

HERITAGE OF PRIDE, INC. CONSTITUTION AND BYLAWS

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HERITAGE OF PRIDE, INC. CONSTITUTION

Article 1.0 - NAME AND OBJECTIVE

- 1.1 Heritage of Pride, Inc. (hereinafter referred to as the "organization" or "HOP") is a not-for-profit New York corporation that works toward a future without discrimination where all people have equal rights under the law. HOP does this by producing LGBTQIA+ Pride events that inspire, educate, commemorate and celebrate our diverse community.
- 1.2 No substantial part of the activities of the organization shall be lobbying or otherwise attempting to influence legislation except as otherwise provided by Internal Revenue Code section 501(h), or participating in, or intervening in (including the publication or distribution of statements) any political campaign on behalf of any candidates for public office.

Article 2.0 - MEMBERSHIP

- 2.1 There shall be two classes of membership, voting members and associate members.
- 2.2 The General Membership is responsible for approval or rejection of the annual program plan and budget. The ability to amend the budget and the annual program plan is delegated to the Executive Board and Committees after their approval by the General Membership, as outlined in the Bylaws.
- 2.3 To join HOP, a prospective voting member must:
 - a. support the objectives of HOP and agree to further its aims;
 - b. be placed in nomination at a General Membership meeting by a voting member of HOP or by themselves;
 - c. complete at least 10 volunteer hours, which may include any hours worked up to 6 months before the vote on membership;
 - d. be an active member of at least one committee (as specified in Article 5) and attend at least one other committee meetings of the nominee's choice within the 6 months before the vote on membership; and
 - e. receive a majority of votes in favor of their acceptance at a subsequent General Membership meeting upon verification by the Human Resources Director that the nominee has met the stated requirements.
- 2.4 Each voting member of HOP has an equal number of vote(s) in General Membership meetings.
- 2.5 Additionally, each Full-time, year-round staff member may vote as a voting member in General Membership Meetings.
- 2.6.1 After election to voting membership, each member must:
 - a. work 25 volunteer hours, inclusive of Pride Week Events, during the year ending at the September Annual Meeting;
 - b. be an active member of at least one committee (as specified in Article 5) and attend at least

- one meeting October-March and another April-September, as called by the committee;
- c. attend at least one General Membership meeting October-March and another April-September;
 - d. participate a minimum of once annually during the year ending at the September Annual Meeting in:
 - I. a community service project organized by the Community Relations Committee;
 - II. a HOP committee-based volunteer event; or
 - III. a non-HOP service project or volunteer event approved in advance in writing by the Community Relations Director or a Co-Chair.

Alternatively, requirement 2.6.1.d may be met by serving in an ongoing external pride-related volunteer role, such as in a titled position of InterPride (e.g., board member or committee co-chair) approved in writing by a Co-Chair.

[The year ending with the September 2018 GM, members can request retroactive credit. At the close of the 2018 September Annual Meeting this bracketed clause will be automatically removed.]

- e. be an active member of at least one committee and attend one meeting October-March and another April-September, as called by the committee;
- f. attend at least one General Membership meeting October-March and another April-September;
- g. assist in the recruitment and retention of volunteers and members; and
- h. abide by the policies and procedures of HOP

2.6.2 Exceptions to Article 2, Section 6.1 may be granted by a majority vote of the Executive Board.

2.6.3 The Human Resources Director, with the aid of the Executive Board and staff, shall determine who has not met these requirements. The Human Resources Director shall provide written notice at least four weeks prior to the September/March meeting informing the affected member that they have not met the requirements for continuing voting membership and that, unless an exception is granted by the Executive Board (as specified in Article 2, Section 6.2) or they otherwise fulfill the requirements, their status will be changed at the September/March General Membership meeting from voting member to associate member.

2.6.4 Additions to voting membership go into effect immediately upon a successful vote of General Membership. Removals from voting membership, other than expulsions and suspensions (as specified in Articles 8 and 9), go into effect at the close of the September/March General Membership meeting.

