

# UNIFORM STATE CHAPTER CONSTITUTION

## FUTURE BUSINESS LEADERS OF AMERICA—PHI BETA LAMBDA, INC.

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### Article I—Name

The name of this organization shall be the North Dakota State Chapter of the Future Business Leaders of America-Phi Beta Lambda, Incorporated, hereinafter referred to as "the Chapter."

### Article II—Purpose

The purpose of this FBLA Chapter shall be to further the goals of FBLA within the state of North Dakota. The Chapter shall provide as an integral part of the instructional program additional opportunities for secondary students (grades 7-12) in business and office education to develop vocational and career supportive competencies and to promote civic and personal responsibilities.

The purpose of this PBL Chapter shall be to further the goals of PBL within the state of North Dakota. The Chapter shall provide opportunities for postsecondary and college students to develop vocational competencies for business and office occupations and business teacher education. PBL is an integral part of the instructional program and, in addition, promotes a sense of civic and personal responsibility.

The specific goals of FBLA-PBL and the Chapter are to:

- a. Develop competent, aggressive business leadership
- b. Strengthen the confidence of students in themselves and their work
- c. Create more interest and understanding of American business enterprise
- d. Encourage members in the development of individual projects which contribute to the improvement of home, business, and community
- e. Develop character, prepare for useful citizenship, and foster patriotism
- f. Encourage and practice efficient money management

- g. Encourage scholarship and promote school loyalty
- h. Assist students in the establishment of occupational goals
- i. Facilitate the transition from school to work.

The Chapter shall not have any purpose nor engage in any activity inconsistent with the status of an educational and charitable organization as defined in Section 501 (c) (3) of the Internal Revenue Code of 1954 or any successor provision thereto, and none of these goals shall at any time be deemed or construed to be other than the public benefit purposes and objectives consistent with such educational and charitable status, nor shall the Chapter adopt goals or engage in any activity inconsistent with the goals and policies of FBLA-PBL, Incorporated.

### Article III—Membership

The membership of the Chapter shall consist of FBLA or PBL members residing within the state of North Dakota. Classes of membership identical to those established by FBLA-PBL, Inc., shall be established by the Chapter. Such classes, together with the voting and other rights of each, may be more specifically set forth in the Bylaws.

### Article IV—Dues and Finance

#### Section 1

The Chapter may assess dues from the members in addition to dues assessed by FBLA-PBL, Incorporated.

#### Section 2

No part of the net earnings of the Chapter shall inure to the benefit of any member, sponsor, donor, creator, director, officer, employee, or any other private individual or to the benefit of any corporation or organization, any part of the net earnings of which inure to the benefit of any private individual; provided, this shall not prevent payment of reasonable compensation for services

actually rendered the Chapter in effecting its goals.

The Chapter shall not divert any part of its income or corpus to any member, sponsor, donor, creator, director, officer, or employee; by lending any part of its income or corpus without receipt of adequate security and a reasonable rate of interest; by paying any compensation in excess of reasonable allowance for personal services actually rendered; by making any purchase of money or money's worth; by selling any substantial parts of its securities or other property for less than adequate consideration for money or money's worth; or by engaging in any other transaction which, either directly or indirectly, results in such diversion of its income or corpus.

The Chapter shall not make any accumulation of its income unreasonable in amount or duration.

The Chapter shall not use any income for purposes other than the objects in this Constitution set forth, or invest any income in any manner which might jeopardize the fulfillment or carrying out of its objects. The Chapter shall not devote a substantial portion of its activities to carry on propaganda or otherwise attempting to influence legislation, and in no event shall the Chapter engage in any legislative activities other than those in direct furtherance of the Chapter's stated objectives. The Chapter shall not participate in or intervene in any political campaign on behalf of any candidate for public office. In general, the Chapter shall not act in any way or engage in any activity which might effect its right or the right of FBLA-PBL, Inc., and the Chapter shall be so operated as to be entitled to and receive all tax exemptions, federal or local, which may be granted to charitable, scientific, or educational associations or foundations.

### Article V—Organization

### **Section 1**

The Chapter is a subsidiary of the Future Business Leaders of America--Phi Beta Lambda, Inc. As an integral part of FBLA-PBL Inc., the chapter shall have goals and engage in activities consistent with the organization's status as a charitable and educational organization as defined in Section 501 (c) (3) of the Internal Revenue Code of 1954. Reports shall be submitted to FBLA-PBL, Inc., as requested.

### **Section 2**

The Chapter shall be governed by a Board of Directors, which shall serve as the policy making body for the Chapter, and which shall be subject to this Constitution, the FBLA or PBL Bylaws, and the Board of Directors of FBLA-PBL, Inc.

