



அட்லாண்டா மாநகரத் தமிழ் சங்கம்
Greater Atlanta Tamil Sangam

a non-profit, 501(c)(3) tax-exempt organization
(Federal Tax ID: 56-2305795)

Presentation level
Review of
GATS By-laws

Disclaimer

- The presentation to follow are excerpts of the GATS By-laws with significant points by each section. The slides do not cover all aspects of the GATS By-laws. Sentences are added or deleted for educational purpose and clarity.
- Complete Constitution and By-laws documents in their entirety can be found at GATS web site at links below:

www.gatamilsangam.org/images/constitution.pdf

www.gatamilsangam.org/images/bylaw.pdf

GATS is a Non profit, tax-exempt 501(c)(3) member supported volunteer organization.

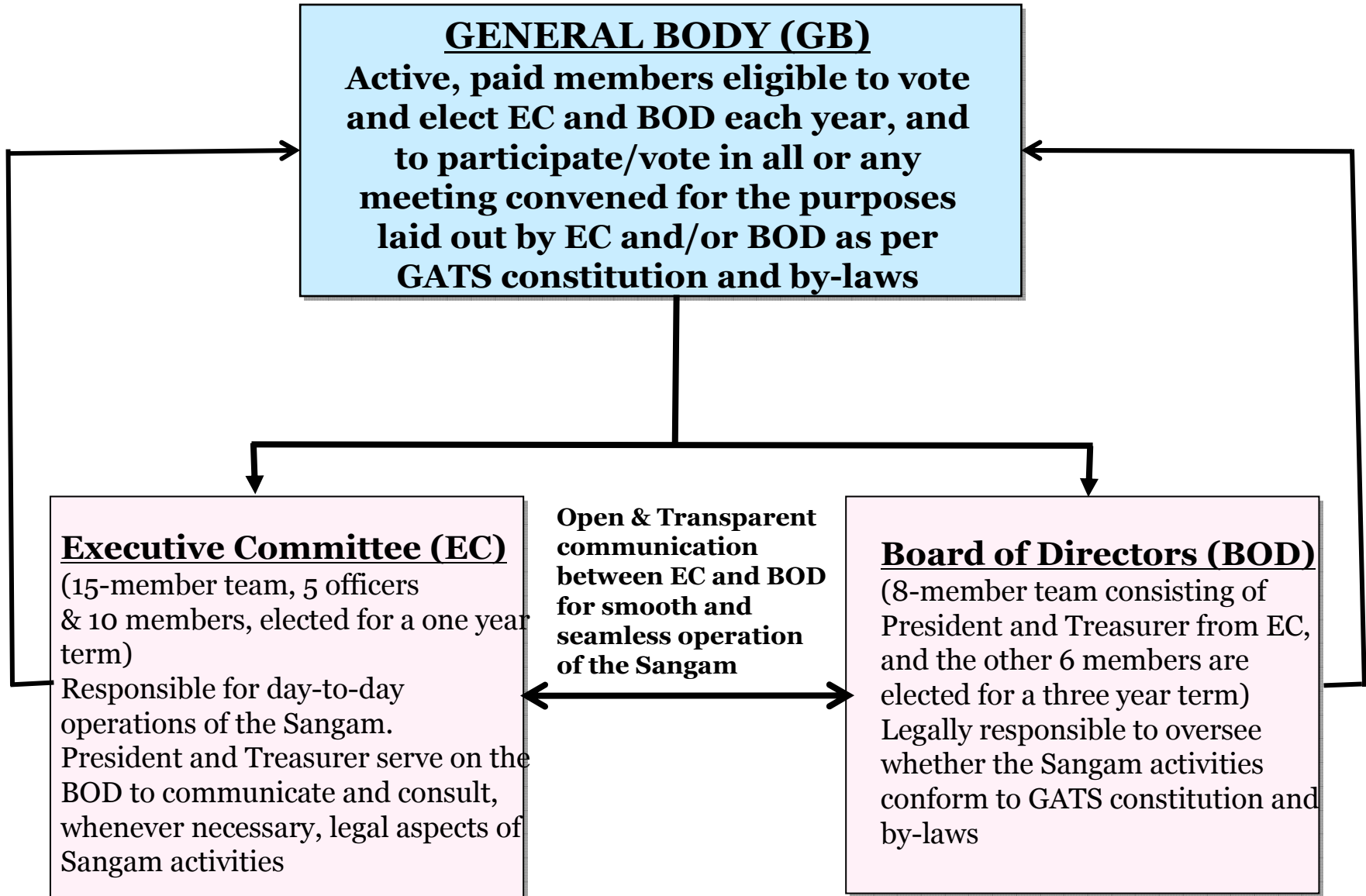
What laws govern GATS?

