

THE  
PROFESSIONAL HORSEMEN'S  
ASSOCIATION OF AMERICA  
INCORPORATED



CONSTITUTION  
AND  
BY-LAWS

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## CONSTITUTION

### PROFESSIONAL HORSEMEN'S ASSOCIATION OF AMERICA, INC.

#### ARTICLE I. NAME

The name of this Association shall be "The Professional Horsemen's Association of America, Inc."

#### ARTICLE II. PURPOSE

**Section 1.** The purpose of this Association is to give aid and sustenance to horsemen in need; to provide educational aid to professional horsemen and children of professional horsemen through a scholarship fund; to promote and foster interest in the horse industry; and to aid in the protection and care of horses through education.

(a) This Association is exclusively non-profit and no officer, member or employee thereof shall receive, or may be lawfully entitled to receive, any pecuniary profit from the operation thereof, except reasonable compensation for employees for services effecting one or more of its purposes.

**Section 2.** No individual or group of individuals shall use the name "The Professional Horsemen's Association of America, Inc." to gain prestige or profit.

(a) The Board of Directors may grant permission for the use of the Association's insignia to Professional members in good standing.

#### ARTICLE III. OFFICERS AND BOARD OF DIRECTORS

**Section 1.** The Officers of the Association shall be: President, two (2) Vice-Presidents, Recording Secretary, Corresponding Secretary, and Treasurer.

(a) The term of office for all National Officers shall be two (2) years.

(b) The President shall not hold office for more than two (2) consecutive terms. All other Officers may succeed themselves.

**Section 2.** The management, direction and control of all policy, business, and the affairs of the Association shall be vested in a Board of Directors. The Board of Directors shall consist of the following:

(a) All past Presidents of the Association.

(b) Chairman, Vice Chairman, Secretary and Treasurer of each Branch Chapter, ex officio.

(c) In addition, each Branch Chapter shall have one representative for each twelve (12) Professional Members or fraction thereof.

(d) Directors will be appointed annually by the Branch Chapters and a listing thereof rendered to the National Secretary.

## ARTICLE IV. BRANCH CHAPTERS

**Section 1.** Branch Chapters may be organized in any state or locality in the United States upon authorization by the Board of Directors.

- (a) A minimum of ten (10) Professional Members are necessary to form a new Branch Chapter.
- (b) Each member of the Board of Directors shall have at least two (2) weeks' notice of any proposal to authorize a new Branch Chapter.

**Section 2.** Each Branch Chapter shall have a Chairman, Vice Chairman, Secretary and Treasurer.

- (a) The term of office of all Branch Chapters' Officers shall be two (2) years. All Officers may succeed themselves.

**Section 3.** The National Association shall not be responsible for any debts, obligations or liability contractual or otherwise incurred by any Branch Chapter.

**Section 4.** In the event of dissolution of the National Association, individual Branch Chapters shall have no claim to property or assets of the National Association.

**Section 5.** In the event of the dissolution of a Branch Chapter, the National Association shall have no claim on the Branch Chapters' assets.

**Section 6.** In the event of dissolution of the National Association, individual Branch Chapters shall have the option to continue as an independent organization, but shall not operate under the name "The Professional Horsemen's Association of America, Inc."

**Section 7.** In the event of dissolution of the National Association, Branch Chapters not wishing to continue independently shall dispose of all Branch Chapter assets in such manners as shall be decreed by a majority vote of its professional members in good standing.

**Section 8.** Individual Branch Chapters shall not be held liable for any debt, obligation or liability, contractual or otherwise, incurred by the National Association.

**Section 9.** All Board of Director appointments shall be reported to the National Secretary not later than ten (10) days after such appointments. In any event, a yearly list of all Directors with their respective addresses shall be filed with the National Secretary on or before March 1 of each year.

**Section 10.** Results of all Branch Chapter elections shall be reported in writing to the National Secretary not later than ten (10) days after the election.

**Section 11.** It is recommended that all Branch Chapters be incorporated in their respective States.

**ARTICLE V. DISSOLUTION OF NATIONAL ASSOCIATION**

**Section 1.** In the event of the dissolution of the National Association, all assets of the Association shall be divided among current existing chapters based upon the number of members in good standing in that chapter as that number relates to the total percentage of national number of members in good standing. A committee comprised of the current National President, Treasurer, Finance Committee Chairperson and two Directors at Large shall oversee this process.