### **Section 3**

The Chapter shall adopt a set of Bylaws consistent with this Constitution, which shall include the powers and duties of the Board of Directors, officers and elections, meetings of the Chapter, and any other provisions necessary for the orderly administration of the Chapter.

### **Section 4**

The Chapter shall maintain such relationship with FBLA or PBL local chapters within the state of North Dakota as shall be approved by the Board of Directors. The Chapter may apply to the Internal Revenue Service for a group tax exemption ruling on behalf of the local chapters within the state.

### **Section 5**

Upon dissolution, all the assets of the Chapter shall be and remain the assets of FBLA-PBL, Inc.

## **Article VI—Emblems and Insignia**

The Chapter emblems shall be the emblems of the national organization. Only members in good standing may use official emblems and insignia.

## **Article VII—Amendment**

This Constitution is a mandatory Constitution drafted by FBLA-PBL, Inc., for the adoption by its state chapters and shall be unamendable without the written consent of

FBLA-PBL, Inc. Should amendments be required for the purpose of qualifying or retaining qualification under Section 501 (c) (3) of the Internal Revenue Code of 1954 or any successor provision thereto, such amendments, as approved by the Board of Directors of FBLA-PBL, shall become a part of this Constitution with or without the consent of the Chapter.

Revised by National FBLA-PBL December 5, 1975.

Revised by North Dakota State Chapter of FBLA-PBL Inc. September 20, 1991.

Revised by North Dakota State Chapter of FBLA-PBL, Inc., April 4, 2004.

#### **National Office Address:**

FBLA-PBL, Inc.  
1912 Association Dr.  
Reston, VA 22091-1591  
703-860-3334 OR  
1-800-325-2946  
FAX: 703-758-0749

#### **North Dakota Address:**

North Dakota State Chapter  
FBLA-PBL, Inc.  
State Capitol, 15th Floor  
600 East Boulevard Ave.  
Dept. 270  
Bismarck, ND 58505-0610  
701-328-2286  
FAX: 701-328-1255

**FUTURE BUSINESS LEADERS OF AMERICA  
PHI BETA LAMBDA, INC.  
North Dakota Chapter**

**PHI BETA LAMBDA BYLAWS**

**Article I—Name**

**Section 1**

The name of this chapter of FBLA-PBL, Inc. shall be the "North Dakota Chapter of Phi Beta Lambda" and may be referred to as "North Dakota PBL" or "PBL."

**Article II—Purpose**

**Section 1**

The purpose of PBL is to provide opportunities for post-secondary and college students to develop vocational competencies for business and office occupations and business teacher education. PBL is an integral part of the instructional program and in addition, promotes a sense of civic personal responsibility.

**Section 2**

The specific goals of PBL are to:

- a. develop competent, aggressive business leadership,
- b. strengthen the confidence of students in themselves and their work,
- c. create more interest in and understanding of American business enterprise,
- d. encourage members in the development of individual projects which contribute to the improvement of home, business, and community,
- e. develop character, prepare for useful citizenship, and foster patriotism,
- f. encourage and practice efficient money management,
- g. encourage scholarship and promote school loyalty
- h. assist students in the establishment of occupational goals, and

- i. facilitate the transition from school to work.

**Article III—Membership**

**Section 1**

FBLA-PBL membership shall consist of members of nationally chartered local chapters. These members shall hold membership in their local, state, and national chapters. Membership shall consist of these classes of members:

FBLA Active Members—shall be secondary students (grades 7-12) who become members while enrolled in business and office education classes, who accept the purpose of FBLA, subscribe to its creed, demonstrate willingness to contribute to good school and community relations, and possess qualities for employment. Active members shall pay dues as established by local, state, and national FBLA and may participate in all events, in accordance with the guidelines of the awards program, serve as voting delegates to leadership conferences, hold office, and otherwise represent their local or state chapters as approved by their respective local or state advisers.

PBL Active Members—shall be postsecondary and college students in the field of business, office, or business teacher education who accept the purpose of PBL and subscribe to its creed. Active members shall pay dues as established by local, state, and national PBL and may participate in all events, in accordance with the guidelines of the awards program, serve as voting delegates to leadership conferences, hold office, and otherwise participate

in local, state, and national activities in accordance with established guidelines, rules and regulations.

Professional Members—shall be individuals interested in promoting the goals established by FBLA-PBL, Inc. Such members may include former members of FBLA-PBL, employers, educators, parents, business persons, community supporters, or any other persons contributing to the growth and development of the association and its members. Professional members shall pay dues as established by FBLA-PBL, Inc., and receive voting and other rights as determined by FBLA-PBL, Inc. Professional members are subject to all rules and regulations established by FBLA-PBL, Inc. and the North Dakota State Chapter of FBLA-PBL.

