

## BOY SCOUTS OF AMERICA

### RESOLUTION

WHEREAS, the current Bylaws and Rules and Regulations of the Boy Scouts of America do not allow for the endorsement of any commercial products or services; and

WHEREAS, it is in the best interests of the Boy Scouts of America to pursue Corporate Sponsorships to promote, fund and support Scouting; and

WHEREAS, it is a common and accepted practice that Corporate Sponsorships typically include an obligation to promote and endorse – whether passively or actively – the products and/or services of Corporate Sponsors; and

WHEREAS, a Commercialism Task Force was authorized by the Finance Impact Support Committee to study and make recommendations regarding several fundraising issues, including national sponsorships and the widespread sale of “camp cards” by councils; and

WHEREAS, said Commercialism Task Force recognized that the use of discount or complimentary commercial coupons is not an approved fund-raising method in the Boy Scouts of America and that the use of such coupons signifies a passive endorsement of the product and the BSA prohibits commercial endorsements; and

WHEREAS, the Commercialism Task Force recommends a revised policy that allows the sale of discount or complimentary commercial coupons by a local council Executive Board on an annual basis as a fund-raising program provided that (a) they are secured from a vendor with a BSA licensing agreement; (b) there is no implication of direct financial benefit to the seller; and (c) that the advertisers reflect the values of the BSA and there is not an endorsement of the advertiser;

NOW THEREFORE, it is hereby

RESOLVED, that the Bylaws of the Boy Scouts of America be, and hereby are, amended as follows:

**Article I, section 3 is revised** as follows:

The heading of said section shall now read: **SEAL; DESIGNATING MARKS**

The currently existing language regarding the seal of the Corporation shall be designated as Clause 1. The following language is added as a new Clause 2:

In accordance with provisions of the Charter, the Corporation shall establish and maintain policies to regulate the use of the seal and all other emblems and badges, descriptive and designating marks, and words or phrases associated with or referring to the Boy Scouts of America or of any of its affiliates. Such policies may permit the use of Boy Scouts of America

designating marks by third parties as long as such uses are (i) consistent with the values and purpose of the Corporation, and (ii) pursuant to a written agreement between the user and the Corporation. Administration of such policies is the responsibility of the Chief Scout Executive, who may delegate such duties to an officer or employee of the Corporation.

**Article VI, section 5 is revised** by adding the following language as a new paragraph in Clause 5 and renumber the current Clause 5 as Clause 6

Every local council shall adhere to the policies established by the Corporation regarding the use of the seal and all other emblems and badges, descriptive and designating marks, and words or phrases associated with or referring to the Boy Scouts of America, or any of its affiliates. No local council, including its employees or Scouting volunteers, may authorize any third party to trade on the goodwill and reputation of the Boy Scouts of America.

**Article XI, section 1, clause 2 is** to read:

*Clause 2.* Contributions shall be solicited in the name of the Boy Scouts of America only through or by the authority of the Corporation, and shall be limited to the National Council or chartered local councils, in accordance with these Bylaws and Rules and Regulations of the Corporation. Youth members shall not be permitted to serve as solicitors for charter organizations, for the local council, for the National council, for Corporate Sponsors, or in support of other organizations. Adult members and youth members shall not be permitted to serve as solicitors in support of personal or unit participation in local, national or international events.

**Article XI, section 1, clauses 3, 4, and 5 shall be renumbered as clauses 4, 5, and 6, respectively, and a new Clause 3 with the heading of FUNDRAISING inserted that reads:**

### **Fundraising**

*Clause 3.* Youth members may sell products as part of an approved fundraising project if (i) the nature of the product is consistent with the values and purpose of the Corporation; (ii) the value of the product is commensurate with the price at which it is offered; and (iii) it is in accordance with the Bylaws and Rules and Regulations of the Corporation. Furthermore, any product that is sold or offered for sale as a part of an approved fundraising project and bears any emblems, logos, brands, or other designating marks associated with the Boy Scouts of America must be manufactured by a BSA licensee authorized by the Corporation to use such designating marks in that manner on those specific products. No youth member shall engage in such sales of products for more than 12 total weeks during any one 12-month period.

IT IS FURTHER RESOLVED, that the Rules and Regulations of the Boy Scouts of America be, and hereby are, revised as follows:

**Article IX, Section 2, Clause 5 (b) of the Rules and Regulations is revised** by deleting the last two lines so that it ends with “as established by the National Council, Boy Scouts of America.”

**Article IX, Section 2, Clause 7 of the Rules and Regulations is revised to read:**

- (a) No member of the Boy Scouts of America, chartered unit, chartered organization, chartered local council, or any officer or representative of the Boy Scouts of America shall have the right to enter into a contract or relationship of a commercial character directly involving or obligating the National Council, Boy Scouts of America, or that uses the seal, emblems, badges, descriptive and designating marks, or words or phrases associated with or referring to the Boy Scouts of America unless duly authorized by the national Executive Board.
  
- (b) 1. A local council may not grant permission, whether verbally or in writing, to any third party for the use of any logo, insignia, terms in common usage, or descriptive marks relating to Scouting unless that third party is at that time authorized in writing by the National Council to use the designating marks in the manner requested by the local council. Any use of a Boy Scouts of America designating mark by a local council must avoid appearing to be an endorsement of any commercial product or venture except for Corporate Sponsorships entered into by the National Council, Boy Scouts of America.  
  
2. No member of the Boy Scouts of America, chartered unit, or chartered organization shall have the right to use any logo, insignia, terms in common usage, or descriptive marks relating to Scouting for any commercial purpose, without the express written authorization of the National Council to use the designating marks in the manner requested.
  
- (c) Subject to these Rules and Regulations and the Bylaws of the Boy Scouts of America, chartered organizations, unit leaders, or youth members shall not be restricted from earning money to participate in Scouting, provided that all approved procedures for doing so are followed, including prior approval by the governing local council.