

# Proposed Amendments to the Constitution and Bylaws of the Eagle Scouts Association of the Philippines

*By Jay Lee  
May 12, 2008*

The Eagle Scout Association of the Philippines (ESAP) is the association of men who became products of the successful program of Scouting offered by the Boy Scouts of the Philippines (BSP). Members of this association must realize that, although we are registered members of the BSP through our respective local councils, ESAP is an auxiliary organization. It is an independent association from the BSP, yet at the same time in partnership with the BSP to contribute in the development of young people. Whereas the focus of the BSP is on the “boy” who is its foremost member, this association must remember that its membership is composed of Eagle Scouts, Rizal Scouts, and Scout Citizens. Therefore, the focus of this association must be about providing services to these members.

## Commentary

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### Preamble

*“We, the Eagle Scouts of the Boy Scouts of the Philippines, have organized ourselves into an association to perpetually kindle in our hearts and minds the true spirit of the Scout Oath and Law; to strive and spread the values of leadership and service by leading and guiding other scouts to achieve the highest rank in the scouting movement, that they may become responsible citizens of the community and to foster and strengthen among ourselves the scouting ideals, do ordain and promulgate this Constitution and By-Laws.”*

A preamble is an introduction that sets the tone and purpose of this association of Eagle Scouts. In the preamble we can identify three lofty goals of this association:

- (1) To perpetually kindle in our hearts and mind the true spirit of the Scout Oath and Law;
- (2) To spread the values of leadership and service by leading and guiding other scouts to achieve the highest rank in the scouting movement;
- (3) To strengthen among ourselves the scouting ideals.

Personally I have an issue with the word “to perpetually kindle” where “to kindle” is defined as to start something to burn. As Eagle Scouts the flame of Scouting ideals should not just be something that forever we will start to set aflame, it should be an already something that is already burning and simply needs to be fed some more fuel to keep it burning ever so hot. One would also notice that the first and third purpose as espoused by the preamble is basically one and the same. It is my humble recommendation that both these purpose be combined into one solid purpose.

We note that the second purpose is a worthy goal. However, I submit to everyone that this goal is very limiting to an Eagle Scout. As individuals we are not bound by just serving Scouting as unit leaders or committee members. We become students, teachers, employees, employers, fathers, brothers, uncles, and become part of the every growing communities that we live in. It is my humble recommendation that this purpose be broaden to serve this higher goal.

I propose the following for consideration as our preamble:

*“We, the Eagle Scouts of the Boy Scouts of the Philippines, having organized ourselves into an association to foster among ourselves the spirit of brotherhood and camaraderie; to strengthen in our hearts and minds the true spirit of the Scouting ideals as embodied by the Scout Oath and Law; to support the mission of the Boy Scouts of the Philippines through partnership; and to spread the values of leadership and service through our own example, that others may follow our lead and become responsible and contributing citizens of their communities, do hereby enact this constitution and bylaws of the Eagle Scouts Association of the Philippines.”*

This proposed preamble provides for \_ purpose of creating this association:

1. To foster among ourselves the spirit of brotherhood and camaraderie;
2. To strengthen in our hearts and mind the true spirit of the Scouting ideals as embodied by the Scout Oath and Law;
3. To support the mission of the Boy Scouts of the Philippines through partnership; and
4. To spread the values of the leaders and service through our own example, that others may follow our lead and become responsible citizens of their communities.

### **Article I Section 1**

*Section 1. The name of the association shall be the **Eagle Scouts Association of the Philippines**, otherwise known as “**ESAP**” of the Boy Scouts of the Philippines.*

The second sentence starting with “otherwise” may be deleted in its entirety. It is important that the “of the Boy Scouts of the Philippines” to be remove form this section as the association again is an independent association. I propose this section to read as follows:

*Section 1. The name of the association shall be the **Eagle Scouts Association of the Philippines**.*

### **Article II Section 2**

*Section 2. There may be established a Regional, Provincial/City Offices in coordination with the Boy Scouts of the Philippines.*

I propose revising this section to say:

*Section 2. There may be established local chapters of the association.*

I strongly recommend not creating too much bureaucracy by creating regional offices over local offices that serves no real purpose. I strongly recommend allowing local members of the association to create chapters that reports directly to the national association as it is in practice.

