

Troop 628 Bylaws 2008

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Preface: Why Troop 628 of Lake Forest, California Has Bylaws

An Historical Account of the Events That Led to Their Creation

Written by Cliff Mauvais, Scoutmaster, Troop 628

It was the middle of January in 1981. Troop 628, a 10 year old Boy Scout Troop, was in the first year of its third Scoutmaster, Joe Fitzpatrick. With every Scoutmaster change, there is a change in Troop leadership and style. These changes did not go over well with four committee members, including the wife of the former Scoutmaster and current Committee Chair. Then a crisis brought things to a head.

On a campout in the second weekend in January, one of our more delinquent Scouts showed up at a campout with a friend. Uninvited, they drove themselves and were drinking beer. The Scoutmaster was not present and the Troop Quartermaster was the tour leader. The Quartermaster did not call the parents to have the delinquents picked up, but got rid of the alcohol and let them stay. The next day, these two delinquents got more alcohol, got drunk and the friend of our Scout was injured after he fell off a sheer 40 foot drop landing on top of a boulder. His life threatening injuries required emergency helicopter air-lift rescue.

The Wednesday night after this disaster, there was an emergency committee meeting. The question was asked, "Who are the voting members of the committee?" One committee member said "Every parent of every boy in the troop is a member of the committee." A dispute arose regarding the legal driving age of the troop. Some said it was 21 years old but BSA policy stated 18 years old. The Scoutmaster asked to see those rules, but the rules weren't written anywhere.

Three weeks later, the Scoutmaster was fired by the Committee Chair with a simple letter. In a Troop of 50 Scouts, four families decided to fire the Scoutmaster without the Troop Committee. The Committee Vice-Chair wasn't informed of this decision and spoke to the BSA District Executive who explained that the Committee Chair has the power to overrule the Troop Committee in the decision of Scoutmaster selection, if there are no written Bylaws.

The Vice-Chair called an unofficial Troop Parents Meeting to discuss what happened and most of the parents were angry that they were not informed. The four families that removed the Scoutmaster met separately and planned to call a Parents Meeting to inform the parents that the Chair's decisions stood. Fortunately, we learned that the Chartered Organization (Lake Forest I Homeowners Association – LF1) could overrule the Committee Chair and the stage was now set.

At the Committee Chair's official parents meeting, the Chairperson explained the firing and moved to reinstate her husband as Scoutmaster. The Vice-Chair expressed the majority's displeasure with these actions and introduced the President of LF1, Troop 628's Chartered Organization. The President of LF1 explained that he had the authority to settle this matter which was validated by the BSA District Executive. The Chairperson was forced to concede and the Troop Committee voted to have Committee elections the next month. At the first meeting of the new Troop Committee, Joe Fitzpatrick was reinstated as the third Scoutmaster of Troop 628.

The Committee and the Scoutmasters worked for 15 months to create our bylaws and henceforth, the Scoutmaster was protected and the Committee Chair had limited power of authority.

The position of Scoutmaster is not an easy job and everyone is not suited for it, which is why the Committee's primary responsibilities are to find a qualified Scoutmaster and then support him in carrying out the Troop Program.

1. On the “Interested Parties”	3
2. On the Hierarchy of Concepts	3
3. On the Troop membership	4
4. On Scoutmaster Leadership	4
5. On the Program	5
6. On the Boys 5	
7. On Behavior and Discipline	6
8. By-Laws	6
9. Operating Policy (The Standing Rules)	9
10. Troop 628 Executive Committee Positions & Duties	11

On The “Interested Parties”

The “Interested Parties” are composed of the following:

The Sponsor: Lake Forest I Beach & Tennis (Chartered Organization)
The Executive Committee & Chartered Organization Representative
The Troop membership
The Scoutmaster & Assistant Scoutmasters
The Advisors & Helpers
The Parents & Scouts
The Patrol Leadership Council

The Hierarchy of Concepts & Preamble

Philosophy: Applies to the Interested Parties

By-Laws: Govern the Formation, Membership, Duties, Responsibilities, Elections and Conflict Resolution of the troop membership and Executive Committee.

Operating Policy: The Standing Rules

Definitions:

BSA: Boy Scouts of America

PLC: Patrol Leaders' Council Consists of Senior Patrol leader, Patrol leader(s),

The Troop Committee: All registered adults.

The Executive Committee: The 13 named positions (Article III, Section 2).

On The Troop Membership

The Troop Membership, with the concurrence of its sponsor, will govern its actions by a set of by-laws (ref. "by-laws") which will include a democratic mechanism for determining the make-up of the Executive Committee so that the views, attitudes and values of all "interested parties" are considered.

The by-laws will provide for a set of operating policies or standing rules which must be reviewed and reconfirmed by the new Executive Committee each year.

The Executive Committee is responsible for making sure that the scouting program is being offered.

In this respect the Executive Committee has two key jobs:

1. To select the best possible person as Scoutmaster and periodically review his/her performance.
2. To support the Scoutmaster with whatever assistance is needed for the troop program.

The Executive Committee will use the "Troop Committee Guidebook" as the guideline on matters not covered in the by-laws. It is noted that the only "power" statements in this guidebook direct themselves to the review and approval of the long range and monthly program plans and the "supervisory" relationship of the Executive Committee Chair with respect to the Scoutmaster. All other descriptions of relationships, including the Executive Committee Chair and Scoutmaster, are in positive, supportive, solicitous terms. Resolutions of conflicts between the parties will be resolved by a democratic process within the Troop Membership. The overall best interest of the troop program and participants must be considered.

The leadership style of the Executive Committee, with respect to the Scoutmaster, will be one of support and with respect to the adult community. The Executive Committee will be solicitous of input in setting the operating policy and major conflict resolution.

On Scoutmaster Leadership

The Executive Committee expects that the Scoutmaster, during the process of developing and working with the boy leaders for the purpose of planning and executing the troop program, will assure that the weaknesses of the boy leadership do not degrade the quality of the overall program visible to the troop. The Scoutmaster will not, however, through his/her own decision making and direction setting, usurp the opportunity for the boys to develop their leadership skills.

On The Program

This troop will provide a broad program that addresses the needs and desires of senior scouts, intermediate scouts, and beginning scouts. It is expected that this will be achieved through the organization and use of assistant Scoutmasters and adult advisors to coach and direct the Patrol Leadership Council in designing the programs.

Since the basic theme of scouting is to encourage Scouts to grow in citizenship, character, and personal fitness through a series of learning experiences, it is expected that the program presented to the Executive Committee for approval will contain the organized opportunities for advancement and merit badges (i.e., merit badge classes, etc.). The troop program via the Scoutmaster's leadership will facilitate and motivate advancement by clarifying requirements for beginning and intermediate levels and giving positive feedback for achievement. The troop program will develop its own boy leaders as well as provide for "organized play".

On The Boys

All of the boys have a responsibility to be contributors to the success of the troop. Joining the troop carries an obligation to grow in citizenship, character and personal fitness by participating in the programs and activities.

This responsibility falls more heavily on the Patrol Leaders' Council (PLC) and the more senior scouts. They are the principal planners and implementers of the troop program. They can be the advisors of the junior scouts. They should be positive role models for the junior scouts.

The Patrol Leaders' Council (PLC) has a responsibility to Scouting and the troop to address the boys whose actions are destructive to the success, well-being and normal functioning of the troop's activities. This is to be accomplished through a formal disciplinary process organized and run by the boys with adult advice and council. (Refer to Article 9 in the by-laws).

On Behavior and Discipline

We recognize that the discipline for inappropriate behavior as well as positive motivation is required for the normal functioning of a troop.

It is the responsibility of the Executive Committee to supply to the Scoutmaster and troop a disciplinary process. (Refer to Article 9 of the by-laws).

It is the responsibility of the Scoutmaster working through the Executive Committee to use this process where applicable.

This process should consistently convey the message that unacceptable behavior will not be tolerated. It is important that the consequences for the unacceptable behavior be followed in a timely manner.

In order to maintain consistency, the Executive Committee disciplinary process will be implemented through a standing subcommittee on troop discipline that interprets and applies the philosophy, by-laws, and operating policy of the troop. (Article 9 of the By-Laws)

BY-LAWS

ARTICLE 1 - ORGANIZATION

The Boy Scout troop adopting these by-laws shall be Troop 628, Orange County Council, Saddleback District.

The sponsoring institution of this troop is the Lake Forrest I Beach & Tennis Club.

This troop is chartered by and exists under the by-laws of the Boy Scouts of America and is a nonprofit organization

ARTICLE 2 - PURPOSE & PHILOSOPHY

The purpose of this Troop is to develop, promote, encourage, and further the understanding of the ideals and principles as taught by the Boy Scouts of America.

ARTICLE 3 - COMMITTEE MEMBERSHIP

Section 1 - Membership Applicability

The only formal membership rules for the interested parties shall apply to the Executive Committee. Each family is strongly encouraged to have at least one registered adult. Executive Committee Members must be registered with the Boy Scouts of America (BSA).

