



A chapter of the American Physical Therapy Association

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February 7, 2016

DPTA Members,

On behalf of the DPTA Executive Committee, we are bringing forth 5 by-law amendments for your consideration. The DPTA Bylaws have not been updated since 2010. As your chief delegate, I was tasked with completing a bylaws review in response to a motion in the 2015 House of Delegates that allowed chapters and sections to offer the Physical Therapist Assistant (PTA) members either a full or half vote. In November 2015, the DPTA Executive Committee agreed to put forward an amendment to increase the PTA member vote to a full vote, equal to the Physical Therapist member categories. Additionally, several areas were identified that required some clarification or changes to meet our current or best practices for the association.

The wording is written to comply with Eleventh Edition of *Robert's Rules of Order Newly Revised*. Here are the key points for the 5 motions we are presenting.

Motion 1- Define the Executive Committee

This 2 part motion is needed to clarify who votes on the Executive Committee. Several committees have changed names and one has been operating for many years and not officially on the executive committee (Payment and Advocacy). These motions establish a 12 member committee (all elective officers and 6 committee chairs).

Motion 2- Clarify the Role of the President as an alternate delegates

Delaware has traditionally considered the president as our 2nd delegate. Due to our size, we have not qualified for an additional delegate in our history. To allow the president to focus on their other significant duties, to allow other members to have the opportunity to serve as delegate without being the chief delegate, and to allow a potential succession plan for the chief delegate, the DPTA Executive Committee agreed that having the president serve as alternate was an appropriate change. This will allow the president to still receive all delegate materials, attend the House of Delegates in the gallery and candidate interviews, and they will be prepared to step in to an active delegate role in the event the chief or second delegate cannot attend. The fiscal implications of this are minor and have been budgeted to allow the travel and hotel/meals costs for 3 days for the second delegate.



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Motion 3- Amend the bylaws to reflect current practices

There were several areas identified that the chapter was not operating in compliance with our existing bylaws. Changing practice to be in compliance was seen as disadvantageous to efficient and effective procedures. Part A- all members who have a vote are eligible to vote for all offices. Part B- DPTA has not used an advisory council for the past 20 years (or more). Part C- someone needs the authority to call an emergency meeting of the executive committee (this previously was not specified). Part D- we did not specify in the election cycles where some non-officer position elections occurred, this amendment adds the nominating committee and additional delegates as appropriate. Part E- The parliamentarian identified that Roberts Rules of Order only allows for regular meetings and special meetings. Our bylaws were not in compliance with “additional meetings”.

Motion 4- Change the PTA Vote

This two part motion would allow the PTA member levels to have a full vote on chapter activities. Previously APTA Bylaws only permitted these categories to have one half vote. After the APTA House of Delegates voted in June to allow components to make a choice, the DPTA Executive Committee voted unanimously to change our bylaws to include the full vote on chapter business and elections.

Motion 5- Permit PTA members to be eligible to serve on the chapter nominating committee

In review of the bylaws we found no reason to limit participation on this committee to just the PT members. This committee is voted on by the chapter members and participation by PT or PTA members in our small state was deemed appropriate and welcome.

The Executive Committee welcomes your questions, comments and any concerns prior to the March 8 meeting and vote, please direct these to me at Ciolek@udel.edu or by phone at 302-831-0138.

We hope to see you at the March 8 meeting where we will be voting on these bylaws. Please note- there are no dues changes in these amendments.

Sincerely,

Cathy Ciolek, PT, DPT, GCS, CEEAA
Chief Delegate, DPTA

Delaware Chapter Bylaw Amendments Proposed:

Motion 1-16: AMEND: BYLAWS OF THE DELAWARE PHYSICAL THERAPY ASSOCIATION TO DEFINE THE MEMBERS OF THE EXECUTIVE COMMITTEE

Note: Triple asterisks (* *) indicate language that is not being amended and therefore has not been included in order to make the document more concise.*

(Note: This is a motion with 2 conforming amendments - Parts A and B.)

PART A

That Bylaws of the Delaware Physical Therapy Association, Article VII. EXECUTIVE COMMITTEE, Section 1 Composition, be amended by substitution:

The officers of the CHAPTER shall be the President, Vice-President, Secretary, Treasurer, Representative to the PTA Caucus and the Chief Delegate. These six officers, ~~the immediate Past-President~~ and all **standing** committee chairpersons shall constitute the Executive Committee.

PART B

That Bylaws of the Delaware Physical Therapy Association, Article VIII COMMITTEES, Section 4: Standing Committees be amended by substitution.

The following Standing Committees shall be appointed by the Executive Committee and shall serve for two years or until their successors have been appointed and have assumed office. The Chairperson and members of each Committee shall be appointed by the Executive Committee.

- A. ~~Continuing Education Events~~
- B. Legislative
- C. Public Relations/~~Newsletter~~
- D. Membership/~~Directory~~
- E. Bylaws
- F. **Payment and Advocacy**

SS: For the purposes of defining a number of the executive committee for voting/quorum we are seeking this be inserted. This will make the official number on the EC 12 (president, vp, secretary, treasurer, chief delegate, representative to the PTA caucus, and 6 standing committee chairs. Additionally, the executive committee believes it was time to officially establish the Payment and Advocacy committee as a Standing Committee as it has been in existence for over 10 years as a special committee. Other changes are editorial in nature and utilized to better reflect the work of those committees. (Example- events committee does continuing education and social events that occur immediately afterwards, we are moving to not having a newsletter and instead using e-blasts and we no longer publish a directory In clarifying the voting members of the executive committee, the

parliamentarian suggested that the past-president not have voting rights as they technically have no official duties. This amendment will continue to allow them to serve as an advisor to preserve some historical knowledge and carryover

Motion 2-16: AMEND: BYLAWS OF THE DELAWARE PHYSICAL THERAPY ASSOCIATION TO CLARIFY THE ROLE OF THE PRESIDENT AS AN ALTERNATE DELEGATE

Note: Triple asterisks (* *) indicate language that is not being amended and therefore has not been included in order10 to make the document more concise.*

(Note: This is a motion with 3 conforming amendments - Parts A-C.)

PART A

That Bylaws of the Delaware Physical Therapy Association, Article VII. EXECUTIVE COMMITTEE, Section 2 Qualifications, be amended by substitution:

Section 2: Qualifications

Only such members of the CHAPTER as are provided for in the Association bylaws, Article IV, Section 2, Sub-paragraph B.(3).b, who have been members in good standing for a period of at least two years immediately preceding their election, and who have consented to serve, are eligible for election to office. Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Physical Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistant of the ASSOCIATION and who have consented to serve shall be eligible for election to the offices of Secretary and Treasurer.—~~Only a Physical Therapist shall be eligible for election to the office of Chief Delegate. The President, who also serves as Delegate, and the Vice-President, who may succeed to the presidency if vacated, shall only be a Physical Therapist, Retired Physical Therapist, or Life Physical Therapist of the ASSOCIATION.~~ **Only a Physical Therapist Member shall be eligible for election to the office of Chief Delegate, Delegate, President, who also serves as an alternate Delegate, and the Vice-President, who may succeed to the presidency if vacated. Only physical therapists assistant members may serve as the representative to the PTA Caucus.**

PART B

That Bylaws of the Delaware Physical Therapy Association, Article VII. EXECUTIVE COMMITTEE, Section 4 Duties of Elected Officers, be amended by inserting **alternate** so that it reads:

Section 4: Duties of Elected Officers

In addition to the rights and duties as members of the Executive Committee the officers shall have the following specified rights and duties:

- A. The President shall serve as official spokesperson of the CHAPTER and shall preside at all meetings of the CHAPTER and Executive Committee; and shall be an ex-officio member of all committees except the Nominating and Ethics Committee.

- B. The President shall serve as **alternate** Delegate to the APTA House of Delegates
- C. The Vice-President shall assist the President in the discharge of his/her duties and assume the duties of the President in his/her absence.
- D. The Secretary shall record the minutes of all meetings of the CHAPTER, and the Executive Committee and shall maintain the CHAPTERS file of records and official correspondence. The Secretary shall maintain an accurate roster of current members. The Secretary shall submit a copy for the minutes of all membership meetings and election results to the ASSOCIATION headquarters within 30 days.
- E. The Treasurer shall be custodian of all funds of the CHAPTER and shall prepare an annual budget to be approved by the Executive Committee; serve as chair-person of the Finance Committee; disburse payments only upon approval of the Executive Committee; keep a true and accurate account of all receipts and disbursements in a book which shall be the property of the CHAPTER; make a written report the CHAPTER at the Annual Meeting and to the Executive Committee, upon request, and such other reports as may be required.
- F. The Chief Delegate shall perform such duties as specified elsewhere in these Bylaws.
- G. The Representative to the PTA Caucus shall attend the annual meeting of the representative body of the National Assembly; represent the CHAPTER on such matters as ordered by the Executive Committee; provide a written report of information from meeting to the Executive Committee.

PART C

That Bylaws of the Delaware Physical Therapy Association, Article IX. DELEGATES TO THE ASSOCIATION'S HOUSE OF DELEGATES, Section 3 Section and Terms be amended by substitution:

Section 3: Section and Terms

In odd numbered years, the CHAPTER shall elect the chief delegate. The President, who is elected in the even numbered years, will serve as the **alternate** Delegate. ~~At the time in which the CHAPTER is entitled to additional delegates, such delegates will be elected in the even numbered years.~~ **Additional delegate(s) will be elected in the even numbered years.** If any delegate to whom the CHAPTER is entitled is not able to attend the House of Delegates, the CHAPTER shall confer on the chief delegate the right to cast the vote or votes of the delegate not attending **unless an alternate delegate is present.** If the Chief Delegate is unable to attend a session of the House of Delegates, the delegates attending will select an Acting Chief Delegate to assume his/her duties. A CHAPTER delegate may not in the same year serve as a section delegate.

SS: For decades the DPTA has had 2 delegates in the APTA House of Delegates. Per our bylaws, these are the chief delegate elected by the members and the president serving as the second delegate. Originally designed as a cost saving mechanism (since the chapter is funding the president to attend meetings that coincide with the HOD) it has led to a challenge for developing future delegates as no one can serve as a general delegate. Often, someone is elected to the position of chief delegate without having ever served as a delegate. In order to foster greater member involvement in APTA governance and to create a leadership transition so members can serve as delegate before having to assume the chief position, the executive committee felt it was beneficial to have the president serve as alternate. This way they will be prepared for the house and familiar with the issues, without necessarily having to take on all the added duties of the full delegate position. This may lessen some of the responsibilities of president and encourage others to consider this role.

