

BYLAWS OF THE DELAWARE PHYSICAL THERAPY ASSOCIATION

DRAFT MAY 2010

ARTICLE I: NAME AND RELATIONSHIP TO AMERICAN PHYSICAL THERAPY ASSOCIATION

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

ARTICLE II: OBJECT

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

ARTICLE III: FUNCTIONS

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

ARTICLE IV: MEMBERSHIP

Section 1: Categories and Qualifications of Members

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

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

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.

Section 3: Admission to Membership

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

Section 4: Good Standing

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

Section 5: Disciplinary Action

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

- A. Complaints to the effect that a member has violated the ethical principles or standards of the ASSOCIATION shall be processed in accordance with the ASSOCIATION'S Procedural Document on Disciplinary Actions.
- B. The ASSOCIATION'S Code of Ethics and the Standards of Ethical Conduct for the Physical Therapist Assistants, as they now exist and as they may hereafter be amended or

supplemented, shall be the guidelines of this CHAPTER, and shall be binding on the members of the CHAPTER as though incorporated in these Bylaws.

Section 6: Reinstatement

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

ARTICLE V: DISTRICTS AND SPECIAL INTEREST GROUPS

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

Section 1: Limitations

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

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

ARTICLE VI: MEETINGS- NUMBER AND QUORUM

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 must be called upon written petition of 50 percent of the membership.

Section 2: Quorum

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

Section 3: Minutes

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

ARTICLE VII. EXECUTIVE COMMITTEE

Section 1: Composition

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 committee chairpersons shall constitute the Executive Committee.

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.

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

The President, Representative to PTA Caucus, and Secretary shall be elected in even numbered years and shall serve for a term of two years or 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 or until the election of their successors.

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

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.

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 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 to 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.

Section 5: Vacancies - How Filled

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

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, written notice of the meetings of the Executive Committee shall be sent 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.

ARTICLE VIII. COMMITTEES

Section 1: Nominating Committee

A. The Nominating Committee shall consist of three Physical Therapist, Retired Physical Therapist, or Life Physical Therapist 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.

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

B. The Nominating Committee shall elect its own Chairperson.

Section 2: Finance Committee

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

Section 3: Ethics Committee

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

Section 4: Standing Committees

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
- B. Legislative
- C. Public Relations/Newsletter
- D. Membership/Directory
- E. Bylaws

Section 5: Special Committees

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

Section 6: Vacancies - How Filled

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

ARTICLE IX. DELEGATES TO THE ASSOCIATION'S HOUSE OF DELEGATES

Section 1: Representation and Registration

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

Section 2: Qualifications

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

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 Delegate. At the time in which the CHAPTER is entitled to additional delegates, such delegates 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. 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.

Section 4: Rights and Duties of Delegates

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

- A. Register and file their credential card prior to the first meeting of the House of Delegates and as such other times as designated by the House Officers.
- 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.
- 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 Committee. The Executive Committee shall not commit the CHAPTER to any financial obligation in excess of its current financial resources.

Section 3: Dues

A. Dues structure for

○ Physical Therapist	\$110
○ Physical Therapist- Post Professional Student	\$30
○ Physical Therapist Assistant	\$50
○ Life Physical Therapist	\$0
○ Life Physical Therapist Assistant	\$0
○ Retired Physical Therapist	\$30
○ Retired Physical Therapist Assistant	\$30

- Student Physical Therapist and Student Physical Therapist Assistant \$30
- Corresponding \$50

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

Section 4: Dues Changes

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

Section 5: Financial Report

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

ARTICLE XII. DISSOLUTION

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

ARTICLE XIII. PARLIAMENTARY AUTHORITY

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

ARTICLE XIV. AMENDMENTS

Section 1: General

These Bylaws may be amended, in whole or in part, at any meeting of the CHAPTER by two-thirds vote of the Physical Therapist, Retired Physical Therapist, Life Physical Therapist, Physical Therapist Assistant, Retired Physical Therapist Assistant, and Life Physical Therapist Assistant members present and voting provided that at least thirty days prior to that meeting a copy of the proposed amendments have been sent out by mail to all voting members of the CHAPTER. Revised or amended Bylaws shall be consistent with the Articles of Incorporation of the CHAPTER.

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

Section 2: Procedure

- A. Any member of group of members may propose an amendment to these Bylaws, such proposed amendment to be submitted to the Executive Committee.
- B. The proposed amendment shall be distributed to all voting members of the CHAPTER within thirty days of the proposal. Consideration of the proposed amendment will be placed on the agenda of the next schedule meeting of the CHAPTER.

- C. When APTA Bylaws have been amended so as to require amendments of these Bylaws, the Bylaws Committee shall submit them to the Executive Committee of the CHAPTER for approval. Copies of the amendments shall be sent by mail no later than 90 days after the Executive Committee approval. Such amendments carry an automatic approval procedure and will not require a vote of the CHAPTER members, but will automatically be adopted upon approval by the Executive Committee of the CHAPTER.
- D. The revised or amended Bylaws must be submitted to the Board of Directors of the ASSOCIATION for approval.

ARTICLE XV. ASSOCIATION AS HIGHER AUTHORITY

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

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