Section 2 - The Executive Committee

The voting positions for the Executive Committee shall be composed of the following 13 officers:

- Executive Committee Chairman
- Executive Committee Vice Chairman
- Secretary
- Treasurer
- Advancement
- Camping/Transportation
- Fundraising
- Recruitment Chair
- Recognition Coordinator
- Quartermaster
- Special Projects
- Chartered Organization Representative
- Life to Eagle Coordinator

The Executive Committee may have advisors who are non-voting.

Section 3 - Good Standing

An Executive Committee member is in good standing and has voting rights within the Executive
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Committee at all times unless he/she resigns his/her position or is removed for non-performance of his/her responsibilities by vote of 7 or more members of the Executive Committee.

Section 4 - Replacement of Executive Committee Members

The Executive Committee will nominate and elect interim replacements by a simple majority of a quorum (defined as being 50% or more the Executive Committee as defined in Article 3, section 2).

ARTICLE 4 - OPERATING POLICY (THE STANDING RULES)

The Executive Committee will establish and maintain a set of Operating Policies (The Standing Rules) directed towards the management of the troop's activities and actions. This set of policies will expire at the end of the term of the Executive Committee. The Operating Policies will be reviewed and readopted and/or modified by the new Executive Committee in the first quarter of its term.

ARTICLE 5 - EXECUTIVE COMMITTEE VOTING & QUORUMS

Section 1 - Approved Motions

It shall take a simple majority of a quorum to approve all other items.

Section 2 - Amendment of Preamble

It shall take an approval vote of at least 7 members of the Executive Committee to amend the Preamble of the by-laws.

Section 3 - Amendment of By-Laws

It shall take an approval vote of at least 7 members of the Executive Committee to amend the by-laws.

Section 4 - Open Voting

The Executive Committee at its option only, with four concurring votes, may open an issue to the parents at large for voting and resolution. The time, place and technique are to be determined by the Executive Committee consistent with Article 5, Section 6. The vote is binding on the Executive Committee. A simple majority of those voting determines the outcome. There will be one vote per family.

Section 5 - Creating & Amending the Operating Policy (The Standing Rules)

Operating Policy is created and amended by a Standing Rules Committee consisting of the members of the Executive Committee, the Scoutmaster and Assistant Scoutmasters. It shall take a simple majority of the Standing Rules Committee present and voting to create or modify the "Standing Rules".

Section 6 - By-Laws, Operating Policy & Open Votes - Voting Process

All votes on the By-Laws, Operating Policy and Open Votes must take place at a formal Executive Version: 2008/A

Committee meeting. Notification will be given to the Executive Committee Members and/or Scoutmaster and Assistant Scoutmasters of a "By-Laws" and/or "Operating Policy" votes at least two weeks prior to the meeting. This notification will include the parents on "Open Votes" (Section 4).

Section 7 - Proxy Votes

Votes may be cast in all cases by written proxy, and is in effect for an entire meeting and can be counted as constituting part of a quorum. In no event can a person vote more than one proxy.

ARTICLE 6 - CREATION & TERMS OF EXECUTIVE COMMITTEE

Section 1 - Eligibility to Vote for the Executive Committee

The Executive Committee is reconstituted once a year by a simple majority of the voting parents (Legal guardians) of the Scouts on the Troop roster as of January 1st. There will be one vote per family.

Section 2 - Elections

The elections will take place in January by formal, written ballot, on a position by position basis. The mechanism for this election is at the discretion of the Executive Committee. If there are no contested positions for the Executive Committee, a unanimous consent agenda item can be used for this election. Two weeks prior written notice is required.

Section 3 - Term of the Executive Committee

The 1 (one) year term of the Executive Committee is from February 1st to January 31st.

Section 4 - Financial Responsibility

The books must be balanced at the end of the term or change of the Treasurer position.

ARTICLE 7 - SCOUTMASTER / ASSISTANT SCOUTMASTER
APPOINTMENTS / REMOVALS

Section 1 - The Terms of the Scoutmaster/Asst. Scoutmaster

Terms will be 1 (one) year commencing upon the winter Court of Honor, on or about December 15th.

Section 2 - Appointment of Scoutmasters & Assistant Scoutmasters

Appointments are approved and renewed by a simple majority of a quorum of the Executive Committee.

Section 3 - Removal of Scoutmaster & Asst. Scoutmasters

Removal of the leaders takes place by:
Version: 2008/A

- 1) Not renewing the appointment at the end of the term;
- 2) By an removal vote of at least 9 members of the Executive Committee during the term; or
- 3) By an "Open Vote" to the parents at large.

Written notification must be given 2 (two) weeks prior to either vote.

To disseminate the reason or not is determined by the Executive Committee depending upon the circumstances.

