

Charter Revision Proposal Coming Soon

In the course of reviewing some possible adjustments to DAPA's charter, the Council realized that we were not fully in compliance with a number of national ASPA requirements. Our atypical organizational structure for an ASPA chapter is one issue. It also appears that we failed to adopt certain language in our charter that is required for us to maintain our chapter's coverage under the national organization's group tax exemption. DAPA Council members Kim Gomes, Jonathan Justice, Carl Luft, and Martin Wollaston have been working on two committees over the past year to unearth DAPA records and to work with national ASPA to resolve these issues. We will soon recommend to the Council and membership revised language for a rationalized organizational structure and a new chapter constitution.

The primary structural issue has to do with our dual membership structure. We have members both through ASPA and members who join DAPA without joining ASPA. ASPA does not normally permit chapters to have members who are not also national ASPA members. Because several members of the Council strongly wished to preserve the dual membership structure, we sought a special accommodation or waiver from the National Council, but, after repeated proposals and inquiries, it does not appear that we will be able to get such an accommodation.

Therefore, we are working to clarify our organizational structure and documentation. This does not involve major changes in how we are organized but will help us manage our recordkeeping and documentation in a more orderly fashion. Overall, DAPA includes a corporation and an unincorporated ASPA chapter. In order to be covered by ASPA's group tax exemption and receive ASPA dues rebates, the ASPA chapter part of DAPA needs to have a constitution with structural features and language that meet ASPA's (and the Internal Revenue Service's) requirements. The affiliated Delaware Association for Public Administration corporation is technically the organization to which DAPA-only members pay their dues. The corporation is not well documented, and we may have to formulate new corporate charter language as well as apply for an IRS tax exemption ruling in the next few months.

We are beginning with the chapter constitution. The purpose of most of the proposed changes is to conform to ASPA's requirements, but we have also taken the opportunity to propose updates to our committee structure and provide explicitly for electronic communications and elections. Key comparisons to our current chapter charter are as follows.

- The title and language of the proposed document are based more closely on the national template for ASPA chapter constitutions. This includes a section titled "miscellaneous provisions," which contains language required by the IRS.
- We are currently hoping to retain our distinctive local composition and selection procedures for Council and officers, which vary somewhat from the typical ASPA chapter, but early indications are that this will not be acceptable to the national organization.
- We also propose to retain language and provisions apparently agreed to between DAPA and ASPA in 1999, concerning the governing council. This arrangement allows people who have joined only the Delaware corporation, but not national ASPA, to be elected to the DAPA Council, while requiring chapter officers (president, two vice-presidents, and treasurer) to be members of ASPA.
- Rather than establish a long list of standing committees, the proposed constitution adopts the standard ASPA language that committees will be constituted annually. Under our existing charter, many of the stipulated committees were nonexistent or inactive.

We hope to propose specific language to the membership sometime in June, after review by the full Council and by national ASPA officials. In the meantime, please don't hesitate to ask questions of or offer comments to the members of the ad hoc Charter Revision Committee—Kim Gomes, Jonathan Justice, and Martin Wollaston.

—by Jonathan Justice