

# Resolution

Resolution #1 – 02-27-2021

Resolution Name – Draft New Constitution & Bylaws – Member Charges/Discipline

*Whereas, the Red River Valley Amateur Radio Club, hereinafter “Club” is interested in promoting good will and harmonious relations with and between all Club members; and,*

*Whereas, the Club has reviewed many other groups disciplinary language; and,*

*Whereas, the Club members do wish to include disciplinary language in our newly updated Constitution & Bylaws, but believe currently proposed Section VI is overly punitive; therefore,*

*Be it resolved that the Club adopts the following changes to the draft RED RIVER VALLEY AMATEUR RADIO CLUB CONSTITUTION & BYLAWS dated October 24, 2020:*

*Strike as shown:*

## *Article XI Discipline*

*Section 11.02(a)(ii) Written charges with specifications must be filed in duplicate with the Secretary, ~~together with a deposit of \$150.00, which shall be refunded if such charges are sustained, or forfeited if such charges are not sustained, by the Board of Directors following a hearing.~~*

*Strike in entirety:*

*Section 11.03 - Expulsion: ~~A membership may be terminated by member expulsion as provided herein.~~*

*(i) ~~A member may have his/her membership terminated by a two-thirds (2/3rd) vote of a quorum of Full members in good standing of the Club.~~*

*(ii) ~~A member may have his/her membership terminated by a two-thirds (2/3rd) vote of the Club Board of Directors.~~*

*1) ~~If a member has his/her membership terminated by the Club Board of Directors they shall be reinstated if two-thirds (2/3rd) of a quorum of Full members in good standing vote for reinstatement at a Club meeting.~~*

*(iii) ~~Membership Termination/Reinstatement Notification.~~*

*1) ~~If a membership is terminated by a vote of the of the Board of Directors the entire membership shall be notified of this action via email within seventy-two (72) hours.~~*

*2) ~~If after having membership terminated by a vote of the Board of Directors a member is reinstated by a vote of the membership, the entire membership shall be notified of this action via email within seventy-two (72) hours.~~*

*Section 11.04 Full membership disclosure*

~~(a) — If the Board of Directors, under Article XI Section 11.2, conducts a hearing which could lead to discipline against a member resulting in censure, suspension or expulsion, within thirty (30) days a report to the membership shall be transmitted via email.~~

~~(b) — Findings~~

~~(i) — If the charge is not upheld that report shall include a summary of the facts only.~~

~~(ii) — If the charge is upheld and the member disciplined, the report shall include a summary of the facts and the names of each person who filed and answered the charge.~~

*Modify as shown*

*Article II*

*Section 2.03 Termination of Membership, (c) Expulsion: Membership may be terminated by procedures provided under Article XI. Discipline, Section 11.03 Expulsion and add new "Section 11.02(b)(vi)".*

*Add (new language):*

*Article XI*

*Section 11.02(b)(iv) Charges and reported actions which are found and determined to be matters of misunderstanding, misinformation or misinterpretation shall be therefore dismissed with an appropriate report and discussion with the reporting member(s). The accusing and accused member(s) shall be so advised in writing.*

*Section 11.02(b)(v) Charges and/or reporting of behavior which is found to be born of ill will, retributive nature, vindictive content, knowingly untrue or otherwise deliberately damaging to the reputation or position of another member or officer, shall be considered injurious and damaging to the club.*

*Section 11.02(b)(vi) Any individual or group of individuals who have been determined to have done so shall be subject to immediate remedial action. Considering that unity, upright behavior and disciplined interaction along with a spirit of fellowship are required for the beneficial and constructive functioning of the club, and are critical for the continued survival of the organization, the only appropriate and applicable sanction to deliberate calumny, slander and bearing false witness with injurious intent shall result in immediate, inexorable and permanent expulsion from the Club with forfeiture of all dues and suspension of all privileges therein conferred.*

Maker: Danial Beard

Passed: 

Second: George Haneke

Failed: