



# Rules of the House of Delegates



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## Article I - Preamble

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The House of Delegates of the College of American Pathologists is to provide representation of the membership of the various states, other geographic areas and special groups. The House of Delegates shall act as a forum representing members of the College of American Pathologists. It shall serve as the voice of member pathologists to the Board of Governors, College Councils, Commissions, and Committees. The House of Delegates shall solicit issues from the membership through Delegation Chairs, provide a forum to deliberate the issues, and send reports on the issues (action items) to the Board of Governors, College Councils, Commissions, and Committees. It shall receive reports of the activities of the Board of Governors, College Councils, Commissions, Committees and Action Groups, including reports on issues (action items) sent to the above groups. The House will report to the Board of Governors, College Councils, Commissions, Committees and Action Groups the effectiveness of these activities in meeting member needs. The House may initiate its own business and assume such other responsibilities as may be assigned by provisions in the Bylaws.

## Article II - Membership

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### Section I: Requirement for membership and terms of office

- (a) The House of Delegates shall be composed of Fellows of the College, elected, or appointed.
- (b) The election of Delegates shall be conducted every third year.
- (c) The terms of all Delegates elected from any geographic area or appointed to a federal service delegation (Army, Navy, Air Force, Public Health Service and Veterans Affairs) shall be three years. Delegates appointed to fill a vacant elective seat shall serve only the remaining portion of a term and the Delegate shall be eligible for re-election. Delegates shall represent only their federal service or the geographic entity of their principal office or residence. Upon relocation of the Delegate's principal office and/or residence to another state, district, territory, commonwealth or province, or separation from the federal service, the delegate's term shall move to their relocated delegation. If that delegation is filled, the delegate may remain seated in the delegation they are vacating until the end of their term or until an opening occurs in the waitlisted delegation, whichever occurs first.
- (d) Upon vacancy due to death, retirement, resignation, move from the area represented or separation from active federal service, the Speaker shall appoint a successor fulfilling the above requirements to complete the term.

### Section 2: Apportionment

- (a) The College of American Pathologists staff will conduct an annual census on January 1, of the number of Fellows of the College of American Pathologists in each state, district, territory, commonwealth, or province. The results of this census shall be certified to the Speaker and to the Secretary.
- (b) Each state, district, territory, commonwealth, or province shall be represented by one Delegate for each twenty-five fellows of the College or any fraction of that number. The exception is states, districts, territories, commonwealths, or provinces with fewer than 10 fellows of the College.



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These areas may be combined by the HOD steering committee. Each federal service shall be represented by two Delegates. States, districts, territories, commonwealths, or provinces with more than one Delegate may divide themselves into geographic areas with each Delegate elected to represent an area. Where there are a large number of members in a designated area, it may be necessary to have more than one Delegate represent that area. The Delegate must have their principal place of practice or residence in the delegation which they represent.

### Section 3: Reapportionment

Reapportionment of membership shall not deny to any Delegate, elected, or appointed to a term of office, the right to complete that term.

### Section 4: Nominations

- (a) All Fellows of the College in good standing shall have the opportunity to nominate themselves for election as a Delegate.
- (b) A list of all self-nominated Fellows from each geographic area will be forwarded to the pathology society of the appropriate state, district, territory, commonwealth, or province for their acknowledgement of the candidate(s). The society may nominate additional candidates for election as a Delegate. State society presidents may serve as ex officio members of their state society delegation, but only if they are members of the CAP. Candidates nominated by these societies must be vetted for CAP Fellow status and must accept the nomination. Non- CAP member candidates will be requested to complete membership requirements of the College of American Pathologists. Upon completion of membership requirements, the candidate will be considered for election as a Delegate
- (c) If there are no self-nominated candidates for a geographic area, and there is no properly organized or functioning pathology society in an area, the Speaker of the House shall directly nominate, or cause to be nominated, one or more Fellows of that geographic area.
- (d) The federal services shall be forwarded the names of any interested Fellows in their service and shall be invited to recommend candidates for appointment.
- (e) The Residents Forum shall be invited to nominate candidates for appointment of a Resident Delegate and Resident Alternate Delegate for a one-year term.

### Section 5: Nominations from other nations

Fellows in other nations shall have the right to organize and to nominate Delegates upon petition to the Board of Governors. When recognized, these national groups shall participate in elections and be entitled to proportional representation in a manner similar to states, districts, territories, commonwealths and provinces.

