



2021 PROPOSED FAMU NAA CONSTITUTION AND BYLAW AMENDMENTS

Current Constitutional Clause: None

1. **Proposed Constitutional Amendment:**

ARTICLE IV: SUPREMACY OF THE CONSTITUTION

Section 1. This Constitution shall be the supreme document of the Association. All rules adopted by the Association, its regions, chapters, or other entities must be pursuant to (shall not contradict) this Constitution.

Section 2. This Constitution shall incorporate and comply with all applicable Federal Statutes, Florida Statutes, and Florida A&M University Rules and Regulations.

If Adopted, Constitutional Amendment shall read:

ARTICLE IV: SUPREMACY OF THE CONSTITUTION

Section 1. This Constitution shall be the supreme document of the Association. All rules adopted by the Association, its regions, chapters, or other entities must be pursuant to (shall not contradict) this Constitution.

Section 2. This Constitution shall incorporate and comply with all applicable Federal Statutes, Florida Statutes, and Florida A&M University Rules and Regulations.

Current Bylaw: None

1. **Proposed Bylaw Amendment:**

SECTION 15: SUPREMACY CLAUSE AND COMPLIANCE

Section 15.1 Supremacy of the NAA Constitution. The Bylaws shall be subordinate to and in compliance with the FAMU NAA Constitution.

Section 15.2 Compliance. The Articles of Incorporation, Constitution, and the Bylaws of the NAA shall incorporate by reference and comply with all applicable Federal Statutes, Florida Statutes, and Florida A&M University Rules and Regulations including but not limited to:

1. §1004.28(5), Florida Statutes (F.S.) (FL DSO Statute including Senate Bill 4 Amendments);
2. FAMU BOT Regulation 11.001;
3. DSO Policy 2018-01;
4. Chapter 286, F.S. (Florida Sunshine Meeting Laws);
5. Chapter 119, F.S. (Public Records and preservation of Donor Confidentiality);
6. § 1012.976, F.S. (personal services);
7. Federal EEOC Compliance;



2021 PROPOSED FAMU NAA CONSTITUTION AND BYLAW AMENDMENTS

8. § 106.011, F.S. (Prohibit the giving, directly or indirectly, of any gift to a political committee or committee of continuous existence);
9. Chapter 617 (Florida Not For Profit Corporation Filing and Maintenance of Status);
10. § 1013.171, F.S. (Construction of Physical Facilities shall be set forth in budget);
11. § 1013.78, F.S. (Construction consistent with SUS Strategic Plan if built on State Property);
12. § 11.45(8), F.S. (Florida Auditor General Regulation Compliance by DSOs);
13. Salary supplements, compensation, and benefits provided to the President, to University faculty, and to staff and to employees of DSO, with DSO assets shall be detailed in the budget;
14. Provide that state funds cannot be used for the organization's travel expenses; and,
15. Provide that organizations shall comply with University set thresholds for approval of purchases, acquisitions, projects, and issuance of debt by DSOs.

If adopted, Bylaw amendment shall read:

Section 15.1 Supremacy of the NAA Constitution. The Bylaws shall be subordinate to and in compliance with the FAMU NAA Constitution.

Section 15.2 Compliance. The Articles of Incorporation, Constitution, and the Bylaws of the NAA shall incorporate by reference and comply with all applicable Federal Statutes, Florida Statutes, and Florida A&M University Rules and Regulations including but not limited to:

1. §1004.28(5), Florida Statutes (F.S.) (FL DSO Statute including Senate Bill 4 Amendments);
2. FAMU BOT Regulation 11.001;
3. DSO Policy 2018-01;
4. Chapter 286, F.S. (Florida Sunshine Meeting Laws);
5. Chapter 119, F.S. (Public Records and preservation of Donor Confidentiality);
6. § 1012.976, F.S. (personal services);
7. Federal EEOC Compliance;
8. § 106.011, F.S. (Prohibit the giving, directly or indirectly, of any gift to a political committee or committee of continuous existence);
9. Chapter 617 (Florida Not For Profit Corporation Filing and Maintenance of Status);
10. § 1013.171, F.S. (Construction of Physical Facilities shall be set forth in budget);
11. § 1013.78, F.S. (Construction consistent with SUS Strategic Plan if built on State Property);
12. § 11.45(8), F.S. (Florida Auditor General Regulation Compliance by DSOs);
13. Salary supplements, compensation, and benefits provided to the President, to University faculty, and to staff and to employees of DSO, with DSO assets shall be detailed in the budget;
14. Provide that state funds cannot be used for the organization's travel expenses; and,
15. Provide that organizations shall comply with University set thresholds for approval of purchases, acquisitions, projects, and issuance of debt by DSOs.

Rationale: The aforementioned Constitutional and Bylaw Amendment is mandated by Florida State law.



2021 PROPOSED FAMU NAA CONSTITUTION AND BYLAW AMENDMENTS

Current Bylaw: None

1. Proposed Bylaw Amendment:

Section 3.7.1 Emergency Extension of Terms of Office

In the case of war, natural disaster, pandemic, or other emergency, the membership may amend the bylaws to extend the term limits of the current Executive Board for up to one additional term. A motion to this effect shall be made at a National Meeting where the desire to do so has been noticed to the membership no later than three (3) days prior to the meeting. For the motion to be adopted, it must attain the same majority vote as required under Section 15 (AMENDMENT OF BYLAWS) of these bylaws.

If adopted, Bylaw amendment shall read:

Section 3.7.1 Emergency Extension of Terms of Office

In the case of war, natural disaster, pandemic, or other emergency, the membership may amend the bylaws to extend the term limits of the current Executive Board for up to one additional term. A motion to this effect shall be made at a National Meeting where the desire to do so has been noticed to the membership no later than three (3) days prior to the meeting. For the motion to be adopted, it must attain the same majority vote as required under Section 15 (AMENDMENT OF BYLAWS) of these bylaws.

Rationale: The proposed amendment allows for a maximum of up to one consecutive term extension of the current officer term limits (2 consecutive terms) as mentioned in Section 3.7. Terms of Office upon a motion and a majority vote of the members at a national meeting. This permits the members only in the event of an emergency, such as the current pandemic, to vote to determine if it is warranted for the executive board to serve no longer than one additional term to provide for consistency and stability for the FAMU NAA to support the mission and sustainability of FAMU.