Motion 3-16: AMEND: BYLAWS OF THE DELAWARE PHYSICAL THERAPY ASSOCIATION TO REFLECT CURRENT PRACTICES

Note: Triple asterisks (* *) indicate language that is not being amended and therefore has not been included in order10 to make the document more concise.
(Note: This is a motion with 3 conforming amendments - Parts A-E.)*

PART A

That Bylaws of the Delaware Physical Therapy Association, Article VII. EXECUTIVE COMMITTEE, be amended by substitution:

Section 2: Qualifications

The President, Representative to PTA Caucus, and Secretary shall be elected in even numbered years and shall serve for a term of two years of until the election of their successors. ~~The Representative to the PTA Caucus is elected by Physical Therapist Assistant, Life Physical Therapist Assistant and Retired Physical Therapist Assistant members.~~ The Chief Delegate, Vice-President, and Treasurer shall be elected in odd numbered years and shall serve for a term of two years of until the election of their successors.

PART B

That Bylaws of the Delaware Physical Therapy Association, Article VII. EXECUTIVE COMMITTEE, Section 3 Duties of the Executive Committee, be amended by deleting in its entirety the current **F. *Appoint, subject to the approval of the voting members of the CHAPTER, an advisory Council of three or more members who shall serve for two years or until the election of new CHAPTER officers and appointment of new Advisory Council.***

Section 3: Duties of the Executive Committee

The Executive Committee shall:

- A. Carry out the mandates and policies of the CHAPTER as determined by membership.
- B. Have full power and authority to perform all acts and to transact all business for and on behalf of the CHAPTER, subject only to the provisions of these Bylaws, the ASSOCIATION'S Bylaws and all resolutions and enactments of the membership.
- C. Approve the annual budget prepared by the Treasurer, authorize expenditures of funds and appoint a committee of three members to audit the Treasurer's accounts or have the accounts audited by a certified public accountant.

- D. Create special committees, and direct the activities of the special and standing committees, except the nominating and ethics committees.
- E. Bring before the members of the CHAPTER at any regular or special meeting or by correspondence, communications from the ASSOCIATION for their information, opinion, and/or vote.
- F. ~~Appoint, subject to the approval of the voting members of the CHAPTER, an advisory Council of three or more members who shall serve for two years or until the election of new CHAPTER officers and appointment of new Advisory Council.~~
- G. Verify the proper membership category of all members of the CHAPTER.
- H. Submit, as individual officers and committee chairperson, written annual reports at the annual meeting of the CHAPTER.
- I. Submit, as a group, an annual report of CHAPTER activities and fiscal status to the Board of Directors of the ASSOCIATION, and other such reports as may be requested.
- J. Appoint the Chairman of all Standing and Special Committees, except the Nominating and Finance Committees, and fill all vacancies on the Executive Committee when they exist, except the office of the President.

PART C

That Bylaws of the Delaware Physical Therapy Association, Article VII. EXECUTIVE COMMITTEE, Section 6 Meeting of the Executive Committee by amended by inserting "by the President" so that it would read:

Section 6: Meeting of the Executive Committee

The Executive Committee shall meet at least twice annually and at such other times as may be necessary to conduct the business of the CHAPTER. Except when emergency meetings are called **by the President**, written notice of the meetings of the Executive Committee shall be send out to its members at least ten days prior to the date of the meeting. The presence of five members shall constitute a quorum for the Executive Committee. A Special Meeting must be called upon written petition of 50 percent of the Executive Committee.

PART D

That Bylaws of the Delaware Physical Therapy Association, Article X. ELECTIONS, be amended by inserting in E. a sentence at the end that reads: ***Additionally, non-officer positions shall be elected including nominating committee members and delegates as previously described.***

- E. The designated Officers of the Chapter shall be elected on a rotational basis.

The President, Representative to the PTA Caucus, and Secretary shall be elected in even numbered years.

The Chief Delegate, Vice President, and Treasurer shall be elected in odd numbered years.

Additionally, non-officer positions shall be elected including nominating committee members and delegates as previously described.

PART E

That Bylaws of the Delaware Physical Therapy Association, Article VI. MEETINGS- NUMBER AND QUORUM be amended by substitution:

Section 1: Numbers of Meetings

A minimum of four regular meetings shall be held during the fiscal year ~~and such additional meetings as are necessary may be called by the President.~~ Written notice of all meetings shall be sent to all members at least ten days prior to the date of the meeting.

The last meeting of the fiscal year will be the annual meeting of the CHAPTER.

A special meeting **may be called by president or** must be called upon written petition of 50 percent of the membership.

SS: In reviewing the bylaws and in consultation with APTA parliamentarian, the executive committee noted that there were areas that we had not been operating in compliance with what is written in the bylaws. First to the best of our executive director and historical memory of the current executive committee, all member votes are tallied for all positions. No class of membership was restricted from voting for any office. The second issue, again to the best of our combined historic knowledge- no one can recall there every having been an advisory council. Our newly elected treasurer has been active in the chapter for over 30 years and could not recall this having been utilized or even created. The third issue is simply to clarify that the nominating committee should also solicit and slate nominating committee members and delegate(s) who are not members of the executive committee. In part D, the parliamentarian believes that original wording creates a new category of meetings outside Roberts Rules of Order so this change clarifies there are regular meetings and special meetings and not a third category.