### Section 6: Voting for Delegates

Votes shall be cast by a secret ballot by Fellows practicing or residing in a geographic area. After nominations have been made, the headquarters office shall offer electronic voting to all eligible Fellows no later than twenty-eight weeks prior to the CAP's Annual Meeting. In accordance with the apportionment for each geographic area, those Delegates who receive the greatest number of votes shall be the elected Delegates for that area. If there are more candidates than available positions, those candidates will be placed on a waiting list.



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## Section 7: Delegation Chairs

In any state, district, territory, commonwealth, or province with more than one Delegate, a Delegation Chair shall be elected by vote of the members of the respective delegation. The respective delegation shall notify the national office of the College of the election results prior to the next Fall Meeting. The Chair of a Delegation will be responsible for seeing to the attendance of that Delegation and shall serve as the official contact between the Delegation and the College headquarters office.

## **Article III - Officers and Steering Committee**

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### Section 1: Speaker

The principal officer of the House of Delegates shall be the Speaker who will preside at meetings, maintain order and decorum, and appoint Committees/Action Groups of the House as set forth in these rules. The Speaker shall issue the official call for meetings. The Speaker, with the assistance of the Steering Committee, has the ultimate authority and responsibility for conducting House business in a thorough, effective, and efficient manner. It is the responsibility of the Speaker, with the assistance of the Steering Committee, to ensure that issues (action items) are addressed by the House, reports sent to the Board of Governors, College Councils, Commissions and Committees and reports back are received and presented to the House in a timely manner. The Speaker shall update Delegates on business of the House on an ongoing basis, as appropriate. The Speaker shall have the right to vote only in the case of a tie.

### Section 2: Vice Speaker

The Vice Speaker shall be an officer of the House and shall act as the principal officer of the House in the absence of the Speaker. The Vice Speaker shall assist in the duties of the Speaker and shall have the responsibility of overseeing the Delegation Chairs.

### Section 3: Secretary

The Secretary shall be an officer of the House, shall be responsible for assisting the Speaker and Vice Speaker as needed in all functions of the House of Delegates Steering Committee. The Secretary shall assume the duties and responsibilities of the Speaker until the elections if both the Speaker and the Vice Speaker offices are vacant.

### Section 4: Members-at-Large

Five Members-at-Large shall be members of the Steering Committee and serve as liaisons to various Councils and Action Groups, as assigned by the Speaker of the House. During meetings of the House, they shall assist the Speaker in maintaining order and in seeking members for a vote if a quorum is not present. They may be called upon to act as a credentials committee for the admission of Delegates to the floor of the House.

### Section 5: Steering Committee

- (a) A Steering Committee, composed of the officers of the House and five Members-at-Large, shall act as an executive committee, conducting House business during the interval between House meetings.
- (b) The Speaker shall serve as Chair of this Committee.
- (c) The Steering Committee shall assist in preparing the agenda and in carrying out the activities of



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the House. It shall meet prior to each general meeting of the House and may meet at any time on the call of the Speaker.

- (d) The immediate Past Speaker of the House shall serve on the HOD Steering Committee as an advisor for one year immediately following his/her term as Speaker.

### Section 6: Term of Office

The Speaker, Vice Speaker, Secretary, and the five Members-at-Large of the Steering Committee shall be elected for a term of two years, in even numbered years, at the Fall Meeting of the House and in the manner provided for in these rules. Only duly-qualified Delegates may serve as officers and Steering Committee members. Members of the Steering Committee shall be eligible for re-election. The tenure of each office shall be no more than two (2) full terms. Appointment for election to a partial term of office shall not be a consideration of such tenure.

### Section 7: Succession

- (a) If the Speaker dies, resigns, is removed from office or is otherwise unable to serve, the Vice Speaker shall assume the office, responsibilities, and duties of the Speaker and serve for the remainder of the unexpired term. If any other officer of the House dies, resigns, is removed from office or is otherwise unable to serve, a successor shall be appointed by the Speaker from the elected members of the Steering Committee to serve for the remainder of the unexpired term. Vacancies occurring in the position of Member-at-Large to the Steering Committee shall be filled by appointment by the Speaker for the duration of term.
- (b) If the offices of the Speaker and Vice Speaker are simultaneously vacant, the Secretary of the House shall assume the office, duties and responsibilities of the Speaker. At the next meeting of the House of Delegates, the unexpired terms of the Speaker and the Vice Speaker shall be filled by election or special election as appropriate.
- (c) In the event of the simultaneous vacancies of the offices of Speaker, Vice Speaker and Secretary, the President of the College of American Pathologists shall appoint a temporary presiding officer from the remaining members of the Steering Committee, to conduct the business of the House until such vacancies are filled by election or special election as appropriate.