- Federal Laws
- GA State Laws
- GATS By-laws

GATS By-laws History

- Initial Constitution and By-laws written when Georgia Tamil Association (GTA) was formed in 1981
- Name changed to Georgia Tamil Sangam (GTS) in 1987 and registered as non-profit organization
- GTS members formed Greater Atlanta Tamil Sangam (GATS) in 2002
- A new version of GATS Constitution and By-laws adopted Dec. 2002
- GATS awarded tax-exempt status by IRS in 2004
- GATS Cash and Assets kept growing, necessitating strict guidelines
- Significant by-laws revision started in 2005 and culminated in 2007
- GATS was incorporated with State of GA in March 2007
- Current version of by-laws adopted Nov. 17 2007
- The By-laws and Constitution are filed with the Secretary of State GA and IRS

GATS Organizational Structure



By-law I

Nature of the Organization

(Sections 1 – 12)

- GATS is member-based, non-profit, tax-exempt 501(c) (3), cultural/charitable organization, incorporated under the laws of the State of Georgia and US, conforming to Article 3 of the constitution
- Sangam shall be non-political conforming to Article 4 of the constitution
- Members and officers of the Sangam shall not be held personally responsible or liable in any lawsuit against the Sangam.
- Membership types and fees
- Rules and Laws
- Governance

By-law II
Administration/Management
by Executive Committee (EC)
(Sections 1 – 12)

- All members of EC are independently responsible and have equal voting power
- Meetings and Quorum
- Approval by majority voting and protection of minority interests
- Vacancies in EC – how to fill
- General Body Meeting (GBM)

By-law III
Duties of the EC and Officers
(Sections 1 – 12)

- Responsible for all same-year and operational issues
- Responsible for all sub-committees with nominated members
- Membership + cultural/educational/charitable activities
- EC-BOD interface

By-law III

Duties of the EC and Officers (Cont'd)

The President shall be the spokesperson for the Sangam

The Vice-President shall perform all the duties of the President whenever the President is absent. If the President is present, the Vice-President shall assist the President

The Secretary of the Sangam shall record the proceedings of all the meetings of the EC; present reports on the activities of the EC; shall keep a record of the Sangam's all official correspondence; shall hold and preserve all office records, registers, books and papers of the current year and archives, etc.

Treasurer shall collect all dues, contributions, donations and receive all monies belonging to the Sangam, depositing the same in the Sangam bank accounts, pay all bills due, responsible to file tax returns for Sangam, etc. Treasurer shall present the final report for the calendar year served at the subsequent year's GBM in April-May time frame.

Communication Director is in-charge of GATS communication activities. He/She is, upon request of the BoD, EC and other subcommittees, responsible for communicating to the general body and GATS subcommittees and vice versa.

By-law IV
Election and General Body
Voting Procedures
(Sections 1 – 11)

- BoD shall be responsible to conduct elections for all Board and Executive positions
- BoD shall appoint a 3-member Election Committee to conduct the Sangam's elections
- The 3 members shall select one among them to be the Chief Election Officer
- Call for nominations for all eligible positions shall be made 30 days prior to the date of elections
- Election Committee shall be responsible to determine validity of the nominations as per the required qualifications to serve

By-law IV (cont'd)

Election and General Body Voting Procedures

- Equal accessibility for all candidates for campaigning
- All paid members as of Sept. 01 of the current year are eligible to vote
- Elections shall be held once every year between October 01 and November 15
- By-laws orientation for elected officers, directors and EC members
- Term of the Election Committee end with closure package to the BoD

By-law V
Board of Directors (BOD)
(Sections 1 – 10)

