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# CONSTITUTION AND BYLAWS

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## FUTURE BUSINESS LEADERS OF AMERICA

### ARTICLE I. NAME

The name of this organization shall be the Arkansas State Chapter of Future Business Leaders of America-Phi Beta Lambda, Inc., 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 Arkansas. The Chapter shall provide, as an integral part of the instructional program, additional opportunities for secondary students (grades 9-12) in business and/or business-related fields to develop vocational and career supportive competencies and to promote civic and personal responsibilities.

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

- Develop competent, aggressive business leadership
- Strengthen the confidence of students in themselves and their work
- Create more interest in and understanding of American business enterprise
- Encourage members in the development of individual projects which contribute to the improvement of home, business, and community
- Develop character, prepare for useful citizenship, and foster patriotism
- Encourage and practice efficient money management
- Encourage scholarship and promote school loyalty
- Assist students in the establishment of occupational goals
- 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 of FBLA-PBL, Inc.

### ARTICLE III. MEMBERSHIP

The membership of the Chapter shall consist of FBLA members residing within the State of Arkansas. 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, Inc.

**Section 2.** No part of the net earnings of the Chapter shall inure to the benefit of 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 salaries, or other compensation for personal services actually rendered; by making any purchase of security or other property for more than adequate consideration for money's worth; by selling any substantial part 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.

**Section 3.** 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 activity to carrying 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 activity which might affect its right or the right of FBLA-PBL, Inc., to full tax exemption or the right of donors to the Chapter 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 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 the 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 policymaking body for the Chapter which shall be subject to the Constitution, the FBLA 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 relationships with FBLA local chapters within the state of Arkansas as shall be approved by the Board of Directors. The Chapter may apply to the Internal Revenue Service for a group tax exemption on behalf of the local chapters within the state.

**Section 5.** Under dissolution, all 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. AMENDMENTS

This Constitution is a mandatory Constitution drafted by FBLA-PBL, Inc., for 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 qualifications 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, Inc., shall become a part of this Constitution with or without the consent of the Chapter.

### BYLAWS

(Revised 2005)

## ARTICLE I – CLASSES OF MEMBERSHIP

**Section 1.** Membership of the Arkansas Chapter of Future Business Leaders of America shall consist of the total members of chartered local chapters and these members shall hold membership in their respective local chapters.

**Active Members** shall be secondary students who become members while enrolled in business education, who accept the purpose of FBLA, subscribe to its creed, demonstrate willingness to contribute to good school-community relations, and possess qualities for employment. Active members shall pay dues as established by FBLA and may participate in state events in accordance with the guidelines of the State Awards Program, serve as voting delegates to the National Leadership Conferences, hold state office in accordance with Article IV, and otherwise represent their state and local chapters as approved by their respective state and local advisers.

Active high school student membership shall be limited to students from Arkansas Activities Association member schools except as prohibited by Federal and State Law and/or State Board of Education requirements. (Adopted April 1977)

**Professional Members** shall be persons associated with or participating in the professional development of FBLA as approved by the state chapters. Such members may include local and state chapter advisers, business teachers, business teacher educators, state supervisors of business education, employers or supervisors of cooperative work-training students, advisory council members, business persons, and other persons contributing to the growth and development of FBLA. Professional members shall pay dues established by FBLA, but shall not participate in events, serve as voting delegates, or hold office.

**Honorary Life Members** may be elected to a state or local chapter by a majority vote. They shall be persons who are assisting in the advancement of business education and/or who are rendering outstanding service to FBLA-PBL, Inc. Honorary Life Members may be recommended by the membership and shall be accepted upon approval of the Board of Directors. They shall not vote or hold office and shall not be required to pay dues.

**Section 2.** The membership year shall be July 1 through June 30.

## ARTICLE II – FINANCES

**Section 1.** Dues for membership shall be determined by the State Executive Council and approved by a majority vote of the local voting delegates present at the State Leadership Conference.

**Section 2.** Annual dues for FBLA members shall be three dollars (\$3). Dues of members shall be forwarded to the national office's lock box address by October 20. Recruitment for new members may be continued all year; however, dues must be received on or before **January 1** (adopted April 2005) for members to be eligible for participation at the District and State Leadership Conferences.

**Section 3.** All disbursements will be made by check, and the check will be signed by the State Adviser. (Adopted April 1981)

**Section 4.** An annual report of finances will be submitted to the delegates at the State Leadership Conference.

**Section 5.** An annual audit of the financial records of the State Chapter will be conducted by an outside accountant at the end of each fiscal year.

**Section 6.** The fiscal year of Future Business Leaders of America shall begin at the completion of the official audit and end at the completion of the official audit of the following year.