Motion 4-16: AMEND: BYLAWS OF THE DELAWARE PHYSICAL THERAPY ASSOCIATION TO CHANGE THE PTA VOTE

Note: Triple asterisks (* *) indicate language that is not being amended and therefore has not been included in order10 to make the document more concise.*

(Note: This is a motion with 3 conforming amendments - Parts A-E.)

Part A

That Bylaws of the Delaware Physical Therapy Association, Article IV. MEMBERSHIP, be amended in Section 2: Rights and Privileges of Members by inserting "**Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Physical Therapist Assistant, Retired Physical Therapist**

Assistant, and Life Physical Therapist Assistant members shall have 1 vote at Chapter membership meetings and any authorized absentee voting.” so that it would read:

Section 2: Rights and Privileges of Members

The rights and privileges of the CHAPTER’S members shall be identical to those established in the ASSOCIATION’S bylaws. **Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Physical Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistant members shall have 1 vote at Chapter membership meetings and any authorized absentee voting.**

Part B

That Bylaws of the Delaware Physical Therapy Association, Article X. ELECTIONS, be amended in letter B by **deleting** the word **half** so that it would read:

B. Physical Therapist, Retired Physical Therapist, and Life Physical Therapist members shall have one vote. Physical Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistant members shall each have one ~~half~~ vote.

SS: APTA House of Delegates voted in June 2015 to allow the PTA categories to have a range of one half to one full vote. The executive committee felt strongly that Delaware should allow the PTA member categories to have a full vote in chapter elections. These two changes are required to allow the PTA a full vote in elections (Part B) and for other chapter business (Part A).

Motion 5-16: AMEND: BYLAWS OF THE DELAWARE PHYSICAL THERAPY ASSOCIATION TO PERMIT PTA MEMBERS TO BE ELEGIBLE TO SERVE ON CHAPTER NOMINATING COMMITTEE

That Bylaws of the Delaware Physical Therapy Association, Article VIII. COMMITTEES, Section 1 Nominating Committee, be amended by inserting: **Physical Therapist Assistant, Retired Physical Therapist Assistant or Life Physical Therapist Assistant** so that it reads:

A. The Nominating Committee shall consist of three Physical Therapist, Retired Physical Therapist, or Life Physical Therapist, **Physical Therapist Assistant, Retired Physical Therapist Assistant or Life Physical Therapist Assistant** members elected by voting members. Each committee member will serve for a term of three years; terms shall not expire simultaneously; thus one member of the Nominating Committee shall be elected annually. No committee member shall serve for more than one consecutive term. Only those who have been members of the CHAPTER for at least two years preceding election will be eligible to serve on the Nominating Committee.

SS: This motion would allow the various PTA member classes to be eligible to serve on the chapter nominating committee. As there are several positions on the executive committee that a PTA may serve (secretary, treasurer, representative to the PTA caucus) having PTA’s eligible to be on the nominating

committee certainly follows our philosophy of engaging PTA members. There is no requirement that a PTA serve in this role, only that they are eligible to be slated and elected by the membership.

1 **BYLAWS OF THE DELAWARE PHYSICAL THERAPY ASSOCIATION**

2
3 **DRAFT JANUARY 2016**

4
5 **ARTICLE I: NAME AND RELATIONSHIP TO AMERICAN PHYSICAL THERAPY**
6 **ASSOCIATION**

7
8 The name of the organization is DELAWARE PHYSICAL THERAPY ASSOCIATION. It is a component
9 chapter of the American Physical Therapy Association.

10
11 **ARTICLE II: OBJECT**

12
13 The Delaware Physical Therapy Association, hereinafter referred to as the CHAPTER, shall be a Chapter
14 of the American Physical Therapy Association, hereinafter referred to as the ASSOCIATION.

15
16
17 **ARTICLE III: FUNCTIONS**

- 18
19 A. The functions of the CHAPTER shall be the same as the functions of the ASSOCIATION as
20 established in the by-laws.
21 B. Promote legislation to protect the interest of the public and the rights of the ASSOCIATION
22 members.

23
24 **ARTICLE IV: MEMBERSHIP**

25
26 Section 1: Categories and Qualifications of Members

27
28 The CHAPTER membership categories and qualifications for Physical Therapist, Retired Physical
29 Therapist, Life Physical Therapist, Student Physical Therapist, Physical Therapist Assistant, Retired
30 Physical Therapist Assistant, Life Physical Therapist Assistant, and Student Physical Therapist Assistant
31 shall be the same as those of the ASSOCIATION.

32
33 In addition, the CHAPTER shall maintain a single Corresponding Member category with rights and
34 privileges as stated in the ASSOCIATION bylaws.

35
36 Section 2: Rights and Privileges of Members

37
38 The rights and privileges of the CHAPTER'S members shall be identical to those established in the
39 ASSOCIATION'S bylaws. ***Physical Therapist, Retired Physical Therapist, Life Physical Therapist,***
40 ***Physical Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist***
41 ***Assistant members shall have 1 vote at Chapter membership meetings and any authorized***
42 ***absentee voting.***

43
44 Section 3: Admission to Membership

45
46 Admission to CHAPTER membership is by assignment by the ASSOCIATION'S Board of Directors.