National Honorary Life Members—may be recommended by the membership and shall be accepted upon approval by the Board of Directors of FBLA-PBL, Inc. They shall be persons making significant contributions to the field of business and office education and/or to the growth and development of FBLA-PBL, Inc. National honorary life members shall not vote or hold office and shall not be required to pay dues.

**Article IV—Dues and**

**Finance**

**Section 1**

State dues shall be determined by a majority vote of the local voting delegates at the State Leadership Conference. State dues of members shall be for-

warded directly to the office of the state chairman or other designated agent. National dues shall be forwarded directly to the national office by the local chapter.

#### **Section 2**

Annual North Dakota PBL dues shall be \$10 per active member.

#### **Section 3**

The affairs and property of FBLA-PBL, Inc. shall be managed by the National Board of Directors which shall have all powers and duties of a board of directors, according to D. C. Code 29-1080 (1967 ed.).

#### **Section 4**

The fiscal year of the Future Business Leaders of America-Phi Beta Lambda shall be July 1 through June 30.

### **Article V—Organization**

#### **Section 1**

Phi Beta Lambda shall be an association of local chapters, each operating in accordance with the charter granted by FBLA-PBL, Inc. Only chapters which have received charters, Greek names, and numbers issued by FBLA-PBL, Inc. and which are in good standing, shall be referred to as chapters of "Phi Beta Lambda" or "PBL."

#### **Section 2**

A chapter of PBL shall be considered in good standing with the national and state organization when the following conditions are met:

- a. State and national membership dues have been paid.
- b. All reports have been submitted to the national office and state chairman as requested.
- c. The local chapter constitution and bylaws are not in conflict with the state and national constitutions and bylaws in any of the provisions.

#### **Section 3**

PBL members shall be considered in good standing when they:

- a. attend local chapter meetings with reasonable regularity,
- b. show an interest in, and take part in, the affairs of the chapter, and

- c. pay their local, state, and national dues.

#### **Section 4**

The State Executive Board shall serve as the policy-making body of North Dakota PBL.

#### **Section 5**

The State Executive Board shall consist of state officers and one representative from each local PBL Chapter from which no state officer is a member, and members of the state committee, (state chairman and state advisers). Each member of the State Executive Board (state officers, representatives, state committee members) shall have one vote. The state president chairs the State Executive Board meetings.

#### **Section 6**

The state Chapter shall hold at least one annual state leadership conference to elect state officers and conduct business.

#### **Section 7**

The position of state chairman shall be filled by recommendation of the National Board of Directors of FBLA-PBL, Inc.

#### **Section 8**

Each group wishing to become a chapter of FBLA-PBL shall make a formal written application to the North Dakota state chairman who will submit the application to the national FBLA-PBL office for approval, and the national FBLA-PBL, Inc. office will issue the local chapter charter.

#### **Section 9**

Each local chapter shall have at least one adviser. A local chapter may have as many special-emphasis groups under the chapter charter as it deems necessary to meet the interests of all students. The local chapter of PBL shall assume full responsibility for coordinating the program for these interest groups.

#### **Section 10**

The State Executive Board shall appoint up to three state advisers to serve unlimited, renewable one-year terms.

### **Article VI—Officers and Elections**

#### **Section 1**

The state elected officers of the North Dakota State Chapter of Phi Beta Lambda shall be a president, vice president of finance and member development, vice president of communications, and vice president of public relations. These officers shall be members of the State Executive Board. The person applying for the position of vice president of operations and scoring the highest on the parliamentary procedure written competitive event test shall serve as a voting member of the State Executive Board. This person will be installed at the State Leadership Conference, and shall have at least one year remaining before being graduated from a postsecondary institution or college.

#### **Section 2**

Qualifications for Elected State Officers

- a. Only active PBL members are eligible to hold office.
- b. Only those applicants who are present at the State Leadership Conference shall be eligible for nomination.
- c. To be considered for an elected office in the North Dakota State Chapter of Phi Beta Lambda, a candidate shall:
  - (1) have at least one full year remaining in their postsecondary or college program of study,
  - (2) be recommended by the local chapter and endorsed by their local chapter adviser, and
  - (3) file an official application for office by the established filing date.
- d. Candidates for vice president of public relations must possess the ability to edit, publish, update, and maintain North Dakota PBL list serves, chat rooms, and web pages, including the official web page of North Dakota PBL.
- e. Candidates for vice president of operations must possess a basic understanding of

parliamentary procedure according to the current edition of Roberts Rules of Order, Newly Revised. Candidates for vice president of operations must also express a willingness to expand their knowledge of parliamentary procedure.

