

BY-LAWS OF TROOP 567

Boy Scouts of America

Greater St. Louis Area Council

New Horizons District

Chartered Organization: Green Pines School

Rockwood School District

BY-LAWS OF TROOP 567

ARTICLE I. TROOP GOVERNANCE

Section 1.1 Board of Directors

(A) The Board of Directors (BD) shall be composed of the following:

- Board Chair (BC)
- Committee Members (CMs)
- Assistant Scoutmasters (ASMs)
- Scoutmaster (SM), and
- Chartered Organization Representative (COR)

(B) Each member of the BD shall have one vote, except that each household will be entitled to only one vote.

Section 1.2 Executive Committee

(A) The Executive Committee of the BD (XC) shall be composed of:

- Board Chair (BC)
- Three CMs elected by the Troop Committee (TC), and
- Three ASMs elected by the Assistant Scoutmasters

(B) The function of the XC shall be to:

- To make routine decisions on an informal basis between committee meetings
- To make and approve personnel recommendations, as described below

Section 1.3 Troop Committee

- (A) The Troop Committee shall be composed of parents or guardians of troop members.
- (B) Each household may have as many as two members, although each household will be entitled to only one vote (whether in meetings of the TC only or of the entire BD).
- (C) Each CM is expected to participate in the programs of the troop, either as an officer; activity chair; assistant officer or chair; or other volunteer.

(D) ***Officers*** include

- Secretary
- Treasurer
- Quartermaster
- Pack Coordinator
- Unit Commissioner (provided to the troop by the district)

(E) ***Activity Chair*** positions include

- Advancement
- Camping
- Fundraising
- Eagle Review

(F) Selection of TC members

- (1) Each parent or guardian seeking committee membership must complete an official BSA adult application.
- (2) The XC will review each application.
- (3) If the XC recommends the candidate for membership, the full committee will vote (by a simple majority) whether to approve the parent or guardian's application (an appeal process will be established for applications rejected by the XC).
- (4) Each CM may serve indefinitely, subject to disciplinary action as described below.

Section 1.4 Assistant Scoutmasters

(A) Qualifications

- (1) Each ASM must have completed, at a minimum, BSA Basic Adult Leader Training. Further training, such as Wood Badge and Rocks or Ropes Courses, is also encouraged.
- (2) Each ASM may serve indefinitely, subject to disciplinary action as described below.
- (3) Each household may have as many as two ASMs, although each household will be entitled to only one vote (whether in meetings of the ASMs only or of the entire BD).

(B) Function: to provide practical, “hands-on” assistance to the Scoutmaster in implementation of the Scouting program.

Section 1.5 Scoutmaster

(A) Qualifications

- (1) **Training:** Same as for an ASM.
- (2) **Characteristics:** A proven leader, who exhibits some or all of the following skills:
 - A positive attitude
 - Knowledge of BSA programs
 - The ability to work effectively with both parents and boys, including good leadership, communication and delegation skills

(B) Function: To lead implementation of the Scouting program in our troop by means of boy leadership.

(C) Selection

- (1) The XC will recommend an SM candidate to the BD, although nominations from the floor may be made to sponsor candidates other than the XC’s nominee.
- (2) The BD will elect the SM candidate by a simple majority vote.
- (3) The SM will serve a one-year term, with the possibility of re-election for one or more terms

(D) Annual Review

- (1) Each year, at an appointed time, the XC shall conduct a review with the SM.

(2) Purpose

(a) Performance evaluation – To assess the SM’s effectiveness.

(b) Planning – To allow the SM to present plans for the next year, e.g.

- Vision for the troop
- Development of future leadership, e.g., ASMs as potential future SMs
- Ideas to aid scout advancement

Section 1.6 Board Chair

(A) Qualifications

(1) In general

- Previously served as a member of the BD, or
- Previously served in a leadership position with the Boy Scouts of America (BSA)

(2) Exceptions may be made based upon a simple majority vote of the BD.

(B) Function

- To preside over the meetings and activities of the BD
- To serve as chair of the XC

(C) Selection

(1) The XC will recommend a BC candidate to the BD.

- (a) If the current BC is a candidate for re-election, he/she will remove himself/herself from the XC’s discussions of his/her candidacy.
- (b) If the XC is voting to recommend a BC candidate, and the current BC’s vote would be the deciding one, the current BC will abstain from voting. If voting is deadlocked as a result, the Chartered Organization Representative (COR) shall be asked to join the meeting (for this purpose only) and shall cast the deciding vote.