47
48 Section 4: Good Standing

49
50 An individual member is in good standing within the meaning of these Bylaws if the member is in good
51 standing in the ASSOCIATION.

52
53 Section 5: Disciplinary Action

54
55 Any member of the CHAPTER who is suspended by the ASSOCIATION shall have their membership
56 privileges suspended from the ASSOCIATION and from the CHAPTER. Any member who is expelled
57 from membership in the ASSOCIATION shall be expelled from CHAPTER membership.

- 58
59 A. Complaints to the effect that a member has violated the ethical principles or standards of the
60 ASSOCIATION shall be processed in accordance with the ASSOCIATION'S Procedural
61 Document on Disciplinary Actions.

- 1
2 B. The ASSOCIATIONS Code of Ethics and the Standards of Ethical Conduct for the Physical
3 Therapist Assistants, as they now exist and as they may hereafter be amended or
4 supplemented, shall be the guidelines of this CHAPTER, and shall be binding on the
5 members of the CHAPTER as though incorporated in these Bylaws.
6

7 Section 6: Reinstatement

8
9 Individuals are reinstated to CHAPTER membership in accordance with the ASSOCIATION'S Standing
10 Rules. The CHAPTER may not charge a reinstatement fee.
11

12 **ARTICLE V: DISTRICTS AND SPECIAL INTEREST GROUPS**

13
14 The CHAPTER may create districts and special interest groups within its territorial jurisdiction.
15

16 Section 1: Limitations

17
18 Districts/Special Interest Groups are subject to the following limitations:
19

- 20 A. Bylaws and policies of the ASSOCIATION and the CHAPTER.
21 B. No district or special interest group shall profess or imply that it speaks for or represents the
22 CHAPTER or members other than those currently holding membership in the district or
23 special interest group unless authorized by the CHAPTER'S governing body.
24

25 **ARTICLE VI: MEETINGS- NUMBER AND QUORUM**

26
27 Section 1: Numbers of Meetings

28
29 A minimum of four regular meetings shall be held during the fiscal year ~~and such additional meetings as~~
30 ~~are necessary may be called by the President.~~ Written notice of all meetings shall be send to all members
31 at least ten days prior to the date of the meeting.
32

33 The last meeting of the fiscal year will be the annual meeting of the CHAPTER.
34

35 A special meeting **may be called by president** or must be called upon written petition of 50 percent of
36 the membership.
37

38 Section 2: Quorum

39
40 Five (5) Percent of Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Physical
41 Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistant members
42 of the CHAPTER in attendance at any regular, annual, or special meetings of the CHAPTER properly
43 called by the President shall constitute a quorum.
44

45 Section 3: Minutes

46
47 All meeting minutes shall be submitted to the ASSOCIATION within 45 days of the meeting.
48

49 **ARTICLE VII. EXECUTIVE COMMITTEE**

50
51 Section 1: Composition

52
53 The officers of the CHAPTER shall be the President, Vice-President, Secretary, Treasurer,
54 Representative to the PTA Caucus and the Chief Delegate. These six officers, ~~the immediate Past-~~
55 ~~President~~ and all **standing** committee chairpersons shall constitute the Executive Committee.
56

57 Section 2: Qualifications

58
59 Only such members of the CHAPTER as are provided for in the Association bylaws, Article IV, Section 2,
60 Sub-paragraph B.(3).b, who have been members in good standing for a period of at least two years
61 immediately preceding their election, and who have consented to serve, are eligible for election to office.

1 Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Physical Therapist Assistant,
2 Retired Physical Therapist Assistant, and Life Physical Therapist Assistant of the ASSOCIATION and
3 who have consented to serve shall be eligible for election to the offices of Secretary and Treasurer. ~~Only~~
4 ~~a Physical Therapist shall be eligible for election to the office of Chief Delegate. The President, who also~~
5 ~~serves as Delegate, and the Vice-President, who may succeed to the presidency if vacated, shall only be~~
6 ~~a Physical Therapist, Retired Physical Therapist, or Life Physical Therapist of the ASSOCIATION. **Only a**~~
7 ~~**Physical Therapist Member shall be eligible for election to the office of Chief Delegate, Delegate,**~~
8 ~~**President, who also serves as an alternate Delegate, and the Vice-President, who may succeed to**~~
9 ~~**the presidency if vacated. Only physical therapists assistant members may serve as the**~~
10 ~~**representative to the PTA Caucus.**~~

11
12
13 No officer shall serve more than two consecutive terms in the same office except for the Chief Delegate.
14 All officers shall have one vote each on the Executive Committee.

15
16 The President, Representative to PTA Caucus, and Secretary shall be elected in even numbered years
17 and shall serve for a term of two years or until the election of their successors. ~~The Representative to the~~
18 ~~PTA Caucus is elected by Physical Therapist Assistant, Life Physical Therapist Assistant and Retired~~
19 ~~Physical Therapist Assistant members. The Chief Delegate, Vice-President, and Treasurer shall be~~
20 ~~elected in odd numbered years and shall serve for a term of two years or until the election of their~~
21 ~~successors.~~

22
23 Officers shall assume office effective January 1st of the year immediately following the election.

24 25 Section 3: Duties of the Executive Committee

26
27 The Executive Committee shall:

- 28
- 29 A. Carry out the mandates and policies of the CHAPTER as determined by membership.
- 30 B. Have full power and authority to perform all acts and to transact all business for and on behalf
- 31 of the CHAPTER, subject only to the provisions of these Bylaws, the ASSOCIATION'S Bylaws
- 32 and all resolutions and enactments of the membership.
- 33 C. Approve the annual budget prepared by the Treasurer, authorize expenditures of funds and
- 34 appoint a committee of three members to audit the Treasurer's accounts or have the accounts
- 35 audited by a certified public accountant.
- 36 D. Create special committees, and direct the activities of the special and standing committees,
- 37 except the nominating and ethics committees.
- 38 E. Bring before the members of the CHAPTER at any regular or special meeting or by
- 39 correspondence, communications from the ASSOCIATION for their information, opinion, and/or
- 40 vote.
- 41 ~~F. Appoint, subject to the approval of the voting members of the CHAPTER, an advisory Council of~~
42 ~~three or more members who shall serve for two years or until the election of new CHAPTER~~
43 ~~officers and appointment of new Advisory Council.~~
- 44 G. Verify the proper membership category of all members of the CHAPTER.
- 45 H. Submit, as individual officers and committee chairperson, written annual reports at the annual
- 46 meeting of the CHAPTER.
- 47 I. Submit, as a group, an annual report of CHAPTER activities and fiscal status to the Board of
- 48 Directors of the ASSOCIATION, and other such reports as may be requested.
- 49 J. Appoint the Chairman of all Standing and Special Committees, except the Nominating and
- 50 Finance Committees, and fill all vacancies on the Executive Committee when they exist, except
- 51 the office of the President.

52 53 Section 4: Duties of Elected Officers

54
55 In addition to the rights and duties as members of the Executive Committee the officers shall have the
56 following specified rights and duties:

- 57
- 58 A. The President shall serve as official spokesperson of the CHAPTER and shall preside at all
- 59 meetings of the CHAPTER and Executive Committee; and shall be an ex-officio member of all
- 60 committees except the Nominating and Ethics Committee.
- 61 B. The President shall serve as **alternate** Delegate to the APTA House of Delegates.

- 1 C. The Vice-President shall assist the President in the discharge of his/her duties and assume the
2 duties of the President in his/her absence.
- 3 D. The Secretary shall record the minutes of all meetings of the CHAPTER, and the Executive
4 Committee and shall maintain the CHAPTERS file of records and official correspondence. The
5 Secretary shall maintain an accurate roster of current members. The Secretary shall submit a
6 copy for the minutes of all membership meetings and election results to the ASSOCIATION
7 headquarters within 30 days.
- 8 E. The Treasurer shall be custodian of all funds of the CHAPTER and shall prepare an annual
9 budget to be approved by the Executive Committee; serve as chair-person of the Finance
10 Committee; disburse payments only upon approval of the Executive Committee; keep a true
11 and accurate account of all receipts and disbursements in a book which shall be the property of
12 the CHAPTER; make a written report the CHAPTER at the Annual Meeting and to the
13 Executive Committee, upon request, and such other reports as may be required.
- 14 F. The Chief Delegate shall perform such duties as specified elsewhere in these Bylaws.
- 15 G. The Representative to the PTA Caucus shall attend the annual meeting of the representative
16 body of the National Assembly; represent the CHAPTER on such matters as ordered by the
17 Executive Committee; provide a written report of information from meeting to the Executive
18 Committee.

19
20 Section 5: Vacancies - How Filled

21
22 If, before the expiration so the term of office for which he/she was elected, the President dies, resigns, is
23 removed from office, or becomes disqualified, the Vice-President shall succeed to the office vacated for
24 the unexpired portion of the term. Vacancies created by the death, resignation, removal from office of
25 disqualification of the other officers and committee members shall be filled by appointment by the
26 Executive Committee of the unexpired portion of the term.

27
28 Section 6: Meeting of the Executive Committee

29
30 The Executive Committee shall meet at least twice annually and at such other times as may be necessary
31 to conduct the business of the CHAPTER. Except when emergency meetings are called **by the**
32 **President**, written notice of the meetings of the Executive Committee shall be send out to its members at
33 least ten days prior to the date of the meeting. The presence of five members shall constitute a quorum
34 for the Executive Committee. A Special Meeting must be called upon written petition of 50 percent of the
35 Executive Committee.

36
37 **ARTICLE VIII. COMMITTEES**

38
39 Section 1: Nominating Committee

40
41 A. The Nominating Committee shall consist of three Physical Therapist, Retired Physical Therapist, or
42 Life Physical Therapist, **Physical therapist assistant, retired physical therapist assistant or life**
43 **physical therapist assistant** members elected by voting members. Each committee member will serve
44 for a term of three years; terms shall not expire simultaneously; thus one member of the Nominating
45 Committee shall be elected annually. No committee member shall serve for more than one consecutive
46 term. Only those who have been members of the CHAPTER for at least two years preceding election will
47 be eligible to serve on the Nominating Committee.

48
49 The duties of the Nominating Committee, e.g., are to seek out candidates for vacant offices, to review
50 their qualifications, to ascertain their willingness to serve, to nominate candidates or candidates for each
51 office, and to report the Election Results at the Annual meeting of the CHAPTER.

52 B. The Nominating Committee shall elect its own Chairperson.

53
54 Section 2: Finance Committee

55
56 The Finance Committee shall be composed of the current Treasurer of the CHAPTER as chairperson, at
57 least two committee members who are selected by the Chairperson, to assist him/her in carrying out
58 plans and financial responsibilities of the CHAPTER.

