

By-laws Questionnaire: Issues For Decision

Part One: Purpose

A What is the purpose of your organization?

- Many and various (i.e. to promote health and safety, improve education, quality of life, etc.)
- Single purpose (i.e. to develop and maintain a neighborhood park) Nonprofit
- For profit

(Suggestion: As you think about the purpose of your organization, also think about your boundaries. The issues the group plans to work on should be included within the organization's boundaries including parks, businesses, schools, drainage ways, etc.)

Part Two: Membership

A. Who is going to be a part of your organization?

- Homeowners
- Renters
- Property Owners
- Businesses. Community Institutions
- Anyone Interested (non-resident, non-owner) All of the above

(Suggestion: Think about including renters, homeowners, property owners, large and small businesses, churches, and community groups in your membership. A variety of members helps build partnerships and a self-reliant organization. If you define too small of a group, you may lack the people and resources to do the day-to-day work of the organization.)

B. Will your organization have different categories of membership? Which categories?

- Residents (homeowners and renters)
- Owners (non-residents)
- Businesses, Community Institutions
- Anyone Interested

C. What are the responsibilities of each category of membership?

- Voting
- Holding Office/Serving on the Board
- Serving on Committees
- Speaking on the floor
- All of the above

- D. How does one become a member?
 Paying a fee
 Signing a card
 Writing a letter and receiving confirmation by the current members
 Other
- E. How will dues be set?
 Describe amount of dues in by-laws
 Allow Board to set the dues
 Allow members to set the dues
(Decide if you want different dues for each category of membership. Also think about whether the organization will waive dues for certain members.)
- F. How long can one stay a member?
 As long as dues are paid. (how will you collect dues?)
 Removal for cause.
 Other
- G. What powers do members have?
 Run the organization.
 Provide input to the Board.
 Elect Board, decide major issues
 Other
- H. How often should you meet?
 Once a month
 Once every other month
 Other
- I. Who may call membership meetings?
 Any member
 Designate one person who can call meetings. Name:
 Board of Directors Other
- J. Who organizes the meetings?
 Same person who called the meeting. Other
- J. How will meetings be called?
 Time, location set in by-laws.
 Notified by flyer/newsletter
 Posted at school/business marquee
 All of the above

L. How many members should be present at a meeting to hold a vote?

- At least 75%
- Over half (51%)
- At least 25%
- Doesn't matter. Other

M. How many votes are necessary to pass a decision?

- 75% of the members present
- Over 50% of members present
- Other

N. Can members vote if they do not attend the meeting?

- Yes
- No
- Other

O. How soon after becoming a member, can the new member vote?

- Immediately
- The meeting after becoming a member Other

Part Three: Board of Directors

A. How many people can serve on the board of directors at one time? Pick any number above three.

(Best to have between 9-19. Keep in mind your officers often make up the core of your Board.)

B. How will you pick Board of Directors?

- Nomination and election by individual members
- Nominating committee, election by individual members
- Nomination by committee, additional candidates may be nominated by members; election by individual members
- Other

C. How long will Board Members serve?

- One Year
- Two Years Three Years

D. Election Options

- Staggering (replacing only part of the Board at each election)
- Vote on an entirely new board at each election
- Other

(Suggestion: staggering elections maintains stability)

D. May board members be re-elected?

Yes, to an indefinite number of terms.

Yes, but for a limited number of terms. (How many? ___)

E. May Board members be removed from the Board of Directors before their terms are over?

Yes

No

If Yes, for what reasons:

How should they be removed?

F. If a Board member resigns or is removed, then how will they be replaced?

Special election to finish the term.

Replace with the runner-up candidate for that position.

Board appointment. Other

H. How often will the Board meet?

I. How will meetings of the Board of Directors be called?

By telephone

By written notice (including mail) Other

K. Who can call the Board meetings?

Only the President

Any Board member Other

K. May the Board take action without a meeting if it obtains written permission by all Board Members?
(i.e. by telephone, etc.)

Yes

No

L. How many Board Directors must be present at a meeting in order for a vote to take place?

75%

50%

25%

Other

L. Is a simple majority of the Board of Directors sufficient to pass a decision?
 Yes
 No

M. Will your organization have standing committees?
 Fundraising
 Membership Environment
 Planning Other

O. Can the Board of Directors appoint special committees?
 Yes
 No

Part Four: Organization Officers

A. What Officers will the organization have? (Check all applicable categories)

President
 Vice-President (President Elect)
 Treasurer
 Secretary
 Past President
 Youth Liaison
 Other

B. How will these officers be elected?
 Elected by the Board of Directors
 Elected by Members
 Other

C. What powers does the President have?

D. What powers does the Vice-President/President Elect have?

E. What powers does the Treasurer have?

F. What powers does the Secretary have?

G. What powers does the Past President have?

H. What powers does the Youth-Liaison have?

Part Five: Making Changes to the By-Laws

Once your group has adopted the by-laws, you must abide by them until they are changed. Therefore, your group should include the procedures necessary to make changes in the by-laws.

A. Who can change the by-laws?

_____ Board of Directors

_____ Officers

_____ Membership

_____ Other

B. How many votes will be necessary to make the by-law changes?

_____ 75% of votes

_____ 51% of votes Other

(Suggestion: Your group may want to make this number higher in order to maintain consistency. A small number of voters will allow the by-laws to be changed easily.)

Adapted from By-laws for Youth Organizations, St. Mary's University School of Law, Community Development Clinic and By-laws: A Guide for New York Not-for-Profit Organizations and their Lawyers, Council of New York Law Associates