2.7 An Associate Member is an individual who agrees to abide by the policies and procedures of Heritage of Pride and meets one or both of the following criteria:

- a. They have previously been a voting member of Heritage of Pride or
 - b. They have been nominated as an associate member at a General Membership meeting and received a majority of votes in favor of their acceptance at a subsequent General Membership meeting within six months thereafter.
- 2.8 An associate member who was formerly a voting member becomes eligible to reactivate their voting membership by fulfilling the requirements of Article 2, Section 6.1 within the past 12 months; and providing written notice to the Human Resources Director at least one week prior to the General Membership meeting where reactivation will be requested.

The Human Resources Director, with the aid of the Executive Board and staff, shall confirm in advance whether the individual has met the requirements. The change of membership status goes into effect at the General Membership meeting at which reactivation is approved by a majority vote of GM.

Article 3.0 - OFFICERS

- 3.1. HOP has the following officers: two Co-Chairs, one of whom must identify as female, and one of whom must identify as male or gender non-conforming; a Treasurer, and a Secretary.
- 3.2. The Co-Chairs are responsible for coordinating the work done by the various committees of HOP, for calling and chairing Executive Board meetings, for acting as spokespersons for the organization to the media and to other organizations or for appointing such spokespersons, for providing direct supervision to management staff and for being signatories on the HOP account(s). In all instances, the Co-Chairs must represent and obey the decisions and policies of the General Membership and the Executive Board.
- 3.3. The duties of the Treasurer shall be to
- a. maintain complete and current records of all expenditures and income; give a financial report at least once a month to the General Membership;
 - b. give an annual report in writing for the financial year, to the General Membership at the General Membership Meeting within four months after the close of the fiscal year, and
 - c. chair the Finance Committee.
- 3.4. The duties of the Secretary shall be to
- a. take minutes at every General Membership meeting and Executive Board Meeting and to make them available for distribution to all members prior to the next meeting of the General Membership or Executive Board;
 - b. maintain a file of the minutes of said meetings;
 - c. record and keep a record of all policy decisions by the General Membership and the Executive Board;
 - d. maintain an official copy of the constitution and by-laws and to insure that copies are available to the General Membership;
 - e. Supply the current official HOP voting membership list, in collaboration with the Human

Resources Director, to voting members upon request;

- f. Maintain a repository for all organizational and event contracts;
- g. Maintain a repository for all organizational policies and procedures; and
- h. act as a signatory for the HOP account(s).

3.5 Nominations

- a. Nominations for officers will be taken annually at the August General Membership meeting for those officers with terms expiring.
- b. Male-identified or gender non-conforming and female-identified Co-Chairs shall be elected on alternating years for a two-year term.
- c. Secretary (odd) and Treasurer (even) shall be elected on alternating years for a two-year term.
- d. Nominations may only be received from voting members of HOP.
- e. A nominee must, at the time of their election, be a voting member of HOP.
- f. Nominees must agree to the nomination before the election in writing or in person.
- g. Nominees must be present at a General Membership meeting to be elected into membership.
- h. Elections will take place at the Annual General Membership meeting in September.
- i. Special Elections to fill an open officer position may be called to fill that position only until the next annual membership meeting.

3.6. Officers will be elected by secret ballot from among those nominated by a majority vote of the membership present and voting.

3.7. This section (3.7) is suspended until December 31, 2020, at which time it automatically is reinstated, any officers exceeding their term limits serving at that time may complete their term, but may not run again. Original Text: No one shall serve more than five (5) consecutive years in any one office. Individuals may only stand for an office if they are eligible to serve for the entire term of that office.

3.8. This section to remain in effect until December 31, 2019, at which time it automatically is rescinded. As of December 31, 2017 the current officers time in office will be “frozen”, and not count toward established term limits, until December 31, 2019. After which, subsequent service will again count toward established term limits.

3.8.1 Each year at the August meeting there will be a “vote of support” for the standing board. Membership will vote on the serving board members who would otherwise be up for re-election. Any individual serving in a role who does not receive a two-thirds endorsement vote of general membership triggers an election for that role (this does not preclude re-election).

3.8.2 Officers serving during this “freeze” that do not meet their responsibilities or are otherwise deemed unfit to serve can still be subject to removal via the removal process.