59
60 Section 3: Ethics Committee

61

1 The Ethics Committee shall be a three-person committee, one person appointed annually by the
2 Executive Committee. The individual with the most seniority in the committee shall serve as chairperson.
3 The committee shall be charged with investigating any ethics complaints according to the
4 ASSOCIATION'S stated procedures.

5 6 Section 4: Standing Committees

7
8 The following Standing Committees shall be appointed by the Executive Committee and shall serve for
9 two years or until their successors have been appointed and have assumed office. The Chairperson and
10 members of each Committee shall be appointed by the Executive Committee.

- 11 A. ~~Continuing Education~~ **Events**
- 12 B. Legislative
- 13 C. Public Relations/~~Newsletter~~
- 14 D. Membership/~~Directory~~
- 15 E. Bylaws
- 16 **F. Payment and Advocacy**

17 18 19 Section 5: Special Committees

20
21 Special Committees shall be established by the Executive Committee as needed. Chairpersons of the
22 Special Committees will be designated by the Executive Committee.

23 24 Section 6: Vacancies - How Filled

25
26 If a committee member dies, resigns, is removed from office or fails to serve, the Executive Committee
27 shall appoint an eligible member to serve the unexpired portion of the term.

28 29 **ARTICLE IX. DELEGATES TO THE ASSOCIATION'S HOUSE OF DELEGATES**

30 31 Section 1: Representation and Registration

32
33 The CHAPTER must be represented in the House of Delegates at least every third year. The CHAPTER
34 shall notify ASSOCIATION headquarters of the names of the CHAPTER delegates. The credential card
35 issues by the ASSOCIATION shall be signed by the CHAPTER President.

36 37 Section 2: Qualifications

38
39 No member may be selected for the House of Delegates unless he has been a member in good standing
40 of the ASSOCIATION in any category of membership p for the two years immediately preceding.

41 42 Section 3: Section and Terms

43
44 In odd numbered years, the CHAPTER shall elect the chief delegate. The President, who is elected in
45 the even numbered years, will serve as the **alternate** Delegate. ~~At the time in which the CHAPTER is~~
46 ~~entitled to additional delegates, such delegates will be elected in the even numbered years.~~ **Additional**
47 **delegate(s) will be elected in the even numbered years.** If any delegate to whom the CHAPTER is
48 entitled is not able to attend the House of Delegates, the CHAPTER shall confer on the chief delegate the
49 right to cast the vote or votes of the delegate not attending **unless an alternate delegate is present.** If
50 the Chief Delegate is unable to attend a session of the House of Delegates, the delegates attending will
51 select an Acting Chief Delegate to assume his/her duties. A CHAPTER delegate may not in the same
52 year serve as a section delegate.

53 54 Section 4: Rights and Duties of Delegates

55
56 The Chief Delegate is responsible for the CHAPTER'S total voting delegation at the annual session of the
57 House of Delegates, and will present a written report of the proceedings of the House of Delegates to the
58 Executive Committee of the CHAPTER within thirty days of the session. All delegates are expected to:

- 59 A. Register and file their credential card prior to the first meeting of the House of Delegates and as
60 such other times as designated by the House Officers.
- 61

- B. Attend the annual and special sessions of the House of Delegates.
- C. Represent the CHAPTER on such matters as are ordered by the Executive Committee and/or the members of the CHAPTER.
- D. Vote by voice of ballot at the House of Delegates in accordance with the policies of the CHAPTER
- E. Upon request, present information from the House of Delegates to the Executive Committee and members of the CHAPTER for their information, consideration, discussion, and/or opinion.

ARTICLE X. ELECTIONS

- A. A slate of candidates and their statements regarding their candidacy shall be posted on the Chapter website. Members will be notified either by mail or electronically no later than six weeks prior to November 1.
- B. Physical Therapist, Retired Physical Therapist, and Life Physical Therapist members shall have one vote. Physical Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistant members shall each have one half-vote.
- C. On petition of 10 eligible voting members of the chapter, a qualified, consenting member shall be placed in nomination for a position as an officer, director, a member of the Nominating Committee, or a delegate. Such a petition must be filed with the officers of the Nominating Committee no later than 30 days after the slate of candidates prepared by the Nominating Committee has been published and distributed to members. A candidate nominated by petition shall be afforded similar opportunities for publication of candidacy to the membership as those afforded a candidate nominated by the Nominating Committee, except that this individual shall be identified as nominated by petition.
- D. Elections shall be conducted via electronic or mail balloting and will be completed by November 1. Results of the election will be announced at the Annual Meeting. New officers will assume office effective January 1 of the year immediately following the election.
- E. The designated Officers of the Chapter shall be elected on a rotational basis.

The President, Representative to the PTA Caucus, and Secretary shall be elected in even numbered years.

The Chief Delegate, Vice President, and Treasurer shall be elected in odd numbered years.

Additionally, non-officer positions shall be elected including nominating committee members and delegates as previously described.
- F. The voting body shall be composed of all members of the Chapter who have voting privileges in the Association. A ten percent (10%) return shall be required for a valid vote.
- G. A plurality of the votes cast is necessary for election as Officers and members of the Nominating Committee. Should a tie occur between two or more candidates for any position, a run-off ballot will be promptly sent to the membership. Run-off ballots shall prominently specify the deadline.
- H. Results of elections shall be sent to APTA Association Headquarters within 45 days.