### **Section 3**

Nominations for Elected Officers

- a. Nominees who have filed an official application for a specific office and who are present at the general session of the North Dakota PBL Leadership Conference when the election is held shall be eligible for election to office. Any change in the application for a specific office must be filed with the State chairman prior to the beginning of the First General Session at the State Leadership Conference.
- b. In the event there are no candidates for an office, applications for the vacant office will be accepted by the newly elected State Executive Board following the conference by an established date. The newly elected State Executive Board will appoint an officer from applications for the vacant office following the conference.

### **Section 4**

Elections

- a. The president, the vice president of finance and membership development, the vice president of communications, and the vice president of public relations shall be elected annually by the local voting delegates at a general session of the annual North Dakota State PBL Leadership Conference. These officers shall be elected by a majority of the local voting delegates present and registered at the conference. No proxy voting will be permitted.
- b. No more than two members may be candidates for elected office from the same local PBL chapter. The vice president of operations may

be appointed from a local chapter with elected state officers.

- c. There may be no more than three state officers from the same local chapter at any one time, including the vice president of operations.

### **Section 5**

Term of Office

- a. State officers shall be elected for one year, and their term of office shall begin at the close of the State Leadership Conference.
- b. Officers may succeed themselves in the same office for two consecutive years if elected for a second term.

### **Section 6**

Vacancy in Office

- a. A vacancy in office, other than that of president, shall be filled or remain vacant, as determined by the State Executive Board.
- b. Should the office of president become vacant, the vice president of finance and member development shall automatically become president.

## **Article VII—Duties of PBL State Officers**

### **Section 1**

The president shall:

- a. serve as chairman of the State Executive Board,
- b. preside over the Executive Board meetings and business meetings of PBL,
- c. appoint appropriate committees and committee chairmen,
- d. serve as an ex-officio member of all committees,
- e. perform other duties for the promotion and development of local, state, and national FBLA-PBL, Inc., and
- f. maintain a close and continuing relationship with the state chairman and state advisers of FBLA-PBL.

### **Section 2**

The vice president of finance and member development shall:

- a. assume the duties and responsibilities of the presidency, should that office become vacant due to resignation or otherwise,

- b. assume primary responsibility for developing the North Dakota State Chapter Annual Business Report,
- c. present financial reports to members at State Executive Board meetings and the State Leadership Conference,
- d. serve as chairman of appointed committees, and
- e. assist in the promotion and development of FBLA-PBL.

### **Section 3**

The vice president of communications shall:

- a. keep an accurate record of all business of the State Leadership Conference and the State Executive Board,
- b. supply at least one copy of the minutes and substantiating report to the State Executive Board promptly,
- c. maintain a digital state scrapbook, working with the vice president of public relations,
- d. serve as chairman of appointed committees, and
- e. assist in the promotion and development of FBLA-PBL.

### **Section 4**

The vice president of public relations shall:

- a. publish the official North Dakota PBL website,
- b. submit appropriate items to the publisher of national FBLA-PBL publications,
- c. work with members of the media to promote North Dakota PBL,
- d. serve as the official spokesperson of North Dakota PBL, and
- e. assist in the promotion and development of FBLA-PBL.

### **Section 5**

The vice president of operations shall:

- a. advise the president on the orderly conduct of business in accordance with PBL Bylaws and the current edition of Roberts Rules of Order, Newly Revised,
- b. serve as chairman of appointed committees, and
- b. assist in the promotion and development of FBLA-PBL.

### **Section 6**

These officers shall serve on the State Executive Board, perform the duties prescribed in the Bylaws, and perform such other duties as directed by the president and the state chairman which are consistent with these Bylaws or other rules adopted by FBLA-PBL.

#### **Section 7**

Any state officer failing to perform assigned duties as stated in Article VII, may be dismissed from office by a two-thirds vote of the State Executive Board. The office shall be filled following the guidelines in Article VI, Section 6, of the North Dakota Phi Beta Lambda Bylaws.

### **Article VIII—State Leadership Conference and Meetings**

#### **Section 1**

A North Dakota State Leadership Conference shall be held each year.

#### **Section 2**

Each local chapter in good standing shall be entitled to send two to six local voting delegates from its active membership to the State Leadership Conference in accordance with the following:

- a. 1-19 members—two voting delegate
- b. 20-39 members—three voting delegates
- c. 40-59 members—four voting delegates
- d. 60-89 members—five voting delegates
- e. 90 and above—six voting delegates

#### **Section 3**

All voting delegates and competitive event participants of local chapters shall be officially registered by their respective advisers and their names submitted by a deadline set by the State Executive Board for the State Leadership Conference. Changes may be made in the names of voting delegates or participants of competitive events at registration prior to the beginning of the State Leadership Conference First General Session.