ARTICLE 8 - EXECUTIVE COMMITTEE MEETINGS & RULES

Section 1 - Executive Committee Meetings

The Executive Committee shall hold monthly meetings at time and place of its choosing.

Section 2 - Executive Committee Rules

The Executive Committee meetings shall be governed by Robert's Rules of Order when not provided for in the Troop By-Laws and/or National Boy Scouts Rules.

ARTICLE 9 - DISCIPLINARY PROCESS

The PLC (Patrol Leaders' Council) will provide a disciplinary process. Those items judged by the Scoutmaster or a designee as inappropriate for the PLC disciplinary process will be reviewed by the Executive Committee.

In no case shall an adult rule when their own child's behavior is at issue. The Scoutmaster or designee should attend and participate in the process, but cannot be a voting member. A quorum vote of the Executive Committee determines the outcome. Disciplinary actions by the PLC or Scoutmaster will be included in the Scoutmaster report at the next Executive Committee meeting.

OPERATING POLICY (THE STANDING RULES)

1. Troop meetings will be held on Wednesday night at 7:00 pm unless directed otherwise by the Scoutmaster or his representative.
 2. For the purpose of rank advancement, a scout will be evaluated based upon BSA guidelines.
 3. The Patrol Leaders' Council (PLC) will organize and run the troop meetings.
 4. Class A shirt and Class A pants are required at all regular troop meetings. Outing attire will be determined by the tour leader. Full Class A uniform must be worn for rank advancement, Court of Honor, Camporee etc.
 5. The Troop Leader elections shall take place on the Wednesday closest to May 15th and November 15th each year. Leadership training will occur before leadership positions begin. For the purposes of BSA rank advancement records, the terms will be June 1st through December 1st and December 1st through June 1st.
 6. An annual planning meeting will be held in June and presented to the Executive Committee in
- Version: 2008/A

July. The planning year will be from October 1 through September 30.

7. The annual troop program should include outdoor programs, courts of honor, founder's award, attendance at Camporee and Scout-O-Rama. The troop shall also seek to be a "quality unit."
8. The Troop requires YPT (Youth Protection Training) for all attending volunteers and encourages adult leadership development on a continuous basis.
9. Local, National or International Tour Permits will be filed at the council office before all trips or campouts and patrol overnights and Eagle Projects.
10. Signed permission/medical release forms will be in the possession of the tour leader prior to departure.
11. Non-scout members on camping trips are permitted only on designated family camps, with the permission of the adult in charge as named on the tour permit and the Scoutmaster or Assistant Scoutmaster.

At designated family camps the conduct of non-scouts will be the responsibility of the inviting family. No guest will be allowed without the sponsorship of an adult. It will be the sponsoring adult's responsibility to provide and maintain permission slips and medical release forms for their guest(s) and fully responsible for any damages, expenses or liabilities incurred.

12. All drivers for Troop functions are to submit evidence of auto insurance to the Camping/Transportation Chairman.
 - A. Insurance in accordance with National BSA guidelines.
 - B. Drivers under the age of 21 must meet two additional requirements:
 - Written parental consent for all Scout passengers to ride with said driver.
 - Written parental consent for the driver to transport Scouts if the driver is using parent's vehicle or is covered by the parent's insurance.

The Camping/Transportation Chairman shall then request Executive Committee approval on a per driver basis. Only Executive Committee approved volunteers shall be allowed to drive.

13. Volunteer drivers transporting non-family member scouts and/or troop equipment may submit requests for reimbursement at .10/mile. The driver pulling the troop trailer is reimbursed at .25/mile.
14. The fee to join Troop 628 is \$120. This fee includes initial registration and initial troop "T" shirt, neckerchief, one year's subscription to Boy's Life. Annual renewal will be required thereafter and additional shirts can be purchased for an additional charge. The troop annual fee increase is tied to the annual Consumer Price Index (CPI - <http://www.dir.ca.gov/dlsr/CAPriceIndex.htm>) increase.
15. Executive Committee is authorized to create an advance cash fund for a specific activity. An annual budget will be approved.
16. All Troop income will be deposited directly into Troop accounts.
17. All purchases will be from an authorized fund.

18. Money collected from members for an activity will be itemized on a collection sheet.
19. All requests for reimbursement will be in writing. Treasurer is authorized to devise a form to simplify the procedure.
20. Two non-related Executive Troop Committee member signatures will be required on all check disbursements. Signature Authorization cards will be approved by the Executive Committee.
21. Funds maintained in individual Scout accounts may be used for BSA related expenses only. Scouts no longer registered with Troop 628 may apply for reimbursement of BSA related expenses from said funds. Said funds not used within six months of failing to re-register with Troop 628 revert to the Troop 628 general fund.
22. If during the course of the Patrol Leaders council disciplinary process, the PLC determines that a Scout merits discipline in excess of 30 days of suspension from the troop, it must be reviewed by an adult disciplinary sub-committee and the parent should be notified within 24 hours.
23. The Scoutmaster is permitted to vote in Executive Committee sessions in regards to issues of Troop finance and the program agenda.