**ARTICLE VI. AMENDMENTS**

This Constitution may be amended by a majority vote of the entire Board of Directors at a meeting duly called for the purpose, or at a regular meeting, provided ten (10) days' notice of all proposed amendments has been given to all members of the Board.

**OFFICERS**

**President**

**2- Vice Presidents**

**Treasurer**

**Recording Secretary**

**Corresponding Secretary**

**The Professional Horsemen's Association  
of America, incorporated  
under the laws of  
The State of Connecticut**

**BY-LAWS**

**ARTICLE I. MEMBERSHIP**

**Section 1.** Membership in this Association is a privilege, not a right, and no members shall obtain any property rights to the assets of the Association.

**Section 2.** Members of the Association enjoy the following rights:

- (a) to receive notice of general meetings and of proposed special meetings;
- (b) to submit items of business for consideration at a general meeting;
- (c) to attend and be heard at general meetings; and
- (d) for Professional members who are otherwise eligible, to vote at a general meeting.

**Section 3.** Membership in this Association shall be divided into the following classes.

- (a) Professional Members. Any person residing in the United States, whose principal means of support is buying, selling, horse farming, training horses, teaching riding or and related profession, who is not claimed as a dependent on a parent(s) or guardian's yearly income tax return, and who is acceptable to any Chapter membership committee, shall be eligible for Professional membership. Applicants for Professional membership shall have been engaged in the horse industry at least one (1) year prior to application.
- (b) Associate Members. Any amateur interested in furthering the purposes of this Association and who is acceptable to any Chapter membership committee shall be eligible for Associate membership.
- (c) Junior Associate Members. Anyone who has not reached the age of 18 years and is acceptable to any Chapter membership committee shall be eligible for Junior Associate membership.
- (d) Life Members. Anyone interested in supporting the Association's Scholarship fund may become a Life member on donation of seven hundred and fifty dollars (\$750.00) to the National Scholarship Fund.

**Section 4.** Any member expelled from this Association shall not at any time be eligible to rejoin any of the Branch Chapters.

**Section 5.** Any member desiring to change Branch Chapters for reason of transfer of position or convenience of location, shall obtain a letter of recommendation from the Secretary of his previous Branch Chapter which must be presented to the Secretary of the Branch Chapter he wishes to join.

- (a) Professionals seeking membership in this Association are requested to make application to their State or local Branch Chapters.

**Section 6.** Any previous member who has been out of the Association for a period of one (1) year or more must pay all back dues or make application as a new member if he wishes to rejoin the Association.

- (a) Those Professional Members paying back dues shall regain all membership benefits after a period of not less than three (3) months.
- (b) A Professional Member must have passed two (2) years of membership before he shall be eligible for any benefits declared by the Association.
- (c) Associate and Life members (unless also Professional Members) shall not be eligible for any benefits by the Association including voting rights.

**Section 7.** Applications. Applications for membership must be made on applications provided by the Association, which will render a record of professional status, address, email, next of kin, and any pertinent information which may be helpful to the membership committee.

- (a) All applications must be signed by two Professional Members of the Association.
- (b) In the case of application for Professional membership, a period of at least thirty (30) days shall elapse after receiving the application to give ample time for investigation of the prospective member by the Membership Committee. Applications for other membership classifications may be acted upon immediately.
- (c) Applicants for membership in Branch Chapters shall be accepted only upon approval of the membership committee together with a majority vote of membership present at a regular chapter meeting.
- (d) Membership subscribed to between November 1<sup>st</sup> and December 1<sup>st</sup> shall run from January 1<sup>st</sup> to December 31<sup>st</sup> of the following year.

## **ARTICLE II. DISCIPLINARY ACTION**

**Section 1.** The Association, through the Disciplinary Committee, may take disciplinary action against a member if it is determined that the member:

- (a) has failed to comply with these By-Laws; or
- (b) refuses to support the purposes of the Association; or
- (c) has engaged in conduct detrimental to the Association.