Article 4.0 - MEETINGS

- 4.1. General Membership meetings shall be held monthly in November, January, March, May, August and September or as called by the Executive Board.
- 4.2. The Annual Meeting of the General Membership shall be the September meeting each year.
- 4.3. HOP General Membership, Exec Board, and Committee Meetings are by default open to the public. The Executive Board may, with a majority vote, schedule an executive session of the board with or without staff members present to discuss sensitive matters related to litigation, financial audit, board member performance, and staff evaluation and compensation.
- 4.4. Voting in General Membership is to be by HOP voting members only, except that voting may be expanded to include all persons present for voting on theme, Grand Marshal, or annual Logo selection.

Article 5.0 - COMMITTEES

- 5.1. The number of committees, their names and functions shall be determined by a vote of the General Membership. The standing committees shall be, but not limited to: March, Rally, Dance, PrideFest, Community Relations, Development, Media, Human Resources, Finance and Governance.
- 5.2. Committees, other than Finance, shall meet in August or as needed and propose a Director (Chair) at the September or next scheduled General Membership meeting for approval.

The voting shall be limited to only those non-HOP members of the committee of the previous year and all voting members of HOP. In event of there being no chair available, the Executive Board shall nominate someone. Committee Directors must be members of HOP.

5.3 Committee Directors

The Committee Chairperson is responsible to the General Membership. They shall report on the committee's activities to the Executive Board monthly. These reports shall be made available to the General Membership. The Chairperson shall be responsible for the daily operations of the committee and shall serve on the Executive Board.

5.3.1 This section (5.3.1) is suspended until December 31, 2020, at which time it automatically is reinstated: Any board members exceeding their term limits serving at that time may complete their term, but may not run again. Original Text: No individual may serve for more than 3 consecutive years as a director of any one committee, unless there are no other candidates.

5.3.2 This section (5.3.2) to remain in effect from December 31, 2017 until December 31, 2019, at which time it is automatically rescinded. As of December 31, 2017, the current directors time in office will be "frozen", and will not count toward established term limits, until December 31, 2019. After which time, subsequent service will again count toward will

again count toward established term limits.

5.3.3 This section (5.3.3) to remain in effect from December 31, 2017 until December 31, 2019, at which time it is automatically is rescinded. Each year at the September meeting there will be a “vote of support” for the standing board. Membership will vote on the serving board members who would otherwise be up for re-election. Any individual serving in a role who does not receive a two-thirds endorsement vote of general membership triggers an election for that role (this does not preclude re-election).

5.3.4 This section (5.3.4) to remain in effect from December 31, 2017 until December 31, 2019, at which time it is automatically is rescinded. Directors serving during this “freeze” that do not meet their responsibilities or are otherwise deemed unfit to serve can still be subject to removal via the removal process.

5.4. Committee Membership:

5.4.1 Standing Committees: Any person, including staff, is a member of a committee if they have attended two of the previous five committee meetings, except that:

- a. each member of the Human Resources and Governance Committees also must be a voting member of HOP in good standing for at least one year; and
- b. Finance Committee members may not be employees or contractors of the organization.

5.5. Voting:

5.5.1 In the Human Resources Committee, only committee members may vote.

5.5.2 For all other committees, voting may be by:

- a. HOP voting members as per Article 2.6 and
- b. Non-HOP members who are established members of the committee.
- c. HOP Staff that has fulfilled the requirements of committee membership
- d. Other individuals may join discussions but may not vote.

5.6 Ad Hoc Committees:

5.6.1 The General Membership may, by majority vote, establish an ad hoc committee to serve a particular purpose not fulfilled by standing committees. An ad hoc committee may be formed indefinitely (such as until a goal is accomplished or a project is finished) or for a defined period of time.

5.6.2 Membership requirements and voting eligibility for ad hoc committees may be defined for that committee at the formation of that committee, except that if no definition is provided, they shall follow the rules for standing committees as defined in this article.