## **Article IV - Elections**

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### Section 1: House of Delegate Nominating Committee Charge

- (a) The House of Delegates (HOD) Nominating Committee will review and recommend candidates who have applied to be elected to the HOD Steering Committee. This body shall recommend a slate of candidates that seeks to balance representation within the HOD considering, for example, geographic location, practice setting, subspecialty, and history of active participation within HOD functions and deliberations.
- (b) During the 4th quarter in odd-numbered years, the Immediate Past Speaker shall appoint a Nominating Committee, including a Nominating Committee Chair, to serve until the HOD Steering Committee elections are held.
- (c) The Nominating Committee shall be composed of five (5) Delegates who will consider candidates,



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as prescribed in the standard operating procedures (SOP) documents for vacancies in the House of Delegates Steering Committee.

### Section 2: Installation

- (a) Upon the determination of the elected candidates for office, the Speaker shall present the newly-elected officers and Members-at-Large of the Steering Committee to the House.
- (b) The term of office of those elected shall begin at the time of adjournment of the Fall Meeting of the House.
- (c) In the event of a special election, the term of office of those elected will begin upon election and will continue until the next regularly scheduled election.

### Section 3: Special Election

- (a) A special election to elect a Speaker and Vice Speaker shall be held at the next regularly scheduled House of Delegates meeting if both offices become simultaneously vacant and if no regularly prescribed election has been scheduled. The nominees for each office shall be named by the Nominating Committee, appointed in conformity with Article IV, Section 1.
- (b) Should such vacancies occur between regularly scheduled meetings of the House of Delegates, notification of such special election shall be in conformity with Article IV, Section 1. If such simultaneous vacancies occur within thirty (30) days of the next regularly scheduled House of Delegates meeting or during the House of Delegates meeting, the requirement for thirty (30) days advance notice by the nominating committee shall be waived provided the House is given the maximum notification practical.

### Section 4: House of Delegates Election Oversight Committee Charge

- (a) The House of Delegates (HOD) Election Oversight Committee (EOC) oversees HOD Steering Committee elections. This body shall ensure a fair and efficient election process, fairly adjudicate run-offs and special elections, and shall recommend changes in election procedures, as needed. The committee will review and approve the ballot prior to release for use. The EOC Chair shall notify the HOD Speaker of election results and receive any appeals relating to irregularities in the election process. The EOC Chair will be selected by consultation between the 1) Speaker (if they are not running for re-election) OR Immediate Past Speaker (if current speaker is running for re-election), and Nominating Committee Chair. The EOC Chair should either have served on a previous EOC, Nominating Committee or Rules AG or is experienced in the HOD and knows the HOD Rules. At least 2 additional members should be included in the EOC, including a Steering Committee (SC) Advisor, if there is a current SC member not running in the election.

### Section 5: Voting

- (a) The voting process for HOD Steering Committee positions will occur prior to the Fall meeting, using an electronic format that is accessible to all Delegates in good standing. Voting shall be timed such that results are final three weeks prior to the Fall meeting

## **Article V - Procedure of Meetings**

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### Section I: Meetings

- (a) The House of Delegates shall meet in conjunction with the Stated Annual Meeting of the College of American Pathologists and may hold a second meeting during spring each year. Meetings of





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the House shall be open to all CAP members. However, the House may hold executive sessions.

- (b) The House of Delegates may be called for special meetings by the Speaker.
- (c) Upon petition of thirty members of the House, the Speaker shall notify the Board of Governors and shall call a special meeting of the House within a period of sixty days, said meeting to be held by interactive technology or in the same general area in which the headquarters office of the College of American Pathologists is located.
- (d) The purpose and agenda of such special meetings shall be submitted with the call.