## **Article IV Section 2**

*Section 2. To foster brotherhood among the highest rank awardees ( Eagle Scouts, Rizal Scouts, and Scout Citizens) throughout the Philippines.*

I propose revising this section to say:

*Section 2. To foster brotherhood among Eagle Scout, Rizal Scout, and Scout Citizen Awardees.*

Instead of qualifying “highest rank awardees” the section is strengthened by spelling the ranks out completely instead of using the ranks as qualifiers, doing so also disallow qualifying the term “highest rank awardees” with the Leaping Usa or the Chief Scout’s Rover awards. By removing the “throughout the Philippines” this allows the organization of chapters around the world.

## **Article IV Section 3**

*Section 3. To ASSIST AND HELP THE Boy Scouts of the Philippines in the promotion of its advancement program and to encourage all Scouts to attain the highest rank.*

I propose revising this section to say:

*Section 3. To support the programs and activities of the Boy Scouts of the Philippines, promote its advancement program, and, in partnership with civic and social organizations and the community, encourage all to support and participate in the Scouting program and encourage all Scouts to attain the highest rank.*

## **Article IV Section 4**

*Section 4. To encourage all former Scouts who have attained the highest rank to become active members again in the Scouting movement and to help in the development of young boys to become good citizens of our country.*

I propose revising this section to say:

*Section 4. To encourage our members and all former Scouts who have attained the ranks of Eagle Scout, Rizal Scout, and Citizen Scout, to support the Boy Scouts of the Philippines through various means including, but not limited to, becoming active members of the Boy Scouts of the Philippines and to help in the development of young people to become responsible and productive citizens of their community, country, and of the world.*

## **Article IV Section 5**

*Section 5. To harness the potentials of all Scouts to become good leaders in order to be of service in their respective communities.*

This section may be deleted. Article IV Section 4, as proposed, achieves this purpose.

## **Article IV Section 6**

*Section 6. To coordinate and to collaborate with other scouts on common program activities which need collective support by the Boy Scout of the Philippines.*

This section may be deleted. Article IV Section 3, as proposed, achieves this purpose.

## **Article IV Section 7**

*Section 7. To provide and undertake capability building and efficiency training development to all members of the Eagle Scouts Association of the Philippines.*

I have not a clue what this section seeks to achieve.

## **Article V Section 1**

*Section 1. The membership of the Association shall be open to all registered members of the Boy Scouts of the Philippines who earned the rank of Eagle Scout/Rizal Scout/ Citizen Scout.*

I propose revising this section to say:

*Section 1. Membership is open to all registered members of the Boy Scouts of the Philippines who have earned the rank of Eagle Scout, Rizal Scout, or Scout Citizen.*

## **Article VII Section 2**

*Section 2. The elected National Officers and the Regional Chairmen shall automatically be members of the NEC.*

As recommended for Article II Section 2, I strongly oppose the creation of regional offices that will create unnecessary bureaucracy within the association. Again, I propose allowing local members of the association to create local chapters that reports directly to the national association. Chairmen of local chapters need not be part of the national association, but should coordinate their activities with the national association.

The national association does not need to exert control over local chapters through regional offices. I believe allowing trust and the least amount of control over local chapters will create a more dynamic chapter that is responsive to their respective communities.

## **Article VII Section 6**

*Section 6. The NEC shall form communities to tackle different issues and concerns of the association.*

I believe that the writers intended to say “committees” instead of “communities”.