(2) Nominations may be made from the floor of the BD for candidates other than the XC’s nominee.

(3) The BD will elect the BC by a simple majority vote.

(4) The BC will serve a one-year term, with the possibility of re-election for one or more terms.

Section 1.7 Chartered Organization Representative

(A) **Qualifications:** Previously served as a member of the BD.

(B) **Function**

- To serve as a liaison with the chartered organization (CO - the Parent Teacher Organization of Green Pines School)
- To assist with troop rechartering

(C) **Selection**

- (1) The XC will recommend a COR candidate to the BD, although nominations from the floor may be made to recommend candidates other than the XC's nominee.
- (2) The BD will elect the COR by a simple majority vote.
- (3) The COR will serve a one-year term, with the possibility of re-election for one or more terms (subject to later amendment of these by-laws).

Section 1.8 Board Meetings

(A) BD meetings will be held on a monthly basis, although they may be held in conjunction with the troop parents' meeting.

(B) The Board Chair will be responsible for:

- Setting an agenda
- Conducting the meetings

(C) The Troop Secretary will be responsible for recording the minutes of each meeting and for presenting the immediate past meeting's minutes for amendment and/or approval at the beginning of each BD meeting.

(D) **Quorum**

- (1) A Quorum of BD members must be physically present for any actions taken at a BD meeting to be effective.
- (2) In all matters except those involving troop discipline, a Quorum will be defined as a simple majority of all BD members eligible to vote
- (3) **Disciplinary matters** - Where the BD will be making or reviewing decisions regarding the discipline of a scout or adult, a Quorum will be defined as two-thirds (2/3) of all BD members eligible to vote.

(E) Notice

- (1) In order for actions taken at a BD meeting to be effective, the meeting must be held following proper Notice.
- (2) In general, written Notice of BD meetings shall be given 30 days or more in advance.
 - (a) The preferred method is by publication of the troop calendar in the troop's monthly newsletter, listing BD meetings at least two months in advance.
 - (b) In anticipation of times such as the summer months when the newsletter may not be published regularly, the BD should pre-schedule meetings that will be held in the months including and immediately following the month in which publication is resumed. Notice of these meetings should be published in the last edition of the troop newsletter before suspension of publication.
 - (c) If Notice cannot be published in the troop newsletter 30 days or more in advance of a BD meeting, written Notice shall be mailed to the address on record of each BD member 30 days or more in advance.

(3) *Special BD Meetings*

- (a) In certain rare situations, the BC may feel it is necessary to call a special BD meeting (a Special Meeting).
- (b) If possible, the Special Meeting shall be held at the same time, day of the week and place as the regularly scheduled BD meetings.
- (c) If possible, written Notice of a Special Meeting shall be mailed to the address on record of each BD member at least 15 days in advance.
- (d) If there is not time to provide at least 15 days' written Notice to each BD member by mail, the BC may initiate an effort to notify each BD member of the Special Meeting by telephone.
 - (I) Although the BC need not make all calls himself or herself, accurate records must be kept of attempts to contact each BD member and the outcome of these attempts.
 - (II) If BD members cannot be reached personally, a voice mail message shall be left if possible describing the details and nature of the Special Meeting.
 - (III) If possible, telephone calls concerning a Special Meeting shall be placed to BD members at least 7 days in advance.

(e) *Cause*

- (I) Upon convening a Special Meeting, the BC shall first show Cause for the meeting.
- (II) Each departure from the preferred Notice procedures shall be explained and justified, e.g.
 - (i) Failure to handle this matter at a regularly scheduled BD meeting with at least 30 days' written Notice
 - (ii) Failure to hold the Special Meeting at the regular time, day and place as regularly scheduled BD meetings
 - (iii) Failure to mail Notice of the Special Meeting at least 15 days in advance

- (iv) Failure to provide at least 7 days' advance Notice of the Special Meeting by telephone to BD members, and
 - (v) Failure to notify any BD member of the Special Meeting.
- (III) As with any BD meeting, a Quorum shall be required at a Special Meeting for its actions to be effective. As described above, if the purpose of the Special Meeting is to consider disciplinary matters, a Quorum shall be two-thirds (2/3) of the BD.
- (IV) The BD shall vote on whether the BC has shown Cause for any and all departures from Notice procedures.
- (i) If the BD finds Cause, the Special Meeting may continue. Otherwise, the meeting will be immediately adjourned.
 - (ii) Even if the BD finds Cause, its decision to find Cause shall be reviewed and may be overturned at the next regularly scheduled BD meeting for which proper written Notice is provided. If it is found that the BC did not have Cause for any Notice irregularities, no actions taken at a Special Meeting called without Cause shall be effective.