**Section 2.** Before disciplinary action is taken against a member, the Secretary must give written notice to the member:

- (a) stating that the Association proposes to take disciplinary action against the member;
- (b) stating the grounds for the proposed disciplinary action;
- (c) specifying the date, place and time of the hearing at which the Disciplinary Committee intends to consider the disciplinary action (the “disciplinary hearing”);
- (d) advising the member that he or she may (i) attend the disciplinary hearing and address the Disciplinary Committee at that hearing; give a written statement to the Disciplinary Committee at any time before the disciplinary hearing; or do both of the above.

The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary hearing is held.

**Section 3.** At the disciplinary hearing, the Disciplinary Committee must:

- (a) give the member an opportunity to be heard; and
- (b) consider any written statement submitted by the member.

**Section 4.** At the conclusion of the disciplinary hearing, the Committee may:

- (a) take no further action against the member; or
- (b) reprimand the member; or
- (c) suspend the membership rights of the member for a specified period; or
- (d) expel the member from the Association.

**Section 5.** The Disciplinary Committee may not fine the member.

**Section 6.** The suspension of membership rights or the expulsion of a member by the Disciplinary Committee under this Article takes effect immediately after the vote is passed. Any member expelled from this organization shall not at any time be eligible to rejoin any of the branch chapters.

### **ARTICLE III. MEETINGS.**

**Section 1.** Regular meetings of the Board of Directors shall be held not less than three (3) times a year. Meetings may be held any place in the United States at a date designated by a majority decision of the Board at the previous meeting.

- (a) The purpose of the first meeting of an election year shall be the election of Officers and the transaction of such other business as may properly come before such meeting.

**Section 2.** Special meetings of the Board of Directors may be called by the President at the written petition of at least fifteen (15) members. Written notice specifying the purpose for which the meeting is called shall be mailed/emailed to members of the Association at least ten (10) days in advance of such meeting.

- (a) At special meetings, the business stated in the notice of call shall be the only business transacted.

**Section 3.** Directors representing one more than one-third of the total number of chapters in the National Association constitutes a quorum. Each Branch Chapter must be represented by a Director at least once a year.

**Section 4.** National Officers traveling over fifty (50) miles to Association meetings shall be reimbursed for reasonable traveling expenses.

- (a) Reasonable traveling expenses may be appropriated for the National President.

**Section 5.** Each Branch Chapter is entitled to send one Director to all Director's meetings with traveling expenses paid by the National Association.

**Section 6.** Order of Business. The order of business at all meetings of the Board of Directors shall be:



- (a) Filing proof of notice of meeting.
- (b) Minutes of previous meeting.
- (c) Treasurer's report.
- (d) Communications.
- (e) Report of Officers.
- (f) Report of Committees.
- (g) Election of Officers when indicated.
- (h) Unfinished Business.
- (i) New Business.

The order of business may be altered or suspended at any meeting by a majority vote of the Directors present.

**Section 7.** At all general meetings and special meetings, members shall conduct themselves with the utmost professionalism and courtesy. Members shall not interrupt, they shall not raise their voices, they shall not engage in personal attacks, and they shall otherwise refrain from acting in a manner that brings disrepute to the Association.

**Section 8.** Written notice of all regular meetings shall be sent to all National Directors at their addresses/email addresses as recorded with the National Corresponding Secretary at least two (2) weeks prior to such meeting.

**Section 9.** Adjournment. Whenever, at any meeting of the National Association, there shall be less than a quorum present, such meeting shall be adjourned by a majority vote of those present until a quorum shall be present. At any adjourned meeting, any business may be transacted which might have been transacted at the original meeting and any votes tendered at the original meeting shall be valid unless revoked in writing.

#### **ARTICLE IV. FISCAL YEAR**

**Section 1.** Fiscal operation of the Association shall be from January 1 to December 31 of each year.

#### **ARTICLE V. DUES**

**Section 1.** Annual dues as designated by the Association shall be payable to the Branch Chapters upon acceptance of application and annually thereafter on January 1.

**Section 2.** That portion of all Professional membership dues as designated by the Board of Directors, shall be paid to the National Treasury on or before April 1 of each year.

- (a) The Branch Chapter should pay if a member finds it a hardship.
- (b) Members over sixty-five (65) years of age may be exempt from paying dues after twenty (20) years of membership in good standing. These are known as Life Professional Members.
- (c) Past National Presidents are exempt from paying dues.
- (d) A Branch Chapter not paying dues in a prior fiscal year shall be declared delinquent. Those Branch Chapters not paying for three years shall be declared defunct. However, any member of a delinquent or defunct Branch Chapter who can show adequate proof of dues paid is declared a member in good standing and entitled to receive all benefits.