## **Article VII Section 7**

*Section 7. The Regional Chairman in his absence may send his Vice-Chairman through a written authority to represent his region with voting rights to the NEC.*

See comment for Article VII Section 2.

## **Article VII Section 8**

*Section 8. The National President may appoint any member who must be a member of the Bar as General Legal Counsel for Luzon, Visayas and Mindanao.*

I propose revising this section to say:

*Section 8. The National President may appoint up to three-(3) member of the association, who each must be a members in good standing of the Integrated Bar of the Philippines, to serve as the association's General Legal Counsel.*

The original wording may be misinterpreted to mean appointed one General Legal Counsel to represent Luzon, Visayas, and Mindanao.

## **Article VII Section 9**

*Section 9. The National President may appoint any member to an appointive position as may be determined and concurred by the NEC.*

I propose revising this section to say:

*Section 9. The National President may appoint any member of the association to an appointive position, as it may deem as necessary, and concurred by a majority vote of the members of the NEC, during its regular meeting, and recorded on the official minutes. On an annual basis, the NEC shall review the necessity of having such appointees and record its decision on the official minutes.*

The original wording is vague as to what constitute the concurrence of the NEC. It also lacks internal control and oversight to prevent the amassing unnecessary number of appointees.

## **Article IX**

See comment for Article VII Section 2.

I recommend deleting this Article in its entirety.

## **Article X**

Instead of calling it Provincial / City Executive Council, I would call this "Chapters". I refer you back to my comments on Article VII Section 2. I really feel that allowing chapters the freedom to organize themselves as they see fit will better make the chapter more responsive to their local communities. The National Association should refrain from exerting too much control over the local chapters. Creating additional bureaucracy is counterproductive to our cause.

The National Association would also be wise to recognize the long existence of the local chapters. While the various national associations has come and gone, local chapters continued their existence and long been active in their communities.

### **Article XI Section 1**

*Section 1. The term of office of all members of NEC shall be two (2) years, which shall commence one (1) month after the election. He can be eligible for only one (1) re-election.*

I propose revising this section to say:

*Section 1. The term of office of any member of the NEC shall be no more than two-(2) years and shall commence no more than one-(1) month after the election. Any member of the association, in good standing, may be elected as a member of the NEC for no more than two-(2) terms in office for any position.*

### **Article XI Section 3**

*Section 3. For any acts prejudicial to the interest of the association, any of the elected and appointed officers, may be reprimanded, suspended or removed by a vote of two-thirds of members of the National Executive Council.*

The NEC cannot reprimand, suspend, or remove itself. There is a huge conflict of interest. See comments Proposed Articles to establish a Supervisory Committee. I propose revising this section to say:

*Section 3. For any acts prejudicial to the interest of the association, any elected or appointed officer may be reprimanded, suspended, and removed by a unanimous vote by all the members of the Supervisory Committee. The Supervisory Committee may pursue legal action to recuperate any losses or damages to the association resulting from such acts.*

### **Article XII Section 1**

*Section 1. The National Meeting or Conclave of the association shall called during the National Jamboree of the Boy Scouts of the Philippines or at a date to be fixed by the NEC;*

I propose revising this section to say:

*Section 1. Meetings or Conclaves of the association may be called during the National Jamboree of the Boy Scouts of the Philippines. No elections of officers may be held during these Meetings or Conclaves. National Assemblies or National Conclaves shall be held every other year at a date fixed by the NEC to hold the election of National Officers.*

The association should conduct its official business during meetings it has designated for itself, not out of convenience. In addition, conclaves at National Jamborees are attended by Eagle Scouts who may or may not be members of the association and not all Eagle Scouts are automatic members of this association. Official business of the association should be open only to members in good standing as provided by Article VI Section 1.

### **Article XIII Section 1**

*Section 1. The total number of members present during the meeting/conclave shall constitute a quorum;*

I proposed revising this section to say:

*Section 1. During the National Assembly or National Conclave two-thirds of the total chapters of the association represented at the meeting shall constitute a quorum.*

This section is strengthened by creating a condition that prohibits a single attendee to the meeting constituting his own quorum and conduct official association business on his own. The National Association must recognize that chapters are an integral part of this association and the National Assembly or National Conclave is not composed of the entire membership, but composed of representation from each recognized chapter of the association.

### **Article XIII Section 2**

*Section 2. A simple majority of the members constituting a quorum during a meeting/conclave shall be sufficient to approve any resolution or action of the association.*

I proposed revising this section to say:

*Section 2. A simple majority of the members of the National Assembly or National Conclave, present and having a quorum, shall be sufficient to approve any resolution or action of the association. Each recognized chapter of the association may cast no more than one vote.*

This section is strengthened by preventing a mob vote of the most represented sector of the association. It is common that wherever the National Assembly or National Conclave is held, that locality shall almost always have the majority of members attending. This causes a problem since the locality acquires an advantage over others in the association. Creating a one vote per chapter combined with a chapter-based quorum with Article XIII Section 1 allows for a more equitable process.

### **Article XV Section 3**

*Section 3. In case of vacancy in the appointive position the President shall appoint the replacement of the remaining term subject to concurrence of the NEC.*

I propose revising this section to say:

*Section 3. In case of vacancy in an appointive position the President may appoint a replacement subject to Article VII Section 9 of this constitution and bylaws.*

### **Article XVI Section 1**

*Section 1. This Constitution and By-Laws may be amended, repealed or altered in whole or in part by a majority vote of the members present in the national meeting/conclave called for the purpose.*

I propose revising this section to say:

*Section 1. This constitution and bylaws may be amended, repealed, or altered, in whole or in part, by a two-thirds vote of the chapters of the association in a National Assembly or National Conclave, having a quorum, called for that purpose. Notice of proposed amendments must be sent out to all members in good standing at least two-(2) months in advance, but no more than three-(3) months in advance. The notification must include the proposed amendments.*

The section is strengthened by providing a stronger two-thirds (2/3) vote by the total chapters (not just chapters who are present) to make amendments to the constitution and bylaws. Also advanced notification to members of the conduct of a meeting. It also prohibits a notification that is done more than three months in advance in an attempt to make members neglect the notification. Allowing advanced notification, but not too advanced provides control over this function.

## **Proposed Article**

### **Supervisory Committee**

To create a Supervisory Committee (SC) with the responsibility of: (1) making sure the NEC is doing its job with the best interest of the association in mind; (2) deliver a report to the members during National Assemblies and National Conclaves; and (3) conduct the election during National Assemblies. The creation of this committee allows for a system of check and balance within the association. The NEC's Auditor may serve as the Chairman of this committee.

*Section 1. There shall be a Supervisory Committee appointed by the National President, subject to Article VII Section 9 of this constitution and bylaws, and shall consist of not less than three members nor more than five members, one of whom may be the Auditor of the National Executive Committee.*

*Section 2. The Supervisory Committee shall make an annual audit and submit a report to the National Executive Committee. A summary version of the audit report shall be submitted to the general membership present at the association's National Assembly or National Conclave.*

*Section 3. For any violation of this constitution or bylaws, or any practice, action, or inaction deemed by the committee to be unsafe or unauthorized, the committee may, by a majority vote by its members present at a meeting called for this purpose, reprimand an officer of the association; or, by a unanimous vote by all its members, suspend, for no more than 180 days, or remove an officer of the association. In case of a removal, a special meeting of members shall be called not less than fourteen days nor more than twenty-one days after such removal, at which meeting any such removal shall be acted upon by the members by a vote of majority of those members present at the meeting. The officer, subject to removal, shall not be allowed to cast a vote, but shall be given reasonable time to present his side at the special meeting of members.*

*The Supervisory Committee may, by a majority vote by its members present, reprimand an officer of the association; or, by a unanimous vote by all its members, suspend or remove an officer of the association, for any violation of this constitution*