## ARTICLE III – GOVERNING BOARD

**Section 1.** The governing body of the Future Business Leaders of America shall be the FBLA-PBL State Board of Directors which is composed of the State Chairman, FBLA State Adviser, PBL State Adviser, one District Coordinator, and the State Presidents of both student divisions. The District Coordinator shall be elected for a five-year term by the Senior High Coordinators. (Adopted April 1998)

**Section 2.** The State Executive Council shall be under the leadership of the State Board of Directors. This council shall consist of each elected state officer and one district coordinator from each district acting as voting members. The State Adviser, State Chairman, and Parliamentarian shall act as ex-officio, non-voting members. (Adopted April 1989)

## ARTICLE IV – OFFICERS

**Section 1.** The officers of FBLA shall consist of a president, six vice presidents (one from each FBLA district), a secretary, a treasurer and a reporter.

**Section 2.** The president, secretary, treasurer, and reporter shall be nominated and elected annually at the State Leadership Conference by a majority vote of local chapter delegates. Voting shall be by use of a voting machine. In the case a majority vote is not reached on the first ballot, the two candidates receiving the largest number of votes will go into a run-off election, to be voted upon by use of voting machine. Each local chapter is represented by **two** voting delegates. A majority of registered voting delegates present at the State Leadership Conference shall constitute a quorum.

The six state vice presidents shall be nominated and elected annually at the District Leadership Conferences. Voting shall be by roll call of chapters or by voting machine. Each local chapter within the geographic boundaries of the district may be represented at the District Leadership Conference by the following voting delegates:

Under 50 members – two voting delegates

50-100 members – three voting delegates

Over 100 members – four voting delegates

A majority of registered delegates present at each District Leadership Conference shall constitute a quorum. (Adopted April 1979)

**Section 3.** The person scoring the highest on the parliamentary procedure written test and completing an appropriate application shall be appointed by the president to act as parliamentarian at the next annual State Leadership Conference and shall be an ex-officio member of the Executive Council. This individual shall have at least one year remaining in his/her secondary educational program (Adopted April 1992)

**Section 4.** To be eligible for nomination to a state office, a person must have been a member in good standing for one semester in a recognized FBLA chapter in Arkansas and must submit a notice of intent to seek a state office to the state chairman or state adviser at least 15 days prior to the State Leadership Conference. No two officers may be elected from the same chapter. Candidates for state office must be sophomores or juniors. No chapter shall hold the same elected office for two years in succession.

**Section 5.** Should the office of president become vacant, the state vice president from the same district as the president shall assume the duties of the president. Any vacancy in an office other than that of president shall be filled by an appointment of the president with the approval of the Executive Council. (Adopted April 1988)

**Section 6.** Candidates for secretary must have completed, or will complete, keyboarding instruction by the end of the current school year.

**Section 7.** All candidates for treasurer must have completed, or will complete accounting, bookkeeping or recordkeeping, by the end of the current school year. (Adopted April 1977)

## ARTICLE V – DUTIES OF STATE OFFICERS

The duties of the officers shall be as follows and as set forth in the State Handbook:

**Section 1.** The state president shall preside at the State Leadership Conference and the Executive Council meetings; represent the State Chapter at special school events, before civic clubs, and the annual ABEA meeting; maintain a close and continuing relationship with the state chairman and state adviser; lead the executive council in organizing an overall plan of action for a statewide program; and assume all other duties common to this office.

**Section 2.** The state vice presidents shall be in charge of all district activities and shall assume other duties at the discretion of the State Executive Council.

**Section 3.** The secretary is responsible for keeping an accurate record of all business meetings and supplying a copy of the minutes to members of the Executive Council.

**Section 4.** The treasurer is responsible for on-site registration at the State Leadership Conference and presenting an annual financial report to members at the State Leadership Conference.

**Section 5.** The state reporter is responsible for publishing the state newsletter, the *Arkansas Business Leader*. The newsletter will be published to the FBLA state webpage two times a year: The first week in December and the first week in April. (Adopted April 2005)

**Section 6.** All state officers shall attend the required meetings as listed on the officer application. Failure to attend any of these meetings will result in the officer resigning from their office.

## **ARTICLE VI – DISTRICT AND STATE MEETING DATES**

**Section 1.** An annual State Leadership Conference of the Arkansas Chapter shall be held each spring in April.

**Section 2.** Annual District Fall and Spring Leadership Conferences shall be held in each of the six senior high districts.

## **ARTICLE VII – AMENDMENTS**

Proposed amendments to these Bylaws shall be submitted in writing not later than December 1 to the State Adviser by local chapters or by a state officer. Notice of proposed amendments shall be sent to local chapters in the State Leadership Conference packet. Proposed amendments shall be reviewed by the State Executive Council and presented to the Board of Directors and shall be approved by the Board of Directors before they can be submitted to the voting delegates. Voting on proposed amendments will take place at the State Leadership Conference. A two-thirds vote of the voting delegates present and voting is required for adoption.