER BY-LAW VI

C27. *Sec. 13.* The Chapter, at least one (1) month preceding the Grand Council Convention or Province Assembly, shall elect Delegates and Alternate Delegate(s), who if unable to attend, shall, also, notify the Regent. If neither the Delegate nor Alternates Delegate(s) are able to attend, the Regent shall appoint a qualified member(s) of the Chapter to serve as Delegate(s). ~~If it is not possible to send any Member, the Chapter or Regent may confer representation of the Delegate(s) to another Chapter, or Province by proxy. All proxies must be in writing and certified as required by the rules of the Grand Council or Province.~~

UNIFORM COLLEGIATE CHAPTER BY-LAW VI

G24. *Sec. 10.* The Chapter, at least one (1) month preceding the Grand Council Convention or Province Assembly, shall elect Delegates and Alternates Delegate(s), who if unable to attend, shall, also, notify the Regent. If neither the Delegate or Alternate Delegate(s) are unable to attend, the Regent shall appoint a qualified Member(s) of the Chapter to serve as Delegate(s). The Delegate(s) shall be chosen from the Graduate Members of the Chapter. ~~If it is not possible to send any Member, the Chapter or Regent may confer representation of the Delegate(s) to another Chapter, or Province by proxy. All proxies must be in writing and certified as required by the rules of the Grand Council or Province.~~

Submitted by:

Proxy Voting Task Force

Chair: Joey Mattingly, 55th GCC Parliamentarian

Members: Will Anctil, Raven Askew, Corey Edwards, Dawn Erdman, Paul Knecht, Janice Louie, Wesley Miller, Adam Overberg, Neil Patel, Will Shealy, and Cameron Van Dyke.

Rationale:

Following the 56th Grand Council Convention, the Proxy Voting Task Force was charged with assessing the pros and cons of proxy voting, reviewing the by-laws of other member organizations, analyzing Roberts Rules of Order recommendations regarding proxy voting, analyzing historical roots of proxy voting in Kappa Psi including voting trends from previous GCCs, and to make a recommendation on the use of proxy voting within Kappa Psi. The proposed constitutional amendment is a culmination of the work by the Proxy Voting Task Force and this document provides the rationale for the recommended changes.

Proxy Trends

The 55th GCC in 2011 included 34 total proxy votes (12.5% of total votes), 20 votes (18.2%) representing 10 graduate chapters and 14 votes (10.3%) representing 7 collegiate chapters. In 2013, there were 24 total proxy votes (7.7%), 20 votes (19.6%) representing 10 graduate chapters and 4 votes (2.4%) representing 2 collegiate chapters. While this is a small sample of two GCCs, we see that proxy voting appears to be more predominant with graduate chapters when compared to collegiate chapters.

Analysis of Parliamentary Procedure Best Practices

The use of proxy voting within the deliberative assembly of a member organization is not permitted in all three major parliamentary reference manuals (Table 1 is an analysis of RONR, The Standard Code, and Demeter's Manual). The primary rationale to prohibiting the use of proxy during deliberative assembly is

the fundamental characteristics of membership. Membership is considered “individual, personal, and nontransferable” in a member organization.¹ In other words, my personal experience within Kappa Psi is different than yours and I am unable to transfer that complete experience to you through a signed sheet of paper. In a stock corporation, membership is determined by ownership of shares which can be assigned a dollar value and traded. The use of proxy in this case is typically allowed as the value of membership may be transferred.

The second parliamentary issue with proxy in a deliberative assembly is in the basic operation of the meeting. During an assembly, like GCC, a voice vote is in order as the primary vote type for simple, non-controversial matters. However, if proxy votes are allowed, the use of voice voting is no longer in order as it is impossible for the chairman to determine the total number of votes represented by one person who may hold several proxies. In other words, if I hold proxies for 10 votes I must say “aye” 10x as loud. If a voice vote is taken during a GCC, it would be appropriate call division and to count every vote every time.

Pros of Proxy Voting

The primary function of proxy voting is to allow a chapter unable to send a representative to an assembly to assign a “power of attorney” to another member in attendance giving that member the ability to vote for the absent chapter.¹ This allows the vote to be counted regardless of attendance. Members who pay dues but are unable to attend a meeting may use the proxy process. Meeting attendance may sometimes be cost prohibitive, especially for a collegiate chapter required to fly across the country to attend.