*and bylaws or any practice, action, or inaction that the Supervisory Committee deemed to be unsafe or unauthorized.*

*Section 4. Any member of the Supervisory Committee may be suspended or removed*

## About the Commentator

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Jay lee is an Eagle Scout and Wood Badge. He joined the Scouting Movement in 1992 and has served in various positions of office in both the Boy Scouts of the Philippines and the Boy Scouts of America. In the Philippines he has served as Senior Crew Leader, Assistant Outfit Advisor, Troop Leader, Institutional Advancement Committee Chair, member of the Council Board of Review, and District Member-at-Large. During his five year tenure as an adult leader in the Boy Scouts of the Philippines he has assisted in the advancement of several boys including 10 boys who were awarded the Eagle Scout. In the United States he has served as Assistant Scoutmaster, Scoutmaster, Troop Committee Member, and District Executive. He currently serves as Crew Committee Chair for Venturing Crew 120, Troop Committee Member for Scout Troop 211, and a District Committee Member of the Pacifica District, Los Angeles Area Council.

He has represented the Philippines in international Scouting events such as the 11<sup>th</sup> Nippon Scout Jamboree in 1994 and the World Scout Bureau's Educational Methods Group's WONDERForum in 2001. He was a leading organizer of the Philippine Centennial Village activity during the Philippine Centennial Scout Jamboree in 1998.

He is the founder and creator of the Merit Badge Center, Philippines and Scout Center Dot Net websites, both Scouting websites in the Philippines. The web site has been named twice as a Semi-Finalist and once a Finalist for the Philippine Web Awards, named as Yahoo! Asia's site of the week in 2003, received a Silver W3 Award from the International Academy of the Visual Arts in 2006, and received commendation from the Ten Outstanding Boy Scouts of the Philippines Association during its Governance Camp in 2007.

He engages in philanthropic activities such as volunteering for Habitat for Humanity, donating to various causes such as the St. Jude Children's Cancer Research Fund, Leukemia & Lymphoma Society, Torrance Police Officers' Association, Little Company of Mary Hospital's Mary Potter Program for Human Dignity, the Lasallian Legacy Fund, and Philippine Campus Crusade for Christ. As part of his Eagle Scout projects he organized Scouts to reclaim land used as a dumping site filled with garbage and broken glass and transformed it into a miniature garden and organized students of De La Salle University-Manila to serve as big brothers and sisters for a day at an orphanage facilitating a day of learning and fun. In 2009, his service to the community was recognized by the City of Carson, California.

He completed his Bachelor of Science degree in Computer Science in 2000 from De La Salle University-Manila and is a Certified Compliance Officer of the National Association of Federal Credit Unions. He is currently in his third year at the Western CUNA Management School in Pomona College. While in college he was active with Campus Crusade for Christ and served as its Administration Committee Chair. He was part of the organizing committee for two Leadership Training Conferences where he served as Chair of Food, Lodging, and Transportation Committee the first year and as Assistant Chairman of the organizing committee the following year. He served as Assistant Vice President for Academics for the Student Council of the College of Computer Studies of De La Salle University-Manila and he was a founding member of the Iron Works Club, a

student organization in De La Salle University-Manila aimed towards promoting physical fitness among its members.

He is currently the Operations, Technology, and Compliance Officer for Federal Credit Unions in the United States managing a combined asset of over \$100-Million and serves in consultative position for various credit unions throughout California. He is a member of the California Credit Union League's Credit Union Compliance Professionals and Future Leaders' Group, the Institute of Internal Auditors, and Fiserv's Product Advisory Group. He was recognized by the California Credit Union League in 2010 with the Tomorrow's Star Award and was nominated in 2011 to participate in the World Council of Credit Unions' (WOCCU) Young Credit Union People Program (WYCUP), an annual scholarship for credit union professionals and volunteers in the international credit union movement.