

Proposed By-law Change 0.3

Current By-law:

0. **THE NATIONAL INTERCOLLEGIATE FLYING ASSOCIATION (NIFA)**
 - 0.1 NIFA is a Not for Profit Corporation incorporated in the state of Illinois.
 - 0.2 The purposes of NIFA are to promote, encourage, and foster safety in aviation. These purposes shall be fulfilled by developing and advancing aviation education, conducting Regional and National Safety And Flight Evaluation CONferences (SAFECON) and promoting, encouraging, and fostering communication and cooperation among students, educators, educational institutions, and the aviation industry.

Proposed By-law Change:

- 0.3 All business of the NIFA shall be conducted in accordance with the current edition of Robert's Rules of Order.***

Rationale:

The following rationale was presented by Coach Jade Schiewe on behalf of Spartan College of Aeronautics. The NIFA Council has not had the opportunity to debate nor, determine the legal and/or financial impact of the proposed by-law change as presented. Therefore, the NIFA Council can neither support nor offer an alternative to the proposed change or rationale.

This addition will formally establish a common set of rules and parliamentary procedures for the conduct of NIFA business. Adopting this amendment will ensure that the NIFA Bylaws require standard procedures, voting protocol, meeting order and full recognition of all members.

Robert's Rules of Order are the most common and standard parliamentary procedures for the majority of organizations, schools, colleges, churches, fraternal orders, and local, state and national governing bodies. Their Bylaws contain this requirement to ensure open, fair and balanced administration. The 99's, ALPA, PTA's, and Student Government at all levels, are but a few of the typical organizations which have adopted Robert's Rules of Order in their bylaws.

NIFA has never adopted a standard or written parliamentary order or procedures. It has none to this day. This has led to numerous irregularities in meetings, nominations, voting, voting procedures, vote counting, determination of majorities, and administration of the current Bylaws

Proposed By-law Change 2.2.a. & 2.2.b.

Current By-law:

2. NIFA COUNCIL

- 2.2 The NIFA Council shall be composed of a regional council representative from each active NIFA region, a student representative, and Council members-at-large, and emeritus council members.
- a. The total council membership shall be limited to twenty (20).
 - b. Not more than one council member may represent or be employed by any one member institution.

Proposed By-law Change:

2. NIFA COUNCIL

- 2.2 The NIFA Council shall be composed of a regional council representative from each active NIFA region, a student representative, and Council members-at-large, and emeritus council members.
- a. The total council membership shall be limited to **fifteen (15) members with no more than three (3) At-Large members.**
 - b. Not more than one **regionally elected** council member may represent or be employed by any one member institution. **Furthermore, not more than one At-Large council member may represent, be employed by, or be an alumni of any one member institution.**

Rationale:

The following rationale was submitted by Council Member Les Westbrooks on behalf of Region IX. The NIFA Council has not had the opportunity to debate nor, determine the legal and/or financial impact of the proposed by-law change as presented. Therefore, the NIFA Council can neither support nor offer an alternative to the proposed change or rationale.

Whereas, the NIFA council is to be a representative body with a fiduciary responsibility of leading the organization in a direction desired by member schools; and

Whereas, currently, the bylaws specifically forbid more than one member of council being employed by any one member institution; and

Whereas, council composition should represent the diversity of member schools in order to avoid all appearances of impropriety, and

Whereas, under the current organization, NIFA council is responsible for electing at-large members which empowers council to elect 40% of itself.

Therefore Be It Further Resolved that, upon successful passage of this resolution, NIFA council shall conduct no business, except that necessary to reorganized the council, until the council composition has been brought into compliance with this submitted resolution.

Proposed By-law Change 2.3.

Current By-law:

2. NIFA COUNCIL

- 2.3 Regional Council Members shall be elected by the member institutions of each region. Each member institution in good standing shall have five (5) votes to cast. Membership of an elected regional representative shall be confirmed by a majority vote of the NIFA Council. If a region fails to elect a Regional Council Member, the NIFA Council may, by a majority vote, appoint an individual to the position on behalf of the region

Proposed By-law Change:

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Rationale:

The following rationale was submitted by Council Member Les Westbrooks on behalf of Embry Riddle Aeronautical University - Daytona. The NIFA Council has not had the opportunity to debate nor, determine the legal and/or financial impact of the proposed by-law change as presented. Therefore, the NIFA Council can neither support nor offer an alternative to the proposed change or rationale.