Cons of Proxy Voting

Aside from the previously discussed parliamentary arguments against the use of proxy, other concerns have been raised regarding the use of proxy. First, allowing proxy removes an incentive of GCC attendance. Having a voice in the fraternity is important and if that voice can be expressed by a proxy document are we damaging the importance of showing up? Second, and probably the most controversial issue with proxy, is the testimonial claims of inappropriate proxy strategies by a very small percentage of members. While the Proxy Voting Task Force cannot substantiate any of these claims, we must acknowledge that rumors around the use of proxies in the fraternity do not reflect the high ideals we have vowed to instill in our members.

Summary of Recommendation

The proposed amendment eliminates the use of proxy at Grand Council Convention. This amendment does not address province or chapter assemblies. If passed, this amendment would impact the 58th GCC in 2017.

The Proxy Voting Task Force found that the relatively small percentage of collegiate chapters using proxy during the 55th and 56th GCC contradicts the claim that proxies benefit collegiate brothers lacking the means to travel. We recommend that future voting task forces continue to review the trends of attendance and explore other methods of voting used in other member organizations.

(See Summary table provided in Proxy Task Force Report).

¹ Robert HM, et al. *Roberts Rules of Order Newly Revised*, 11th ed. Da Capo Press, 2011.

THE LEGISLATIVE COMMITTEE DOES NOT HAVE A RECOMMENDATION AND OPENS TO THE FLOOR FOR CONSIDERATION

Legislative Committee Rationale:

This was passed originally as a resolution to form a Proxy Task force at the 55th GCC in San Francisco and renewed as a resolution at the 56th GCC in St. Petersburg. The Task Force provided recommendations on how to continue their investigations and gather more information on proxy use. Therefore, these recommendations come directly from a charge by Grand Regent Gupta, in response to Fraternity request for two consecutive GCCs, to the Proxy Task force.

Data from the 2011-2013 Proxy Task force presented at the 56th GCC showed that during the 54th GCC (2009) 13% of Chapters were represented by proxies and 27% of Chapters were unrepresented all together (neither proxy nor delegates). This shows a continued downward trend seen in 2011 & 2013 respectively. In addition, a survey completed by that Task Force of other PFA-member organizations showed that, of those responding, roughly 2/3 allowed proxies while 1/3 did not. Therefore, the recommendations of this committee in 2013 were to further study the impact of proxy voting in the current (post-realignment) environment and thus you see the results of the continuation of this Task force's recommendations.

One member of the Legislative Committee had to recuse themselves from the vote on this topic since they were also a member of the proxy task force and the committee was then unable to come to a majority decision. As a result, the committee has no recommendation because we feel the issue being addressed with proxies is deeper than the simple issue of the validity of a proxy in general. We believe the vast majority of the rationale provided by the Proxy Task force is sound, however it does not address the deeper issue of why this is really a problem for the Fraternity. It is true that proxies are counter to the concept of a deliberative assembly, however an entity does have the right to allow proxies if they feel they are benefit to the organization and its ability to conduct its business in a fair and equitable fashion. The Legislative Committee believes that elimination of proxies may be an appropriate end point provided an alternative solution can be reached that addresses a way to ensure a voice is heard equally. Until such time as a reasonable alternative can be established, the current legislative committee is unable to recommend that this is the best course of action for the Fraternity. We would encourage further investigation to establish the best alternative, by looking at other major pharmacy organizations (not just PFA members) to see how they operate. The Committee believes this is a topic that should be discussed in open session.

Proposal #5:**BY-LAW XIII
AWARDS, AND HONORS, HONORARY OR SERVICE****Original Legislation:**

168. *Sec. 13.* There shall be available a Kappa Psi Pharmaceutical Fraternity, Incorporated, “NICHOLAS W. FENNY INDUSTRY SCHOLARSHIP AWARD” which will be awarded annually to the Collegiate Chapter which has shown the greatest percentage of improvement in chapter grade point average over the past year based upon their membership and their school’s grading system.