- 5.6.3 An initial director for an ad hoc committee shall be appointed by the Executive Board through a majority vote. At the time of the next Annual General Meeting and any subsequent Annual General Meetings during which the ad hoc committee continues to operate, the director shall be nominated by the committee and ratified by the General Membership in the manner described for standing committees in this article.
- 5.6.4 The director of an ad hoc committee shall have all the rights and responsibilities of a standing committee director, except that the ad hoc committee director shall be a non-voting member of the Executive Board.
- 5.6.5 Any ad hoc committee that continues to meet regularly for a period of at least 24 months shall, at the next General Membership meeting, be put forward as an automatic motion for conversion to a standing committee. Such a conversion shall be approved by an affirmative vote of General Membership.
- 5.6.6 An ad hoc committee may be dissolved by:
- a. meeting the criteria upon which dissolution will occur as defined during the formation of the committee, followed by a majority vote of the General Membership;
 - or
 - b. a majority vote of the General Membership.
- 5.6.7 Membership in or attendance at meetings of an ad hoc committee shall count toward the requirements to become or maintain General Membership status as defined in Article 2, unless otherwise specified during the formation of the ad hoc committee.

Article 6.0 - EXECUTIVE BOARD

- 6.1. The elected officers of the organization and the chairpersons of each of the committees shall constitute the Executive Board.
- 6.2. The Executive Board shall meet on the call of either Co-Chair, or any two members of the Executive Board. A quorum shall consist of one member more than half of the members of the Executive Board.
- 6.3. Between regular meetings of the General Membership, the Executive Board is authorized to act and set policy in the name of the organization. If the Executive Board takes any action, it must report that action either by email, or at the next regular or special meeting of the General Membership.
- 6.4. Each member of the Executive Board and staff as defined in 6.4.1, shall have one vote in Executive Board meetings.
- 6.4.1 The Senior-Ranking Staff Member may vote at Executive Board, after they've had three years of service to the organization.

6.5. Each member of the Executive Board shall adhere to the Executive Board Code of Responsibility attached hereto [Appendix #1].

Article 7.0 - REMOVAL OF OFFICERS AND COMMITTEE CHAIRPERSONS

7.1. An officer or committee chairperson can be suspended from their position by a majority vote of the Executive Board or a majority vote of the General Membership meeting. A good faith effort will be made to inform the officer or chairperson of the charges against them before the vote.

7.2. At the next General Membership meeting, following suspension, a vote will be taken to affirm the Executive Board or General Membership decision. If a majority affirms the suspension, the officer or chairperson is removed; if not, the officer or chairperson is restored.

Article 8.0 – MEMBER EXPULSION

8.1. Expulsion process to remove a voting or associate member from HOP membership is as follows:

(Subsequent sections renumbered) Written documentation of all issues comprising the case for expulsion must have been previously filed with the HR Director;

- a. A written notice of intent stating the reason(s) for recommending expulsion be presented by a member, staff member, or established volunteer of HOP to the Co-Chairs and HR Director;
- b. The Co-Chairs and HR Director, will compile a written case document that includes the evidence, any witness information, and objectively details the case for expulsion within 14 days.
- c. This case document will then be shared with the individual(s) involved, and if necessary the Board and GM.
- d. The accused individual then has 14 days following receipt of the document to provide a rebuttal and present a defense in writing.
- e. EB reviews the case, and makes a recommendation to Expel or not to GM, regardless the case will be presented to GM at the next business meeting, unless cancelled by the originator of the complaint.
- f. Copies of both the case for expulsion and the rebuttal shall be made available to voting Members at the General Membership meeting for the discussion and vote; and
- g. Expulsion requires a two-thirds vote of the members present and voting.
- h. “Executive Session” may be applied in cases of expulsion to protect an individual’s rights.

8.2 General Membership may vote to change a proposal to expel to a proposal to suspend prior to the vote.

8.3. An individual who has been expelled from HOP membership is barred from volunteering for HOP in any capacity.

8.4. An individual who has been expelled from HOP membership may appeal their expulsion to General Membership after a period of one year from the date of expulsion.

- a. To appeal, the expelled individual must state their case in writing, and submit it to the Co-Chairs and HR Director.
- b. The organization then has 14 days to acknowledge receipt of the statement, and notify the applicant of next scheduled date where the General Membership vote will take place.
- c. EB reviews the case, and makes a recommendation to accept the appeal or not to GM, regardless the case will be presented to GM at the next business meeting.
- d. The expulsion may be rescinded by a two-thirds majority vote of General Membership of those present and voting.
- e. Upon successful vote to rescind expulsion, the individual may volunteer once again for HOP. If they so choose, they may also re-apply to become a Voting or Associate Member, once they have met the requirements.

