PROPOSED AMENDMENTS TO BYLAWS
OF THE BLINDED VETERANS ASSOCIATION

Wednesday, August 14, 2019

The following proposed bylaw amendments are submitted for consideration of the delegates and members at the 74th BVA National Convention, Tulsa, Oklahoma.

PROPOSED BYLAW AMENDMENT NO. 1

This proposed amendment, if passed by the Convention will add paragraphs (c), (d) and (e) to Section 13 b. (2) of ARTICLE XIV (REGIONAL GROUPS).

Section 13 b. (2) Currently Reads:

(2) The following administrative sanctions shall be implemented by the National Board of Directors/National Headquarters against any BVA regional group, which is placed in a "NOT IN GOOD STANDING" status:
   (a) The group's delegation will not be seated at the BVA National Convention, and accordingly, the group's delegate will be precluded from casting any vote on the floor of the Convention.
   (b) The group's annual Life Membership Fund dividend/interest apportionment and quarterly dues apportionment's will be withheld by the National Headquarters until such time as the group is returned to a "GOOD STANDING" status by the National Board of Directors/National Headquarters.

ADDING PROPOSED CHANGES

(c) If a Regional Group remains in "NOT IN GOOD STANDING" status for three (3) consecutive years, the charter will automatically be revoked. Any associated Treasury Funds and ledgers will be forwarded to BVA National HQ and the apportionment held in the Life Membership fund from the respective Regional Group shall be maintained within the Life Membership Fund for normal distribution to
Group's "in good standing". The membership assigned to that Regional Group shall be provided with an option to join another regional group or become a part of the Membership-at-Large status.

(d) If the membership of a revoked Regional Group applies to the National Board of Directors within two (2) years of revocation, the newly formed Regional Group shall be entitled to receive the charter, associated Treasury Funds, ledgers, less the apportionment held in the Life Membership fund from the prior Regional Group.

(e) At the end of this five-year period all funds within the treasury associated to that respective regional group will remain within the National General Fund, and any new regional group forming within the territorial boundaries of that respective regional group will not have access or rights to regaining such funds.

REASON: Presently Regional Groups are remaining in "Not in Good Standing" for an unrestricted amount of time. Some exceed 5 consecutive years. This restricts the amounts of revenue apportioned from the Life Membership Fund to Regional Groups that work hard to remain Group's "In Good Standing". IRS removes the "non-profit" status for organizations who fail to file tax reports for 3 consecutive years, therefore this proposed amendment recommends Regional Groups who maintain a "Not in Good Standing" status for 3 years will have their Charter revoked and this will free up those apportioned funds from the Life Membership Fund to be distributed to those Groups who are "In Good Standing".

Submitted by BVA Membership Committee

PROPOSED BYLAW AMENDMENT NO. 2

This proposed amendment, if passed by the Convention will add a new paragraph d. to Section 5 of ARTICLE III (QUALIFICATIONS FOR MEMBERSHIP, ASSOCIATE MEMBERSHIP AND HONORARY MEMBERSHIP).

Section 5 Currently Reads:

Section 5

a. Honorary Membership may be extended by unanimous vote of the National Board of Directors to individuals who through the office they hold, or the services they have rendered to blinded persons, may be deemed worthy of Honorary Membership.
b. Honorary Membership shall be for a period of one (1) year unless otherwise specified.

c. Such Honorary Members shall have no direct voice or vote of any kind in the affairs of the Association but may submit suggestions or recommendations for the consideration of the Association and attend meetings.

**ADDING PROPOSED CHANGE to Section 5 – New paragraph “d”**

d. The BVA Board may extend Honorary Board Member by unanimous consent of the National Board of Directors to individuals who have special skills, certification, professional educational degrees, and experience that will benefit the BVA Board. The Honorary Board Member is appointed for two-year terms, and they may be reappointed by the BVA Board. These Honorary Board Members shall have no vote at these meetings but can submit recommendations or reports to the BVA Board for consideration.

**REASON:** The BVA Board has had in recent years Honorary Board Members attend both the mid-Winter meeting in March and board meetings during the annual convention in August in advisory non-voting positions due to their expertise in a particular area which they found to be beneficial.

Submitted by BVA Board of Directors

**PROPOSED BYLAW AMENDMENT NO. 3**

This proposed amendment, if passed by the Convention will make minor changes in Sections 1, 2, and 3 and add a new paragraph d. to Section 4, and make minor changes in Section 6 of ARTICLE III (QUALIFICATIONS FOR MEMBERSHIP, ASSOCIATE MEMBERSHIP AND HONORARY MEMBERSHIP).