169. *Sec. 14.* The calculations for the, “NICHOLAS W. FENNY INDUSTRY SCHOLARSHIP AWARD” are based on the grades achieved during the Spring and Autumn Semesters or the Spring, Autumn and Winter Quarters of the past two years. The presentation of this award shall be made by the authority of the Executive Committee. The cost of an accompanying Certificate shall be assumed by the Fraternity.

Proposed Change (TO BE VOTED EN BLOC):

168. *Sec. 13.* There shall be available a Kappa Psi Pharmaceutical Fraternity, Incorporated, “NICHOLAS W. FENNY INDUSTRY SCHOLARSHIP AWARD” which will be awarded annually to the Collegiate Chapter which has shown the greatest percentage of improvement in chapter ~~grade point average over the past year based upon their membership and their school’s grading system.~~ scholastic achievement over the past academic year as determined by calculation criteria set forth by the Chapter Awards Committee and approved by the Executive Committee. The presentation of this award shall be made by the authority of the Executive Committee. The cost of an accompanying Certificate shall be assumed by the Fraternity.

~~169. *Sec. 14.* The calculations for the, “NICHOLAS W. FENNY INDUSTRY SCHOLARSHIP AWARD” are based on the grades achieved during the Spring and Autumn Semesters or the Spring, Autumn and Winter Quarters of the past two years. The presentation of this award shall be made by the authority of the Executive Committee. The cost of an accompanying Certificate shall be assumed by the Fraternity.~~

Submitted by:

Tracy Anderson-Haag, Minnesota Grad

Rationale:

Due to continual changes in pharmacy school curricula and new program development with three year professional schools, this language has been outdated for some time. This removes the specifics of the award eligibility and leaves in looser terms. By removing this from the By-Laws, it allows the Chapter awards committee to adapt more freely to the changing landscape of pharmacy academics. New wording for *168 Sec. 13* incorporates calculation information to be consistent with the verbiage for the Scholarship Tray and Scholarship Honors Certificates (no apparent need for 2 sections for one award).

THE LEGISLATIVE COMMITTEE DOES RECOMMENDS ADOPTION

Legislative Committee Rationale: As above as this process still has oversight by the Executive Committee.

Proposal #6:**BY-LAW XIII
AWARDS, AND HONORS, HONORARY OR SERVICE****Original Legislation:**

170. *Sec. 15.* There shall be available a "SCHOLARSHIP HONORS CERTIFICATE," which will be awarded to Members who have completed the last half of the third (3rd) year and the first half of the fourth (4th) year of the professional pharmacy curriculum (Fourth Year Award), or have completed the last half of the fourth (4th) year and the first half of the fifth (5th) year of the professional pharmacy curriculum (Fifth Year Award), and have earned a minimum grade point average of 3.00 or the equivalent of a "B" average for work done during the periods mentioned. The presentation of this award shall be made by the authority of the Executive Committee. The cost of such certificate shall be assumed by the Fraternity.

Proposed Change:

170. *Sec. 15.* There shall be available a "SCHOLARSHIP HONORS CERTIFICATE," which will be awarded to Members who ~~have completed the last half of the third (3rd) year and the first half of the fourth (4th) year of the professional pharmacy curriculum (Fourth Year Award), or have completed the last half of the fourth (4th) year and the first half of the fifth (5th) year of the professional pharmacy curriculum (Fifth Year Award), and~~ have earned a minimum grade point average of 3.00 or the equivalent of a "B" average for work done during the periods ~~determined by the Chapter Awards Committee and approved by the Executive Committee mentioned.~~ The presentation of this award shall be made by the authority of the Executive Committee. The cost of such certificate shall be assumed by the Fraternity.

Submitted by: Tracy Anderson-Haag, Minnesota Grad

Rationale: Due to continual changes in pharmacy school curricula and new program development with three year professional schools, this language has been outdated for some time. The process has been modified to expand eligibility to schools with non-traditional grading systems as well as traditional GPA based systems. By removing specific details (which are defined on Scholarship Honors Certificate instructions instead) from the By-Laws, it allows the Chapter Awards and Executive Committee to adapt more freely to the changing landscape of pharmacy curricula and academics and prevents forcing approval of a by-law change by the assembly to modify the process to best serve the brotherhood if necessary.

