

BIG PICTURE TRACK

Affiliate Group Bylaws

(Mensa 101)

Learning Objectives:

After a presentation and group discussion, each participant will be able to:

1. Give the reason for having bylaws and list the two groups which must approve bylaws,
 2. Compare the pros and cons of using the Model Bylaws to not using them when creating a group's bylaws,
 3. List three things that should not be included in bylaws,
 4. Explain the difference between bylaws and ASIE Standing Orders,
 5. List who should have a copy of the bylaws and why,
 6. List the pros and cons of incorporation,
 7. Understand the basic steps to incorporation.
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Objective 1: Give the reason for having bylaws and list the two groups which must approve bylaws.

A local group must have bylaws to exist within Mensa. The Model Bylaws are an easy way to meet this need because they have already been approved, so little review is required. To be enacted or changed, bylaws must first be approved by the AMC Bylaws Committee and then by the local group membership via referendum. The AMC Bylaws Committee, in order to approve bylaws, looks for compliance with the Minimum Standard Bylaws, as well as issues, which are unclear or just seem to violate good practice.

Objective 2: Compare the pros and cons of using the Model Bylaws to not using them when creating a group's bylaws.

Distribute and briefly review the Minimum Standard Bylaws and Model Bylaws. Tell them they are available from the AML Web site, the National Office, or the Bylaws Committee chair. Describe the choices that a local group must make if they use the Model Bylaws or if they do not use the Model Bylaws. These include whether to have a parliamentary system, where the top vote getters are elected to the ExCOMM and they then elect a LocSec, assistant LocSec, and other officers from amongst themselves; and the other system, where individuals run for specific offices on the ExCOMM. Mention what steps a group would take in order to upgrade their bylaws. Recommended improvements to bylaws are proposed by the ExCOMM, a committee appointed by the ExCOMM, or by individuals. These changes must be officially proposed in accordance with procedures in the existing bylaws. The AMC Bylaws Committee is required to verify that the proposed bylaws, in their entirety, comply with the Minimum Standard Bylaws, so the local ExCOMM would be wise to refer any suggested changes to a committee for general review.

Objective 3: List three things that should not be included in bylaws.

Provide examples of things that should NOT be included in bylaws, i.e., newsletter name, meeting times and places or procedures that need to be easily changed. The reason is that it takes six months or more to change the bylaws, and something like a meeting time which changes frequently cannot wait that six months.

Objective 4: Explain the difference between bylaws and ASIE Standing Orders.

Explain the difference between bylaws and ASIE Standing Orders. Bylaws cannot be changed or waived by the ExCOMM; whereas ASIEs (Actions Still in Effect or Standing Orders) can be changed or waived by the ExCOMM at any time.

Objective 5: List who should have a copy of the bylaws and why.

All officers should be given a copy at the first business meeting and someone should have a copy available at all business meetings. Many groups give copies to all new members. Groups must follow and maintain their bylaws. If a group doesn't then the group's funding may be withheld, or the group may even be dissolved. It is not unusual for one or more groups to be dissolved each year, though generally their problems are larger than just failure to follow their bylaws.

Objective 6: List the pros and cons of incorporation.

The pros and cons of being separately incorporated are

- Pro — donations may be tax exempt, depending on whether or not the corporation can obtain 501(c)(3) (non-profit charity) status; American Mensa Limited and many incorporated groups are 501(c)(4) (not-for-profit membership organizations).
- Con — expensive to create and maintain paperwork, confusing inter-relationships, legal issues and probable removal of the group from umbrella American Mensa insurance. A number of incorporated local groups have had to give up their incorporated status recently, primarily because of failure to maintain the necessary paperwork with their state agencies. AML also will generally not provide legal assistance in such cases.

Because of the legal issues, and the necessity to maintain the necessary filings with state agencies, and the fact that the Mensa Education and Research Foundation is now set up to handle tax-deductible scholarship programs, the AMC has passed a policy that local groups may not become incorporated without specific permission from the AMC. That permission will not be easy to get.

Objective 7: Understand the basic steps to incorporation.