Article 9.0 – MEMBER SUSPENSION

9.1. Suspension of a voting or associate member from HOP membership requires:

- a. A written notice of intent stating the reason(s) for recommending suspension be presented by a member, staff member, or established volunteer of HOP to the Co-Chairs and HR Director;
- b. The Co-Chairs and HR Director, will compile a written case document that includes the evidence, any witness information, and objectively details the case for suspension within 14 days.
- c. This case document will then be shared with the individual(s) involved, and if necessary the Board and GM.
- d. The accused individual then has 14 days following receipt of the document to provide a rebuttal and present a defense in writing.
- e. EB reviews the case, and makes a recommendation to suspend or not to GM, regardless the case will be presented to GM at the next business meeting, unless cancelled by the originator of the complaint.
- f. Copies of both the case for suspension and the rebuttal shall be made available to voting Members at the General Membership meeting for the discussion and vote; and
- g. Suspension requires a two-thirds vote of the members present and voting.
- h. “Executive Session” may be applied in cases of suspension to protect an individual’s rights.

Written documentation of all issues comprising the case for suspension must have been previously filed with the HR Director.

9.2. An individual who has been suspended from HOP membership is barred from volunteering for HOP for the period of one year, unless otherwise specified.

- a. During the time and individual is suspended, their membership is “frozen” in regard to membership requirements. When they have completed the term of the suspension, they return to active membership.

9.3. General Membership may vote to change a proposal to suspend to a proposal to expel prior to

the vote.

Article 10.0 - DISSOLUTION

10.1. In the event of dissolution, all of the remaining assets and property of the organization shall, after necessary expenses thereof, be distributed to another organization(s) exempt under section 501(c) (3) of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax law, or to the Federal government, or state or local governments for a public purpose, subject to an order of a Justice of the Supreme Court of the State of New York.

Article 11.0 - ADOPTION / AMENDMENTS

11.1. All amendments must be approved by a two-thirds vote of the members present and voting at two consecutive General Membership meetings. Motions to amend the Constitution must be preceded by a statement of intent no less the 7 days prior to the meeting of the General Membership where the first vote will occur, at meetings between September and May, inclusive.

HERITAGE OF PRIDE, INC. BYLAWS

Bylaw 1.0 - Quorum

A quorum to do business shall be 30 percent (all fractions are dropped) of the total voting membership. An emergency Executive Board meeting shall be called by the presiding Co-Chair when a quorum is not reached at a General Membership meeting, provided that a quorum of the Executive Board is present. Attendance at a General Membership meeting when a quorum is not reached will still be credited for purposes of Article 2.6.

Bylaw 2.0 - Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the organization in all cases that are not inconsistent with this Constitution and any special rules of order this organization may adopt. The following list defines the "Precedence of Documents" for Heritage of Pride, Inc. (hereinafter referred to as the "organization" or "HOP") (listed in descending order of precedence):

- Federal Not-for-Profit Law
- New York State Not-for-Profit Law
- HOP Certificate of Incorporation
- HOP Constitution
- HOP Bylaws
- HOP Policy
- HOP Committee/ Event Policy
- HOP General Membership Resolutions
- HOP Executive Board Resolutions
- Robert's Rules of Order

Bylaw 3.0 - Annual Budget

Each year, one month prior to the start of the fiscal year, the Finance Committee shall submit a budget to the General Membership for approval. Committees for each component, and the Finance Committee for the balance of the budget, may make adjustments within their budgets, provided that no significant elements of their program are eliminated, and changes to the Committee's portion of the expense budget do not exceed five percent of the total approved budget.

Changes to the expense budget in excess of five percent from the approved budgeted amount can be made only with the approval of the Executive Board. If financial resources are insufficient to pay all budgeted expenses on an as requested basis, the Executive Board shall have the authority to determine the order in which payments will be made.

Bylaw 4.0 - Auditing / Financial Record

The organization shall endeavor to have an independent audit performed of each year's annual financial report. The annual financial report shall be made available to the public upon request.