TROOP 628 EXECUTIVE COMMITTEE POSITIONS & DUTIES:

Executive Committee Chairman

1. Chairs Executive Committee meetings to Robert's Rules of Order.
2. Makes agenda for Executive Committee meetings.
3. Ensures that the Executive Committee members & Scoutmaster do their jobs.
4. Schedules the annual planning meeting for July after receiving the proposed PLC calendar.
5. In October, the Executive Committee Chairman should advise the Executive Committee on the probable Scoutmaster for the following year so that the incoming Scoutmaster can conduct the troop election in November.

Executive Committee Vice Chairman

1. Fulfills the duties of the Chairman in the event of his absence.
2. Assures Troop representation at monthly District Roundtable.
3. Coordinates Troop participation at District Webelos transition fair.
4. Coordinates annual youth viewing of "A Time to Tell."
5. Ensures annual charter review and re-chartering of the Troop.

Treasurer

1. Properly balance the Troop's checking and savings accounts as well as our Scout House account.
2. Lead in the preparation of an annual Troop budget.
3. Keep the Troop on budget as set down yearly by the Executive committee.
4. Disbursement of funds as approved.
5. Updates bank signature cards as necessary.

6. Maintains accountability of Scout House debit cards.

Secretary

1. Takes minutes at the Executive Committee meetings.
2. Keeps a record of all Executive Committee meetings for future reference.
3. Writes and mails letters for the Executive Committee as necessary.

Quartermaster

1. Responsible for the care, maintenance and periodic safety check of Troop equipment.
2. Prepares annual plan for purchases and presents the plan to the Executive Committee for the purchase of equipment.
3. Buys equipment as necessary; provides an annual budget to the Executive Committee at the beginning of each fiscal year.

Camping/Transportation Chairman

1. Makes reservations for all camping functions.
2. Files tour permits for all Scout functions.
3. Keep a running record of all camping awards for the boys.
4. Keep current records on vehicles, drivers' licenses and insurance.
5. Help arrange transportation for all scout functions.

Fundraising

1. Oversees the fundraising efforts of the Troop.
1. Communicates with and promotes to the Scouts the various money earning opportunities.
2. Oversees troop participation in Scout-o-Rama ticket sales and Trail's End Popcorn sales.

Recognition Coordinator

1. Organizes of all potluck dinners.
2. Coordinates providing refreshments at Eagle Courts, courts-of-honor and parent's night.
3. Oversees phone communication with/to the adults.
4. Coordinates Eagle Board by working with parents of Eagle scouts for Eagle Court

Chartered Organization Representative

1. Acts as the liaison between the club (our sponsor) and the Troop.
2. Makes all room reservations with the club.

Advancement

1. Keeps current records of all advancements in the Troop:
 - A. Merit badges
 - B. Rank advancement
 - C. Leadership positions
2. Attend Troop meetings to facilitate the boys in the receiving of their awards.
3. Pick up awards and get them to the boys at the Troop meetings.

3. Maintains history, by term, of the boy leadership.

Life to Eagle Coordinator

1. Monitors records of each Scout's Life to Eagle advancement requirements and progress.
2. Works with Scouts to determine desire, potential and practicality of becoming and Eagle Scout.
3. Maintains contact with council policies and procedures regarding Eagle Scouts.

Recruitment Chair

1. Maintains and distributes current Troop roster.
2. Assists the Troop in recruitment of new Scouts.
3. Coordinates welcome packages for new Scouts and their families. Materials to be provided include brochure, neckerchief, patrol patches and red epaulets.
4. Maintains the Troop Uniform Supply.

Special Projects

1. Coordinates the success of special projects as identified by the Troop.
2. Oversees Troop participation in District projects such as: Friends of Scouting; Scout-O-Rama activities, Trail's End Popcorn sales; Scouting For Food and Webelos Transition Fair

Note:

- ☒ All Executive Committee members are respectfully requested to attend as many meeting as possible so that we have a quorum to conduct business.
- ☒ The Troop Executive Committee is responsible for making sure that the scouting program is being offered. In this respect the Executive Committee has two key jobs:
 1. To select the best possible person as Scoutmaster and periodically review his/her performance.
 2. To support the Scoutmaster with whatever assistance he/she needs for the troop program.