ARTICLE XI: FINANCE

Section 1: Fiscal Year

The fiscal year of this CHAPTER shall be from January 1 through December 31.

Section 2: Limitation on Expenditures

No officer, employee, or committee shall expend any money not provided in the budget as adopted, or spend any money in excess of the budget allotment, except by order of the CHAPTER'S Executive

1 Committee. The Executive Committee shall not commit the CHAPTER to any financial obligation in
2 excess of its current financial resources.

3
4 Section 3: Dues

5
6 A. Dues structure for

| | | |
|----|---|-------|
| 7 | | |
| 8 | o Physical Therapist | \$110 |
| 9 | o Physical Therapist- Post Professional Student | \$30 |
| 10 | o Physical Therapist Assistant | \$50 |
| 11 | o Life Physical Therapist | \$0 |
| 12 | o Life Physical Therapist Assistant | \$0 |
| 13 | o Retired Physical Therapist | \$30 |
| 14 | o Retired Physical Therapist Assistant | \$30 |
| 15 | o Student Physical Therapist and Student Physical Therapist Assistant | \$30 |
| 16 | o Corresponding | \$50 |
| 17 | | |
| 18 | | |

19 B. Student Physical Therapist and Student Physical Therapist Assistant member dues are for 12
20 months from the time of renewal or join date. As of the last day of the graduation month, the
21 Student Physical Therapist and Student Physical Therapist Assistant members automatically
22 convert to the Physical Therapist or Physical Therapist Assistant member category for the
23 remainder of the 12 months of membership. Once the membership remainder expires, these new
24 Physical Therapist and Physical Therapist Assistant members are eligible for one year of
25 membership at 50% of the ASSOCIATION and CHAPTER dues rate for a Physical Therapist or
26 Physical Therapist Assistant member.

27
28 Section 4: Dues Changes

29
30 All dues changed passed by the CHAPTER and approved by the APTA Board of Directors shall become
31 effective on the first day of ASSOCIATION'S fiscal year following the CHAPTER vote and APTA Board of
32 Directors approval. New dues shall apply to the members at the time of individual renewal.

33
34 Section 5: Financial Report

35
36 The CHAPTER shall submit its annual financial statements, tax return and audit report to the
37 ASSOCIATION when and as directed by APTA headquarters.

38
39 **ARTICLE XII. DISSOLUTION**

40
41 The CHAPTER may be voluntarily dissolved by a vote of two-thirds of the Physical Therapist, Retired
42 Physical Therapist, Life Physical Therapist ,Physical Therapist Assistant, Retired Physical Therapist
43 Assistant, and Life Physical Therapist Assistant members present provided notice has been sent out by
44 mail to all voting members of the CHAPTER at least 30 days prior to the vote.

45
46 **ARTICLE XIII. PARLIAMENTARY AUTHORITY**

47
48 The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the
49 CHAPTER in all cases to which they are applicable and in which they are not inconsistent with the these
50 Bylaws and any special rules of order that the CHAPTER may adopt.

51
52 **ARTICLE XIV. AMENDMENTS**

53
54 Section 1: General

55
56 These Bylaws may be amended, in whole or in part, at any meeting of the CHAPTER by two-thirds vote
57 of the Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Physical Therapist
58 Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistant members present
59 and voting provided that at least thirty days prior to that meeting a copy of the proposed amendments

1 have been sent out by mail to all voting members of the CHAPTER. Revised or amended Bylaws shall
2 be consistent with the Articles of Incorporation of the CHAPTER.
3

4 However, if the intent of an amendment is editorial or to bring the CHAPTER'S bylaws into agreement
5 with those of the ASSOCIATION, the amendment shall be made as required by the CHAPTER Bylaws
6 Chair and shared with the Executive Committee. The CHAPTER Bylaws Chair shall notify the
7 CHAPTER'S membership that such amendments have been made.
8

9 **Section 2: Procedure**

- 10
11 A. Any member or group of members may propose an amendment to these Bylaws, such proposed
12 amendment to be submitted to the Executive Committee.
13 B. The proposed amendment shall be distributed to all voting members of the CHAPTER within
14 thirty days of the proposal. Consideration of the proposed amendment will be placed on the
15 agenda of the next scheduled meeting of the CHAPTER.
16 C. When APTA Bylaws have been amended so as to require amendments of these Bylaws, the
17 Bylaws Committee shall submit them to the Executive Committee of the CHAPTER for approval.
18 Copies of the amendments shall be sent by mail no later than 90 days after the Executive
19 Committee approval. Such amendments carry an automatic approval procedure and will not
20 require a vote of the CHAPTER members, but will automatically be adopted upon approval by the
21 Executive Committee of the CHAPTER.
22 D. The revised or amended Bylaws must be submitted to the Board of Directors of the
23 ASSOCIATION for approval.
24

25 **ARTICLE XV. ASSOCIATION AS HIGHER AUTHORITY**

26
27 In addition to these bylaws, the CHAPTER is governed by the ASSOCIATION'S Bylaws and Standing
28 Rules, and by the policies.
29

30 ADOPTED BY DELAWARE PHYSICAL THERAPY ASSOCIATION
31 APPROVED BY THE APTA BOARD OF DIRECTORS