Bylaw 5.0 - Petty Cash Fund

To the extent possible, all HOP payments and expenditures shall be by check. The Treasurer is authorized to maintain a petty cash fund not exceeding \$500 to pay for expenses approved in the annual budget. All petty cash fund expenditures must be documented by receipts and upon such documentation, the Treasurer may replenish the fund. The Treasurer shall include petty cash fund expenditures in the monthly financial reports.

Bylaw 6.0 - Indemnification

The organization may, to the fullest extent now or hereafter permitted by law, indemnify any person made, or threatened to be made, a party to any action or proceeding by reason of the fact that they were an officer, member, employee or agent of the organization, against judgments, fines, amounts paid in settlement and reasonable expenses, including attorney's fees.

Bylaw 7.0 - Loans and Extensions of Credit

The Executive Board shall be authorized to accept loans and extensions of credit to the organization provided that such loans and extensions of credit are: (i) reported to the General Membership; and (ii) repaid by the end of the fiscal year.

Bylaw 8.0 - Amendments/Additions to Bylaws

The Bylaws may be amended by a two-thirds vote of the members present and voting at a General Membership meeting. Motions to amend the Bylaws must be brought before the Governance Committee for discussion and review prior to submission to the General Membership to help preserve their overall integrity. A member has the right to forward their amendment to the General Membership even if the amendment fails in committee.

Bylaw 9.0 - Referral of Motions

Except in emergency situations, motions pertaining to an area for which there is an established committee that are brought to the General Membership and that have not been reviewed by the appropriate committee shall be referred to that committee for review and recommendation. Motions which pertain to the organization as a whole shall be referred to the Executive Board.

Bylaw 10.0 - Executive Board Review

The Executive Board shall have the opportunity to review motions brought forward by the committees before submission to the General Membership.

Bylaw 11.0 - Committee Minutes

The director of each committee shall submit written minutes of committee meetings to the Secretary for distribution to the General Membership before the last day of each month.

Bylaw 12.0 – Fiscal Year

The organization's fiscal year shall be October 1 through September 30.

Bylaw 13.0 – Hiring of Management Staff

The Human Resources Committee is responsible for the screening of prospective management staff member candidates and developing an approved pool. The Co-Chairs recommend a candidate from this pool to the Executive Board. A two-thirds vote of the Executive Board is required to accept the recommended candidate.

Bylaw 14.0 – Termination of Senior Management Staff

If it is appropriate and/or necessary, the Co-Chairs and Human Resources Director may begin the process of terminating HOP management staff by documenting cause and then recommending the termination of the staff member to the Executive Board. To accept the recommendation to terminate the staff member from the organization, a two-thirds vote of the Executive Board is required.

ADOPTED and AMENDED:

November 1985; October 1986; November 1986; October 1987; October 1988; December 1988; March 1992; September 1997; November 1997; May 2000; November 2001; April 2002; June 2003; October 2004; November 2004; February 2005; September 2005; September 2006; January 2007; December 2009; January 2010; January 2011; April 2011; April 2013; March 2015; May 2015; September 2015 - May 2016; August 2016 - August 2017; September 2017 - November 2018; April 2020.

HERITAGE OF PRIDE, INC. CONSTITUTION AND BYLAWS - APPENDIX #1

Executive Board Code of Responsibility

As a member of the Executive Board, to the best of my abilities, I will

- Understand my responsibilities as a member of the Executive Board and as a chair of a committee or as an officer of the organization, and take those responsibilities seriously.
- Remember that, as a member of the Executive Board, I am a representative of the organization.
- In my role as a representative of the organization, publicly support all decisions made by the Executive Board, the General Membership and the committees of Heritage of Pride, Inc. If I cannot, I will remain neutral.
- Reserve the right to offer constructive criticism and use appropriate channels to effect the changes I feel are needed.
- Adhere to all policies and procedures set by the Executive Board and the General Membership and uphold the Constitution and Bylaws of the organization.
- Be accountable for my actions and decisions as a member of the Executive Board and of the organization.
- Treat all members of the organization and all volunteers working on our events with respect and endeavor to make sure my actions are worthy of the same respect.
- Be financially responsible to the organization and its work. I have read and agree to abide by the above.

Name: _____ Signature: _____ Date: _____