THE LEGISLATIVE COMMITTEE RECOMMENDS ADOPTION

Legislative Committee Rationale: As above as this process still has oversight by the Executive Committee.

Proposal #7:**BY-LAW XIII
AWARDS, AND HONORS, HONORARY OR SERVICE****Original Legislation:**

171. *Sec. 16.* There shall be available a “FRANK H. EBY SCHOLARSHIP TRAY AWARD” which will be awarded to the Collegiate Chapter with the highest grade point average based on their membership and their school grading system. The calculations are based on a formula designed by the Chapter Awards Committee, and approved by the Executive Committee. The cost of such Tray shall be assumed by the Fraternity.

Proposed Change:

171. *Sec. 16.* There shall be available a “FRANK H. EBY SCHOLARSHIP TRAY AWARD” which will be awarded to the Collegiate Chapter with the highest ~~grade point average based on their membership and their school grading system.~~ percentage of eligible Brothers earning Scholarship Honors Certificates based on Chapter membership and their school grading system. The calculations are based on a formula designed by the Chapter Awards Committee, and approved by the Executive Committee. The cost of such Tray shall be assumed by the Fraternity.

Submitted by: Tracy Anderson-Haag, Minnesota Grad

Rationale: Due to continual changes in pharmacy school curricula and new program development with three year professional schools, this language has been outdated for some time. The process has been modified to expand eligibility to schools with non-traditional grading systems as well as traditional GPA based systems. By removing specific details (which are defined on Scholarship Honors Certificate instructions instead) from the By-Laws, it allows the Chapter Awards and Executive Committee to adapt more freely to the changing landscape of pharmacy curricula and academics and prevents forcing approval of a by-law change by the assembly to modify the process to best serve the brotherhood if necessary.

THE LEGISLATIVE COMMITTEE RECOMMENDS ADOPTION

Legislative Committee Rationale: As above as this process still has oversight by the Executive Committee.

Proposal #8:**UNIFORM PROVINCE BY-LAW III
DUES AND ASSESSMENTS****Original Legislation:**

P05. *Sec. 1.* Each Collegiate Chapter shall pay the annual per capita fees as provided in By-Law XIII, Ordinance 3 for all Chapter Members of record as of November 1st of the preceding year. Each Graduate Chapter shall pay the annual per capita fees as provided in By-Law XIII, Ordinance 3. All dues and/or fees shall be for the calendar year and shall be due on January 31st of each year. Late charges of two percent (2%) per month may be assessed for any dues and/or fees not received by January 31st.

P06. *Sec. 2.* Any Chapter failing to pay its dues or fees by January 31st shall be automatically suspended from the Province and must remain suspended until all dues or fees, and late charges are paid in full.

Proposed Change (TO BE VOTED EN BLOC):

P05. *Sec. 1.* Each Collegiate Chapter shall pay the annual per capita fees as provided in By-Law XIII, Ordinance 3 for all Chapter Members of record as of November 1st of the preceding year. Each Graduate Chapter shall pay the annual per capita fees as provided in By-Law XIII, Ordinance 3. All dues and/or fees shall be for the calendar year and shall be due on ~~January 31st of each year~~ a date set forth by the Province in By-Law XIII, Ordinance 3. Late charges of two percent (2%) per month may be assessed for any dues and/or fees not received by ~~January 31st~~ the predetermined date.

P06. *Sec. 2.* Any Chapter failing to pay its dues or fees by ~~January 31st~~ the due date set by the Province shall be automatically suspended from the Province and must remain suspended until all dues or fees, and late charges are paid in full.

Submitted by: Robert Mancini, Grand Counselor

Rationale: This change was proposed to allow the provinces to have more autonomy to set their own due dates. As the finances of the province do not directly relate to the finances of the Fraternity as a whole, and half of the provinces have changed their due dates to reflect a collection process more suited to their individual province, it was determined that this change would allow more flexibility.

THE LEGISLATIVE COMMITTEE RECOMMENDS ADOPTION

Legislative Committee Rationale: As above.