Whereas, the NIFA council is to be a representative body with a fiduciary responsibility of leading the organization in a direction desired by member schools; and

Whereas, to maintain independence of NIFA regional representatives, the NIFA Council should not have the power to override or veto the schools choices of regional representative.

Whereas, this bylaw is contrary to our national form of governing. When a State elects Representatives to the U.S. Congress, to serve them in the House of Representatives, they do so without fear of their elected official being vetoed and not permitted to serve

Proposed By-law Change 2.9.

Current By-law:

2. NIFA COUNCIL

- 2.9 Council Members-At-Large shall be appointed by the NIFA Council based upon recommendations from Council Members, member institutions, or other aviation organizations.

Proposed By-law Change:

2. NIFA COUNCIL

- 2.9 Members-at-large shall be *elected by an open and fair process. This process will include an open nomination period by council members, member schools, and members in good standing to seek the most qualified nominees. Members-at-large shall be elected by the member schools.*
- a. *The open nomination period will be no less than 60 days and the NIFA administrator will directly inform all parties of the open nomination period.*
 - b. *Following the nomination period, the resumes and candidacy statements of all applicants will be presented to the membership for review no less than 30 days before voting.*
 - c. *Voting will occur such that all applicants are placed on the ballot and voted on at the annual meeting by the member schools. The candidate receiving the highest number of votes shall be appointed member-at-large.*
 - d. *Member-at large terms shall be staggered so that only one member-at-large is elected, or re-elected, each year.*

Rationale:

The following rationale was submitted by Council Member Les Westbrooks on behalf of Embry Riddle Aeronautical University - Daytona. The NIFA Council has not had the opportunity to debate nor, determine the legal and/or financial impact of the proposed by-law change as presented. Therefore, the NIFA Council can neither support nor offer an alternative to the proposed change or rationale.

Whereas, NIFA will be best served by the whole of the membership electing all members of the NIFA Council.

Whereas, members-at-large are currently elected by the council itself.

Whereas, the past practice of the NIFA Council electing its own members-at-large has lead to selected schools having undue influence on the direction and operation of NIFA.

Therefore Be It Further Resolved that, upon successful passage of this resolution, NIFA council shall commence with application of these bylaw changes so as to be in compliance with them by the conclusion of the annual business meeting 2011.

Proposed By-law Change 18.2.

Current By-law:

18. AMENDMENTS

18.2 Amendments to these by-laws shall be made in the following manner: Each school holding a valid School or Flying Club Membership shall have five votes. Those schools not in attendance may issue proxy votes provided a written authorization of the proxy is filed with the NIFA Executive Director by the member school issuing the proxy prior to the annual business meeting. If by two thirds majority vote of the members it is decided to amend the by-laws, the proposed amendment shall be forwarded to the NIFA Council. If the NIFA Council concurs by majority vote, the amendment shall be enacted.

Proposed By-law Change:

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Rationale:

The following rationale was submitted by Council Member Les Westbrooks on behalf of Embry Riddle Aeronautical University - Daytona. The NIFA Council has not had the opportunity to debate nor, determine the legal and/or financial impact of the proposed by-law change as presented. Therefore, the NIFA Council can neither support nor offer an alternative to the proposed change or rationale.

Whereas, the NIFA council is to be a representative body with a fiduciary responsibility of leading the organization in a direction desired by member schools; and

Whereas, NIFA bylaw changes require a 2/3's majority of member schools to pass.

Whereas, a similar high bar, 2/3 majority should exist for NIFA council to override the desires of the membership at-large.

Whereas, placing a time limit on NIFA council vetoing a member approved bylaw amendment allows amendments to become effective without need of a NIFA Council meeting. This amendment preserves the right of the NIFA Council to override the desires of the NIFA members while placing a higher bar than the current simple majority.