

The Samford Chapter, the Alpha Mu of Beta Theta Pi

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Sponsor(s): Constitution and Bylaws Committee, Executive Board

Clarifications on the Transfer of Executive Powers Prior to Normal Elections

Introduction

Whereas, confusion has become present when attempting to understand the processes to transfer Executive Power in the case of a resignation, removal from power, or other extenuating circumstances that may warrant the necessity of the case; and

Whereas, this resolution seeks to alleviate such confusion for future situations that may arise

Resolution Body

Therefore, be it resolved, should such a case arise when a transfer of Executive Powers becomes necessary the follow processes are to be followed:

- 1) If the person resigning is not the President, he may deliver his resignation to the President through verbal or written means, by a formally written letter
- 2) If the President is resigning, he shall deliver the resignation to the Executive Board and Chapter Counselor through verbal and written means, by a formally written letter
- 3) The Executive Board shall designate a member to read the member's resignation during New Business at the next chapter meeting if the person resigning is unavailable

- a. If the President is resigning, he must deliver his resignation in person, barring extraordinary circumstances such as ones listed in Article VII, Section 3 (c.vi) of the Bylaws
- 4) If the person can be present, they shall deliver a verbal resignation to the chapter during New Business
- 5) The chair of the chapter meeting shall then open the floor to nominations to fill the position(s), following Robert's Rules of Order
- 6) The Executive Board may choose either to deliver a nomination to the chapter or deliver the result of deliberation that occurred during an Executive Board meeting where the nomination was discussed.
 - a. This nomination must be decided upon by a majority vote of the board during a regularly scheduled Executive Board meeting.
- 7) In accordance with slate elections, a given candidate must reach a 60% majority vote in favor of them to be confirmed in the nominated position
- 8) The processes are to follow a modified version of Article II (Officers), Section III (Presentation of the Slate). The modifications being that the “slated” members are those nominated for the position

Be it further resolved, the following shall be added to the Constitution and Bylaws of the Samford Chapter, the Alpha Mu of Beta Theta Pi:

Addition to Article III (Leadership), Section III (Chapter Officers) of the Constitution

“4. A member of the Executive Board may resign during his term, prior to slating elections

- a. *If member(s) that are not the President are resigning, they may deliver their resignation(s) to the President of the Executive Board through verbal or written means, by a formally written letter*
- b. *If the President is resigning his position, he shall deliver his resignation to the Executive Board and Chapter Counselor through verbal and written means, by a formally written letter*

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New section under Article II (Officers), which shall be titled;

“Section 4. Officer Resignation Processes”, it shall contain the following amendments;

“1. *In the case that a member of the Executive Board resigns prior to officer slating the following processes are to be observed;*

- a. *If the member resigning is not the President, he, or a member of the Executive Board, may verbally deliver his resignation during New Business at a regularly scheduled chapter meeting.*
 - a. *If the member resigning is the President, he must be present to give his resignation at a regularly scheduled chapter meeting, unless he is unavailable due to extraordinary circumstances such as ones listed in Article VII, Section 3 (c.vi) of the Bylaws*
 - b. *Another member of the Executive Board may be allowed to read the person resigning's resignation in the case that the person resigning is unavailable*

2. *After the resignation is delivered, the chair of the chapter meeting shall ask the chapter whether it wishes to accept the person's resignation or not*

3. If the chapter accepts the resignation, done by a simple majority (51%) voting in favor of accepting it, the following processes should be followed;

a. The chair of the chapter meeting shall open the floor to nominations for the position

b. The Executive Board should open this nomination period by delivering one of the following;

i. A nomination of an individual on behalf of the Executive Board to the position, this nomination should have been reached by a simple majority vote by the Executive Board in favor of a candidate. This vote occurring during a regularly scheduled Executive Board meeting.

ii. The result of deliberation that occurred, during a regularly scheduled Executive Board meeting, when attempting to find a suitable individual to nominate for the position.

c. After a brief period for nominations, if there are more than one (1) candidates who accepted nominations, there shall be a 5-minute recess so that the candidates may prepare a brief (less than 2 minute) speech to deliver to the chapter after the recess.

d. After the speeches have been delivered, the chapter will follow the processes outlined in Article II (Officers) Section 3, subsections 4 and 5, of the Bylaws to decide upon which candidate to assume the vacant office.

4. In the case that the chapter refuses to accept the resignation;

a. It should be noted, not accepting a members resignation from a position is something that must only be considered in the most extreme of reasons or circumstances.

b. A valid reason may be due to questions regarding the person resigning's mental state at the time of his resignation

c. Should the chapter choose not to accept a resignation, the chapter may choose to allot time for the person, who's resignation was refused, to rest and recuperate before they return to their full duties. During this time, if the person is not the President or Executive Vice President, his committee will assume greater responsibility over the role for that time.

d. If the person who was resigning is the President or the Executive Vice President, the other will temporarily assume their duties for the time allotted

5. Upon election of the new officer, if possible, he is to meet with the resigning officer either virtually, such as over the phone, or in person to discuss the duties of the office

a. The discussion must include:

i. Descriptions of the committee and chair roles responsible to the officer

ii. The general fraternity and university given resources that aid in this position

iii. A description of the time commitment and routine responsibilities of the position

iv. Any plans made by the resigning officer for the rest of their term

b. A report of the meeting must be given by the new officer to the president, or Executive Vice President & Chapter Counselor if the President is the person who resigned, to assess whether the new officer has received sufficient information about the position.

a. If no report or a poor report is given, the new officer should be referred first to the President to discuss the reasons for the report being unsatisfactory. If the President has

significant concerns about either the information given by the former officer to the new officer or the information understood by the new officer, the person who is reviewing the report may choose to bring either party, or both, to the Kai Committee or Executive Board to try and alleviate issues.

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Be it finally resolved, Upon the adoption of this resolution — which includes proper notice of the full text of all proposed constitution and bylaw amendments — the included amendments shall be incorporated into the Constitution and Bylaws without the need for a separate vote. Adoption of this resolution shall constitute adoption of the amendments, provided that the required voting threshold (greater majority or 60%) for constitution amendments is met. These amendments shall go into immediate effect upon passage.