#### **Section 4**

Only those voting delegates recognized as registered and present during the initial role call at the First General Session of the State Leadership Conference will be allowed to vote. No proxy voting will be permitted.

#### **Section 5**

The quorum for all business meetings at the State Leadership Conference shall be a majority of the currently registered voting delegates eligible to vote and in attendance at that meeting.

#### **Section 6**

Leadership development conferences and meetings may be held as determined by the State Executive Board.

### **Article IX—State Executive Board**

#### **Section 1**

The state officers of North Dakota PBL shall, with the state chairman and state advisers, and one representative from each PBL local chapter not represented by another officer, constitute the State Executive Board.

#### **Section 2**

The State Executive Board shall:

- a. adopt policies of operation for PBL as deemed necessary,
- b. approve committee appointments and the creation of new committees by the president,
- c. review all proposed amendments to the Bylaws,
- d. present to the PBL active members at the State Leadership Conference those proposed amendments which have been approved by the State Executive Board, and
- e. perform such other duties as are prescribed by these Bylaws.

#### **Section 3**

Special meetings of the State Executive Board shall be called upon at the written request of three voting members of the State Executive Board. At least one State Executive Board meeting will be held annually.

#### **Section 4**

Business of the State Executive Board may be conducted by mail, teleconference or other appropriate means at the discretion of the president and approval of the state chairman and the state advisers. All business completed in a non-traditional format, and results of this business, shall be recorded in the minutes of the next regular State Executive Board meeting.

### **Article X—Committees**

#### **Section 1**

Advisory and other committees to assist in the growth and development of PBL may be appointed as deemed necessary by the State Executive Board.

#### **Section 2**

The president of PBL shall, with the approval of the State Executive Board, establish committees, and appoint their members for a period not to exceed the president's term of office, and assist in their activities.

#### **Section 3**

Committee business may be conducted by mail, teleconference, or other appropriate means at the discretion of the president and approval of the state chairman and the state advisers. For adoption, action take by the committee in a non-traditional meeting shall require a plurality vote of the members eligible to vote and shall be reported to the committee members no later than the next regular committee meeting.

### **Article XI—Emblems and Colors**

#### **Section 1**

The official emblem and insignia item designs are described and protected from infringement by registration, in the U. S. Patent Office, under the Trademark Act of 1946. The manufacturing, reproduction, wearing, or displaying of the emblem shall be governed by the National Board of Directors of FBLA-PBL, Inc.

#### **Section 2**

Emblems and insignia shall be uniform in all local and state chapters and within special-emphasis groups; they shall be those of FBLA-PBL. Only members in good standing may use official emblems and insignia.

### **Section 3**

The official colors of North Dakota FBLA-PBL shall be blue and gold.

## **Article XII—**

### **Parliamentary Authority**

#### **Section 1**

The rules contained in *Robert's Rules of order Newly Revised—current edition* shall govern the North Dakota State Chapter of FBLA-PBL in all cases to which they are applicable and in which they are not inconsistent with the rules of FBLA-PBL, Inc., these Bylaws, or any special rules of order which the North Dakota FBLA-PBL may adopt.

#### **Section 2**

The use of the word chairman to identify one who chairs a committee or meeting is seen by a growing number of educators and students as perpetuating linguistic sexism. Many advisers and members of FBLA-PBL wish to free their language from this unconscious semantic bias. However, because *Robert's Rules of Order Newly Revised—current edition* takes the position that the word "CHAIRMAN suffices for both sexes," it will be used in the Constitution and Bylaws and in other FBLA-PBL state and national publications.

## **Article XIII—**

### **Amendment of the**

#### **Bylaws**

##### **Section 1**

Proposed amendments to these Bylaws shall be submitted in writing not later than sixty days prior to the North Dakota PBL State Leadership Conference to the state chairman by local chapters or by a state officer. Notice of proposed amendments shall be sent to local chapters within thirty days of the State Leadership Conference.

### **Section 2**

Proposed amendments shall be reviewed by the State Executive Board and must be approved by the State Executive Board before they can be submitted to the voting delegates at the State Leadership Conference. The State Executive Board shall present approved amendments, with recommendations, to voting delegates at the State Leadership Conference.

### **Section 3**

A two-thirds vote of the voting delegates registered at the State Leadership Conference and in attendance at the business meeting is required for adoption of amendment.