**Section 3.** The Branch Chapters may, if they so desire, assist the National Association financially by contributing additional monies to the National Treasury.

**Section 4.** The Board of Directors is empowered to make such changes in the dues as is deemed necessary for the proper operation of the Association, providing notice of change has been sent to each Branch Chapter no less than one (1) month prior to the meeting of the Board.

#### **ARTICLE VI. VOTING.**

**Section 1.** Professional Members in good standing as of September 1 shall be entitled to one vote in that year's National election.

(a) Associate members shall not be entitled to vote in a National election, but may have a vote in Branch Chapter affairs. All elected Branch Chapter officers must be Professionals; Junior members are entitled to vote on matters that are brought up at Junior PHA meetings.

(b) Past Presidents shall vote as Directors of their respective Branch Chapters.

**Section 2.** When there is a contest for Officers, the President shall appoint a Nominating Committee at the Directors' meeting.

**Section 3.** The President will appoint an Election Committee that will handle the elections entirely.

**Section 4.** The Election Committee shall open and maintain a place of registration at the designated place of meeting and shall receive votes and check all votes for validity.

**Section 5.** All ballots shall be returned unsigned in a sealed envelope. Envelopes shall remain sealed until all are declared valid by the Election Committee.

**Section 6.** The National Treasurer shall attend upon the Election Committee and have available for their use, a roster of all Professional Members of the Association in good standing as of September 30 of that year.

**Section 7.** Each candidate may personally, or by a representative appointed by him, watch the vote count and check the report of the tellers.

**Section 8.** The candidates receiving the greatest number of votes shall be declared elected to vacant offices.

**Section 9.** The Election Committee shall report in writing to the Secretary of the Association the number of qualified votes cast and the final vote, and incorporate these figures into the minutes of the meeting.

**Section 10.** The Election Committee shall have full power and authority to pass on any question raised at such election.

**Section 11.** In case any question shall be raised as to the legality of such election, the President shall take into his custody all ballots cast at such election and keep them safe for a period of at least ninety (90) days.

## **ARTICLE VII. NOMINATIONS.**

**Section 1.** Branch Chapters may submit to the Nominating Committee any Professional Member in good standing for the Office of President, Vice-Presidents, Corresponding Secretary, Recording Secretary and Treasurer. Nominees need not be from their respective Chapters.

- (a) Each Chapter must obtain consent of its nominee to run for the office named.
- (b) Such nominations must be forwarded to the Nominating Committee Chairman, signed by two (2) Chapter Officers, at least ten (10) days prior to the third Director's Meeting.

**Section 2.** Nominations will be accepted from the floor at the third annual meeting, provided the consent of the nominee has been obtained and the nominee is acceptable as such by a majority vote of the Directors present at the meeting.

**Section 3.** The Chairman of the Nominating-Election Committee shall have ballots printed with the approved slate of officers and sent to all Professional members in good standing not later than thirty (30) days prior to the election.

- (a) Each Chapter Treasurer shall be responsible for forwarding to the National Treasurer no later than October 1 of the election year, a complete listing of its Professional Members in good standing as of September 30.

## **ARTICLE VIII. DUTIES OF OFFICERS.**

**Section 1.** The President.

- (a) The President shall call and preside at all meetings of the Association.
- (b) He shall be a member ex-officio of all Committees excepting the Nominating-Election Committee.
- (c) He shall appoint the Chairman of all standing and special Committees.
- (d) He shall perform all duties incident of his office and such other duties as may be required of him by the Board of Directors.
- (e) He may delegate any of his duties and require the assistance of any of the elected officers of the Association.

**Section 2.** Vice-Presidents.

- (a) In the event of the incapacity, absence, death or resignation of the President, the Vice-President shall perform all duties of the President until such time as a new election is held.
- (b) The Vice-President shall perform all of the duties delegated to him by the President of the Board of Directors.

**Section 3.** The Secretaries.

- (a) The Secretaries shall keep a record of all the proceedings of the Association and read the same at each meeting.
- (b) Shall handle all correspondence of the Association.
- (c) Shall send out all official notices and notices of meetings with an agenda noting the major business of each meeting.
- (d) Shall be the keeper of all Association documents and records.