Section 1.9 Adoption or Amendment of By-Laws

(A) Adoption

- (1) After presentation of the proposed by-laws at a BD meeting, they will be noted in minutes of the meeting as the "First Reading" and distributed to the entire troop with the next monthly newsletter.
- (2) At the next monthly BD meeting, the proposed by-laws will be discussed and exact wording will be entered into the minutes as the "Final Reading" and distributed to the entire troop with the next monthly newsletter.
- (3) At the next monthly BD meeting, the proposed by-laws will be voted on by those in attendance. A two-thirds (2/3) majority will be required to adopt the by-laws.

(B) Amendment

- (1) The same procedure will be followed for amendments as for adoption, i.e.,
 - (a) Amendments will be read at and distributed to the troop from two monthly BD meetings prior to the meeting at which a vote is held.
 - (b) A two-thirds (2/3) majority will be required.
- (2) Any amendment not receiving a sufficient majority of the vote will be tabled and may not be raised for a period of twelve months.

ARTICLE II. TROOP DISCIPLINE

Section 2.1 Governing Principles

- (A) **Fairness** – Troop discipline will be applied evenly and without bias.
- (B) **Due process** – No scout or adult will be disciplined unless the troop has followed the appropriate procedures set forth herein. Any discipline found to have violated these policies will be deemed null and void.
- (C) **Right to a hearing** – No decision may be reached with regard to the removal from a leadership position, or the suspension or expulsion from the troop, of a scout or adult without allowing all parties the opportunity to be heard in a fair and appropriate forum. This includes the right to face those who accuse the scout or adult, and the opportunity to present evidence (without being governed by legal rules of evidence).
- (D) **Right of representation** – In any case where the potential consequences include removal from a leadership position, or suspension or expulsion from the troop, each scout or adult accused of violating this policy has the right to be competently represented in any proceedings. This does not cast disciplinary actions as legal in nature, but simply helps to protect the rights of those accused. A scout will generally be represented by his parent or guardian, and an adult will generally be represented by a friend or fellow troop member.
- (E) **Progressive discipline** – The basic discipline policy of the troop revolves around a “three strikes, you’re out” philosophy. In other words, discipline is progressive and not sudden. Certain exceptions may be made, with due process, where members of the troop may be exposed to danger or great harm unless immediate action is taken.
- (F) **Facts and circumstances** – In determining the severity of discipline for a violation, the troop shall consider one or more of the following:
- (1) **Intent** – Was the **act** intentional? Were the **consequences** of the act intended? Were the individual’s **intentions** good, although the results were not?
 - (2) **Recurrence** – Have acts of this type occurred before? Has discipline been initiated in the past with respect to this individual for **this** sort of conduct? For **other** types of prohibited conduct?
 - (3) **Judgment** – Did the individual use his or her best judgment in good faith? Was a reasonable decision made, given the circumstances?
 - (4) **Nature of act** – Was this act so grievous as to make the scout or adult a continuing threat to those in the troop?
 - (5) **Mitigating circumstances** – Do other factors affect the appropriate severity of discipline, e.g.,
 - Provocation of actions
 - History of good behavior or service within the troop or other BSA units
 - **Common sense** – is the proposed discipline justified by the act committed?

- (G) **Scout Law** – Although not specific standards for discipline, the spirit of these guidelines is founded in the twelve points of the Scout Law. A Scout is:

Trustworthy
Loyal
Helpful
Friendly
Courteous
Kind
Obedient
Cheerful
Thrifty
Brave
Clean
Reverent

Section 2.2 Scout Conduct

(A) Minor Violations

(1) ***Defined*** – Examples include

- Insubordination
- Disrespect
- “Horseplay,” i.e., excessive physical aggression
- Safety violation
- Repeated vulgar language

(2) ***Consequences*** (in increasing order)

(a) ***Level I - Conference*** with one or more of the following:

- (I) (Patrol leader (PL)
- (II) Assistant PL (APL)
- (III) Senior PL (SPL), or
- (V) Assistant SPL (ASPL)

(b) ***Level II - “Time-out”*** from the meeting or activity

(c) Level III - Conference

- (I) Held with at least two of the following:
 - (i) SM, and/or
 - (ii) One or more ASMs.
- (II) Any disciplinary matters reaching this level or higher will be documented in the troop's Discipline Log.
 - (i) The Log will be maintained by the SM and/or ASMs.
 - (ii) Disciplinary records will remain in the Log for one year from the date of the infraction and then be deleted.

(d) Level IV - Removal from the meeting or activity.

- (I) Removal will be accompanied by a call to the scout's parent(s) or responsible parties to come pick up the scout from the meeting or activity.
- (II) If the scout's parent(s) or other responsible parties are unavailable, troop leaders will have discretion in how to effect removal in a safe and prudent way.
- (III) At least two members of the Patrol Leaders Council (PLC) must agree with the discipline of removal before it is issued

(e) Level V - Scout Conduct Review Board (SCRB)

- (I) A hearing before the SCRB is required where potential remedies include:
 - (i) Removal from meetings or activities for an extended period of time, or
 - (ii) Suspension from the troop for a specified period of time.
- (II) The SCRB will be a standing committee composed of five members, as appointed annually by the SPL or ASPL, including:
 - (i) Three members of the PLC, plus
 - (ii) Two trained adult leaders.
- (III) A decision of the SCRB may be appealed to the XC.

(B) Major Violations

(1) Defined – Examples include

- Extreme or repeated disrespect
- Horseplay involving injury
- Dangerous violation of established safety procedures
- Extreme and repeated vulgar language
- Harassment/Abuse, either
 - ◆ Physical
 - ◆ Verbal, or
 - ◆ Sexual
- Endangerment
- Stealing
- Other injury to another person
- Repeated minor problems
- Use of alcohol or drugs during or at any troop event. This includes participation in an event while under the influence of either alcohol or drugs.

(2) Consequences (in increasing order)

(a) Level III – Conference with SM and/or ASMs (see above)

(b) Level IV – Removal from the meeting or activity (see above)

(c) Level V – Scout Conduct Review Board (SCRB) – see above)

(d) Level VI – Expulsion from the troop

(I) A hearing will be conducted before the SCRB, as described for Level V.

(II) Any recommendation to expel a scout will automatically be reviewed by the XC.

(C) General Guidelines

- (1) As described above, Level III or higher disciplinary decisions will be documented in the troop Discipline Log and retained there for a period of one year. The Log will be available upon request, but will not otherwise be published within the troop.
- (2) Major violations will automatically result in Level IV discipline or higher.
- (3) A disciplinary decision of the XC may be appealed to the full BD.

Section 2.3 Adult Conduct

(A) Violations Defined – Examples include:

- (1) Repeated abusive or vulgar language.
- (2) ***Harassment***, either
 - (a) Physical
 - (b) Verbal, or
 - (c) Sexual.
- (3) ***Endangerment***, including
 - (a) Transporting one or more scout(s) to or from a troop event without a seat belt for each scout
 - (b) Speeding when providing transportation for one or more scout(s) to or from a troop event, or
 - (c) Other significant traffic violations.
- (4) Use of alcohol or drugs during or at any troop event. This includes participation in an event while under the influence of either alcohol or drugs.

(B) Consequences

(1) Level V – Removal or Suspension.

- (a) An adult may be removed
 - (I) From the leadership position he/she currently holds
 - (II) From meetings or activities for an extended period of time.
- (b) An adult may be suspended from the troop for a specified period of time.

(2) Level VI - Expulsion from the troop .

(C) General Guidelines

- (1) A disciplinary violation by an adult will be referred to the XC.
- (2) If the XC determines that the matter merits further investigation, it will appoint an impartial investigation team.
 - (a) The team will gather information and report back to the XC, at least preliminarily, within seven (7) days.
 - (b) Upon conclusion of this investigation, the XC will determine whether to proceed.
 - (I) If it concludes that there is insufficient evidence of a violation, it may end the proceedings.
 - (II) If the XC votes to proceed with the investigation, a hearing will be scheduled.
 - (i) The hearing will be conducted in conformance with the Governing Principles set forth above.
 - (ii) The accused adult may name a person to represent him or her at the hearing.
- (3) An appeal may be made to the full BD of the XC's decision to discipline an adult.
- (4) The BD must hear any appeals.
 - (a) Any hearing before the full BD will be conducted in conformance with the Governing Principles set forth above.
 - (b) The accused adult may name a person to represent him or her at the appeal hearing.
- (5) All adult disciplinary actions will be documented in the troop Discipline Log and retained there for a period of one year. The Log will be available upon request, but will not otherwise be published within the troop.