### Section 2: Registration

- (a) Before being seated at any session, each Delegate shall present credentials and be recognized by the Credentials Committee.
- (b) Only duly elected Delegates may be seated at any session of the House of Delegates unless the Chief Executive Officer of the College has been given due notice by the Chair of said delegation, of emergency substitution at that assembly, seven (7) days prior to the meeting. Only Fellows of the College are eligible for such emergency substitution. In the event that the Delegate or Alternate from the Residents Forum is not able to participate in a given meeting, the Residents Forum Executive Committee may designate an appropriate replacement from among the Junior Members in accordance with the above procedure.
- (c) If a Delegate's seat is not filled by the Delegate for two consecutive meetings, the Speaker shall declare the position vacant and fill the vacancy by appointing a Fellow of the College under the provision of Article II, Section 1 (d).

### Section 3: Order of business

The official order of business of the House will be published prior to the House meeting.

### Section 4: Quorum

Representation at the meeting by a majority of current delegations shall constitute a quorum.

### Section 5: Vote

Unless otherwise specified in these rules, all questions proposed for consideration by members of the House of Delegates shall be determined by a majority of votes of those present and eligible to vote. Unless a matter is determined by ballot, a declaration by the presiding officer that an action item has been carried shall be sufficient evidence of the fact.

### Section 6: Privileges of officers and governors of the College

Current Officers and Governors of the College shall have all privileges of the House but may not serve as Delegates, vote, hold office or serve on House committees.

### Section 7: Disposition of action

All action items and reports of the House of Delegates shall be presented by the Speaker to the Board of Governors at its next regular meeting. If a Speaker is unable to act, the Vice Speaker or Secretary shall carry out this duty.



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## Section 8: Rules of order

- (a) The House of Delegates shall be guided in its actions by the Constitution and Bylaws of the College of American Pathologists and these rules of the House of Delegates.
- (b) When not in conflict with these rules or the Constitution and Bylaws of the College, the standard for parliamentary procedure accepted by the College shall govern the conduct of the meetings of the House. The Speaker reserves the right to accept a motion to dismiss parliamentary procedure for meetings of the House.

## **Article VI - Business of the House of Delegates**

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### Section 1: Action Items

- (a) Action Items may be submitted by any Delegate or member of the Board of Governors. It is the responsibility of the Delegation Chairs to solicit constituent member pathologists for issues (action items) prior to the Spring meeting of the House of Delegates. The manner in which this is accomplished is at the discretion of the Delegation Chair and may be done electronically or otherwise. The Speaker will solicit issues (action items) from each Delegation Chair prior to the Spring House meeting. The manner in which this is accomplished is at the discretion of the Speaker. These issues (action items) will be reviewed by the Speaker and the House Steering Committee and compiled as part of the House agenda.
- (b) The Action Item must be in written form and must be in the hands of the Speaker or submitted to the Chief Executive Officer of the College not later than the published deadline three weeks prior to the House meeting.
- (c) The Steering Committee will review all action items submitted later than the published deadline to determine whether they shall be presented to the House. Late action items will be referred for consideration by the House only when they are:
  - 1. accepted by two-thirds consent, or
  - 2. of an urgent nature, or
  - 3. submitted by the Board of Governors, or
  - 4. submitted by the Residents Forum.

### Section 2: Committees/Action Groups

The Speaker reserves the right to appoint HOD Committees/Action Groups as appropriate to address a specific issue of business. Committees/Action Groups are composed of Delegates selected by the Speaker to meet by teleconference between meetings or conduct open hearings on matters of business of the House.

### Section 3: Other Committees/Action Groups

The Speaker may appoint such additional Committees/Action Groups as are needed from time to time to conduct the business of the House.

### Section 4: Reports of Action Items

Reports of all action items of the House of Delegates are sent to the Board of Governors and to College Councils, Commissions and Committees as appropriate. The House of Delegates will receive a report back on all action items sent no later than the next meeting of the House. The



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House may request a report back at a finite time prior to the next House meeting, provided that the requested time is congruent with internal CAP scheduling.

## **Article VII - Amendments**

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### Section 1 : Amendments

During the first quarter following House office elections, these rules will be reviewed. These rules may be amended on the approval of two-thirds of the members of the House, provided that written notice of the proposed changes is given to Delegates at least thirty days prior to voting. Votes may be cast electronically or by other method as appropriate at the discretion of the Speaker.