- (e) Shall be responsible for recording and sending to the Chapter Secretaries any amendments to the Constitution or By-Laws of the Association.

**Section 4.** The Treasurer.

- (a) Shall collect the dues, keep all accounts of the Association, and present a financial report at each meeting.
- (b) Shall, if requested by the Board of Directors, give to the Association such security for the faithful discharge of his duty as the Board may direct, at the Association's expense.
- (c) Shall pay all bills incurred by the Association provided they have been certified in writing as correct by the person contracting them and have been approved by the Finance Committee.
- (d) The Association's funds shall be deposited in the name of the Professional Horsemen's Association of America, Inc., in a bank designated by the Board of Directors, and shall be drawn only by check signed by the Treasurer and one other officer whose names must appear below the name of the Association.
- (e) The account shall be audited annually in such manner as directed by the Board of Directors. A yearly statement shall be sent to each Chapter Secretary.

**ARTICLE IX. DUTIES OF THE BOARD OF DIRECTORS**

**Section 1.** The management, direction, and control of all policy, business, and the affairs of the Association shall be vested in the Board of Directors.

**Section 2.** The Board of Directors shall have general charge of the funds and property of the National Association.

**Section 3.** All proceeds from whatever source of whatever nature, received or owned by the Association, shall be expended or distributed only as directed by the Board of Directors.

- (a) In the event of any major expenditure or investment, all Chapters must be notified at least thirty (30) days prior to the proposed action.

**Section 4.** The Board of Directors may appoint any sub-committee they deem necessary to carry on the affairs of the Association.

**Section 5.** The Board of Directors shall transact all routine and emergency business of the Association.

**Section 6.** The Board of Directors shall have power to suspend or remove any members of the Board for conduct detrimental to the interest of the Association, by a majority vote of the entire Board.

**Section 7.** The Board of Directors shall, if requested, rule on the suspension of any member or the rejection of any applicant for membership. All such requests for review must come through the individual Chapter.

**Section 8.** One Director may carry all votes of the Directors of a Chapter, which votes shall represent the opinion of the body of the Chapter.

- (a) A Chapter not able to be represented at a Directors' Meeting may vote by Registered letter with the entire number of Directors' votes represented thereby.
- (b) Proportional voting of Chapters will be one vote for each twelve (12) Professional members, or any fraction thereof, plus the four (4) Chapter Officers.
- (c) The number of votes to which a Chapter is entitled to is governed by the Treasurer's report of Professional members in good standing.

**ARTICLE X. COMMITTEES**

**Section 1.** At the first meeting of the Board of Directors after his election or as soon thereafter as practical, the President shall appoint the following Committees:

Aid to Members Committee

Finance Committee

Grievance Committee

Horse Show Committee

Public Relations Committee

Scholarship Committee

Nominating-Election Committee (in election years)

Junior Committee

National PHA Medal Committee

Disciplinary Committee

**Section 2.** The President may at any time appoint other committees on any subject furthering the purposes of the Association for which there is no outstanding committees already in existence. Such committees shall terminate on election of new officers.

**Section 3.** The Board of Directors may, from time to time, appoint such sub-committees as it sees fit. Such committees shall terminate on election of new officers.

**Section 4.** Executive Committee. The Board of Directors may appoint one Director thereof, who, with the President, Vice-Presidents, Secretary and Treasurer, may constitute an Executive Committee.

- (a) This Committee may act on behalf of the Association when the Board of Directors is not in session but must report to the Board for its ratification of their action at a regular or special meeting called for that purpose.
- (b) The executive Committee shall be responsible for the enforcement of the By-Laws of the Association.

**Section 5.** Aid to Members Committee. This Committee shall consist of three (3) Directors, one of whom shall be the Treasurer.

- (a) It shall be the duty of this Committee, and this Committee only, to consider applications by the Chapters for financial aid to needy Professional members, to investigate same, and to make recommendations to the Board of Directors.
- (b) Any financial aid granted to needy horsemen by the National Association should be matched by the member's Chapter to the best of their financial ability.

**Section 6.** Grievance Committee. This Committee shall consist of five (5) Directors, two of which shall be Vice-Presidents.