**Sections 1, 2 and 3 Currently Reads:**

Section 1. Any person having been, or being, in the Armed Forces of the United States shall be eligible for Membership if he/she has sustained a substantial impairment of sight or vision, which is service-connected, and as such is hereby termed blind or legally blind and defined as follows:
Central visual acuity of 20/200 or less in the better eye with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye.

Section 2. There shall be no discrimination as to race or creed for Membership or Associate Membership in the Association, or for Members or Associate Members holding office or voting for office in the Association.

Section 3. Proofs of eligibility for Membership which may be accepted are honorable discharge, retirement, or separation papers from the United States Army, Air Force, Navy, Marine Corps, or Coast Guard, containing a notation indicating blindness of the applicant was incurred in the line of duty, or a certificate of the finding or determination by the United States Department of Veterans Affairs (DVA) that the applicant has sustained service-connected blindness as defined in Section 1 above.

PROPOSED CHANGES

Section 1. Any person having been, or being, in the Armed Forces of the United States shall be eligible for Membership if he/she has severe visual impairment or vision loss as stated in the BVA Charter, Section 6 and our mission statement which states we provide services for blind or visually impaired veterans, and as also that the vision acuity and loss as stated by a competent vision or eye professional.

Section 2. There shall be no discrimination as to race or creed for Life Membership or Associate Life Membership in the Association, or for said members holding office or voting for office in the Association.

Section 3. Proofs of eligibility for Membership which may be accepted are DD Form 214, honorable discharge, retirement, or separation papers from the Armed Forces, containing a notation indicating he/she has sustained a substantial impairment of sight or vision, as well as Excess Disability related to visual impairment as such is defined from time to time by the bylaws of the corporation, and shall be eligible for general membership in the corporation. If the applicants visual deficit was incurred in the line of duty, or a certificate of the finding, or determination by the United States Department of Veterans Affairs (DVA) or competent eye professional that the applicant has sustained substantial impairment of
sight or vision or Excess Disability related to visual impairments as defined in Section 1 below for Life Membership:

Central visual acuity of 20/200 or less in the better eye with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye.

**ADDING PROPOSED CHANGE to Section 4 – New paragraph “d”**

d. Associate Membership: any veteran who does not meet requirements in Article 3, Section 1 for Life Membership who has substantial visual impairments or sight loss that has enrolled in Veterans Health Administration and receives services from Blind Rehabilitation Services (BRS) programs, shall be eligible for Associate Membership, upon submission of a letter from any BRS staff or licensed optometrist or ophthalmologist, certifying the veterans vision loss substantially impacts vision function, as Associate Members with all the rights and privileges as outlined in Section 4, c. as Associate Members.

Section 6, a. and b. Currently Reads:

Section 6

a. Any person believing himself/herself eligible for Membership or Associate Membership may apply to the Association. Upon verification of the applicant’s eligibility and the payment of dues, he/she shall be considered a Member or Associate Member.

b. A Member or Associate Member shall automatically be considered a Member or Associate Member of the regional group in whose jurisdiction he/she resides. Members and Associate Members residing in areas where there are no regional groups shall be Members-at-large and Associate Members-at-large.

**PROPOSED CHANGES**

a. Any person believing himself/herself eligible for Life Membership or Associate Life Membership may apply to the Association. Upon verification of the applicant’s substantial loss of sight or vision, as defined in Section 1, eligibility and the payment of dues, he/she shall be considered a Life Member or Associate Life Member.
b. A Life Member or Associate Life Member shall automatically be considered a Life Member or Associate Life Member of the regional group in whose jurisdiction he/she resides. Life Members and Associate Life Members residing in areas where there are no regional groups shall be Life Members-at-large and Associate Life Members-at-large.

Submitted by BVA National President Dr. Thomas Zampieri

PROPOSED BYLAW AMENDMENT NO. 4

This proposed amendment, if passed by the Convention will add a new paragraph d. to Section 6 of ARTICLE III (QUALIFICATIONS FOR MEMBERSHIP, ASSOCIATE MEMBERSHIP AND HONORARY MEMBERSHIP).

NOTE: The proposed changes in Amendment NO. 3 in Section 6, a. and b. will change the type membership name if passed from “Membership” to “Life or Associate Life”.

Section 6 Currently Reads:

Section 6
a. Any person believing himself/herself eligible for Membership or Associate Membership may apply to the Association. Upon verification of the applicant’s eligibility and the payment of dues, he/she shall be considered a Member or Associate Member.

b. A Member or Associate Member shall automatically be considered a Member or Associate Member of the regional group in whose jurisdiction he/she resides. Members and Associate Members residing in areas where there are no regional groups shall be Members-at-large and Associate Members-at-large.

c. In the event any application is rejected, the applicant shall not be permitted to submit another application for a period of one (1) year. All applications for Membership and Associate Membership received by regional groups shall be forwarded to National Headquarters within thirty days after receipt.