- (a) It shall be the duty of the Grievance Committee to consider, investigate and make recommendations to the Board of Directors any complaint of members or Chapters concerning the operation of the Association, or the actions of persons or groups deemed not to be in the best interest of the Association.

**Section 7.** Finance Committee. This Committee shall consist of five (5) Directors.

- (a) It shall be the duty of this Committee to recommend to the Board of Directors the use or investment of assets and property of the Association.
- (b) All bills incurred by the Association must have the sanction of at least three (3) members of this Committee.
- (c) This Committee shall give a financial report at each Board of Directors' Meeting and provide a yearly report to all Chapter Secretaries.

**Section 8.** Publicity Committee. This Committee shall consist of three (3) Directors plus each Chapter Secretary, ex officio.

- (a) It shall be the duty of this Committee to promote the interests of the National Association through the news media, to approve all publicity relating to the National Association, and to prepare a newsletter to be mailed to the general membership at least twice each fiscal year where possible.

**Section 9.** Scholarship Fund Committee. This Committee shall consist of a minimum of three (3) Directors.

- (a) It shall be the duty of this Committee to administer the Scholarship Fund, screen applicants, award scholarships, make recommendations to the Board regarding this program, and to provide a written report to all Chapter Secretaries.
- (b) Professional Members in good standing for two (2) years or more, and children of Professional Members in good standing for two (2) years or more, may apply to the Scholarship Fund Committee for financial assistance to further their education. See Article X – Scholarship Fund – Section 1.

**Section 10.** Junior Committee. This Committee shall consist of one (1) or more Directors whose job it will be to coordinate the Junior P.H.A. Programs and Awards.

**Section 11.** P.H.A. Medal Committee. This Committee shall have jurisdiction over the P.H.A. Medal Award during each fiscal year and shall consist of one or more Directors.

**Section 12.** Election and Nominating Committee. (See Article IV, Sec. 2, 3, 4, 5, 9, 10, and Article V, Sec. 3).

**Section 13.** Disciplinary Committee. This Committee shall consist of three (3) members; the current President, Membership Committee Chairperson and one (1) Director at Large appointed by the President. It shall be the responsibility of this Committee to conduct any disciplinary proceedings and, if appropriate, impose any penalties or sanctions (See Article II, Sec. 4).

#### **ARTICLE XI. DEATH BENEFITS**

**Section 1.** The National Association offers each of its Professional Members of more than five (5) years in good standing a twenty five hundred dollar (\$2500) death benefit payable to a named beneficiary upon that Professional Member's death.

- (a) Should that Professional Member receive part of the twenty five hundred (\$2500) in monthly aid during his lifetime, the remainder shall be paid to his named beneficiary upon death.
- (b) In the event that a Branch Chapter becomes defunct and a Professional Member seeks payment of a death benefit from the National Association, the amount of the death benefit available to the Professional Member will not exceed twenty five hundred dollars (\$2500) even if a Branch Chapter's death benefit exceeds twenty five hundred dollars (\$2500).
- (c) There is no limit to the aid paid to any Professional Member.
- (d) In the event of the death of a Professional Member within the first five (5) years of consecutive membership, the death benefit shall be one thousand (\$1000).
- (e) A Death Certificate and named beneficiary must be submitted to the National Treasurer to collect the benefit.

#### **ARTICLE XII. SCHOLARSHIP FUND**

**Section 1.** Certain monies, the amount of which shall be determined by the Board of Directors, shall be dedicated to the Scholarship Fund. The interest from this money shall be used to provide scholarship assistance to Professional Members in good standing for two (2) years or more, and children of Professional Members in good standing for two (2) years or more, enrolling in an approved school for the advancement of their education beyond elementary level. The amount and number of scholarships shall be determined by the Scholarship Fund Committee. Applications for scholarship funds shall be made through the Chapter Secretary to the Scholarship Committee. See Article VIII – Section 9.

#### **ARTICLE XIII. AMENDMENTS**

**Section 1.** These By-Laws may be added to or amended by a majority vote of the Board of Directors present at a meeting regularly held or especially called, provided all Branch Chapters have been notified of the proposed changes at least thirty (30) days prior to the meeting.

- (a) All changes in these By-Laws shall be sent to the Chapter Secretaries by the National Secretary to be recorded in their By-Laws book.