ADDING PROPOSED CHANGE

d. That, the cut-off date for determining the membership count in the regional groups be as close as possible to the date of the National Convention.
REASON: This proposed amendment has been a BVA Policy since August 1982.

Submitted by BVA Education Committee

PROPOSED BYLAW AMENDMENT NO. 5

This proposed amendment, if passed by the Convention will modify Section 1. of ARTICLE III (QUALIFICATIONS FOR MEMBERSHIP, ASSOCIATE MEMBERSHIP AND HONORARY MEMBERSHIP).

Section 1. Currently Reads:

Section 1. Any person having been, or being, in the Armed Forces of the United States shall be eligible for Membership if he/she has sustained a substantial impairment of sight or vision, which is service-connected, and as such is hereby termed blind or legally blind and defined as follows:

Central visual acuity of 20/200 or less in the better eye with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye.

PROPOSED CHANGE

Section 1. Any person who was enlisted, drafted, inducted, or commissioned in the Armed Forces of the United States and has continuous substantial to severe impairment of sight or vision shall be eligible for "general membership" in the association.

Submitted by Guadalupe “Walley” Guerra, President, South Texas R.G.

PROPOSED BYLAW AMENDMENT NO. 6

This proposed amendment, if passed by the Convention will add a new Article XXIII to the National Bylaws. "Removal of Director/Officer".
NEW PROPOSED BYLAW:

If a Director and/or an Officer in their official capacity casts an official vote for any action which is in direct violation of a then-existing bylaw, rule, regulation or policy of the Blinded Veterans Association and such vote is given in their official capacity at any meeting of the Board or any subcommittee, and if determined by a majority vote of the membership in convention assembled after the Director/Officer is given 10 minutes to explain his/her vote. The sole question for the membership shall be: Was the vote in direct violation of a bylaw, rule, regulation or policy of the Blinded Veteran Association? In such case of removal, the membership by majority vote of those present and voting shall elect a replacement to fulfill the remainder of that Director's /Officer's term, commencing immediately. If the “removed” Director/Officer's term would have terminated normally during the convention, then no replacement need be appointed by the membership unless the convention required that Officer's participation. However, the removed Director/Officer may not hold any office which has a fiduciary role for a period of two (2) years from the day after the convention ends for that year.

Submitted by John Carter, President, BVA of Wisconsin, Inc. R.G.

PROPOSED BYLAW AMENDMENT NO. 7

This proposed amendment, if passed by the Convention will add a new Article XXIV to the National Bylaws. "Tape Recording of Meetings”.

NEW PROPOSED BYLAW:

1. This bylaw may not be amended except at a convention by a 3/4 majority of the membership registered for the convention and after a minimum of 90 days’ notice to the full membership of the Association.

2. Every meeting of the Board of Directors and/or any committee of the Board of Directors and including the Executive Committee and/or a meeting of the officers, the entire proceeding shall be tape recorded and/or otherwise electronically recorded. A copy of the recording shall be made available to any Association member upon request and in compliance with Section 303.09 of the Charter for a period of 3 years from the date of the meeting.
3. Every meeting shall have appropriate and accurate written minutes kept by a person designated by the chairperson of that meeting to take, prepare and distribute to the administrative director or her successor and such minutes shall be prepared and transmitted within a reasonable time but in no event later than 30 days from the date of the completion of the meeting for that date, even if the meeting is continued to a subsequent date. The minutes of the meeting which are in the custody of the administrative director shall be made available to any member upon request and in compliance with Section 303.09 of the Charter of the Association.

4. It shall be the policy of this Association that the minutes and electronic recording shall be maintained into perpetuity for the minutes and for 3 years for the electronic recordings.

5. Notwithstanding any other provision of this bylaw to the contrary, no portion of the recordings and/or the minutes which directly relate to a personnel matter shall be subject to production to a member and such portion shall be excluded from the requesting member unless the personnel matter related directly to the requesting member. If a dispute arises as to whether or not it is a personnel matter, the matter shall be submitted to a court of competent jurisdiction in the district where the headquarters is located. In the event of such dispute, the Association shall submit a petition to the court for such determination, at the Association’s expense.

REASON: For purposes of transparency and to preserve the historical record we adopt this specific bylaw.

Submitted by John Carter, President, BVA of Wisconsin, Inc. R.G.
PROPOSED AMENDMENTS TO BYLAWS

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