- Comprised of 8 members
 - 6 elected members + President+Treasurer
 - Chairman elected by the BoD members
- Three year term for elected members
- Two new BoD members elected each year
- Min two BoD meetings each year

By-law V BoD (cont'd)

Responsibilities

- Ensure Sangam officers adhere to the by-laws
- Fiscal responsibility
 - All transactions over \$5000 needs BoD approval
 - All disbursements for charity needs BoD approval
 - Filing tax returns
 - Right to appoint a committee to audit the financial records

By-law V BoD (cont'd)

Responsibilities

- Appoint Election committee
- Transition from one EC to another
- Can establish task based sub-committees
- Responsible to ensure the Sangam operates within the framework of the articles of incorporation (Constitution)

By-law VI

Banking procedures

(Sections 1 – 8)

- Operations Account
- Endowment Fund Account
- Charitable Trust Account
- Handling of surplus money
- Treasurer and President are check signing authority
- Checks over \$500 requires both signatures
- List of GATS assets, liabilities and financial statements shall be published in annual membership directory
- GATS shall not borrow or incur debt under any circumstances, unless approved unanimously by all members of the BoD and approved by a majority of members in a General Body meeting.

By-law VII

Subcommittees with defined tasks

(Sections 1 – 5)

- Subcommittee structure
 - All subcommittees operate under the EC with finances provided by EC
 - Total membership in a subcommittee is 9, with 6 non-EC or BoD members, 1 EC member, 1 BoD member and President or VP as non-voting ex-officio member
 - If the subgroups generate money, the surplus will go to the general fund. If a donation is made specifically to a subgroup and the cause is defined by the donor, GATS has to spend it accordingly.
- Charity subcommittee
- Tamil Education subcommittee
- Technology subcommittee
- MinnEdu subcommittee
- Youth subcommittee
 - Invitation to join youth forum should be announced 2 weeks before annual election. Youth forum members elect a youth representative and approved by general body during annual EC election. Youth representative will serve in EC as ex-officio member. Forum will be supervised by an EC member.

By-law VIII

Transition and other items

(Sections 1 – 11)

- All transitions to new EC and subcommittees should be completed within 7 days of expiration of outgoing EC's term.
- Terms: Jan 1 to Dec 31st of a year
- BoD shall oversee transition procedure from outgoing EC to incoming EC to include:
 - Media Communications
 - Tax Filing Documents
 - Web site renewal and ownership information
 - Email group management authority
 - Member address list and confidential email list database
 - All assets

By-law VIII (cont'd)

Transition and other items

- Contracts that are multi-year are subject to approval by BoD and must be signed by Chairman of BoD and President
- All protected information (eg. members listing) are property of the Sangam. No one should sell, trade, exchange or utilize in any other manner for personal or third party gains
- Office holders of GATS shall avoid conflicts of interest in carrying out their responsibilities.

By-law IX
Conflict resolution and
Grievance handling
(Sections 1 – 4)

Section 1: Process to handle member grievances

Section 2. Recall or removal of elected officials (EC and BOD)

Section 3: Suspension of Membership

Section 4: Conflict-resolution procedure for issues within
Executive Committee

By-law IX (cont'd)

Section 1: Process to handle member grievances

Complainant or Aggrieved Party: Member

Complainee: A member or office-holder (member of EC, Subcommittees, or BOD)

Resolving Authority: the Board of Directors or Chairman of BOD, Executive Committee or President, or the General Body of members in a General Body Meeting

Advisory Committee: 1 or more members, Appointed by the Resolving Authority

By-law IX (cont'd)

Nature of complaints

Complaint: Sangam's Articles of Incorporation, Bylaws, Provisions of local, state and federal laws pertaining to Sangam, Sangam's finances or financial status, and other Sangam issues that span multiple years

Resolving Authority: Board of Directors

Approach: Chairman of BOD and/or entire board.

Complaints against the Chairman shall be addressed to all Directors.

Complaint: Operational issues (EC, subcommittees, ad-hoc committees formed by EC, and members of all these committees)

Resolving Authority: President and/or entire EC (Complaints against the President shall be addressed to the Vice President and all members of EC)

Approach: President and/or entire EC

By-law IX (cont'd)

Section 2: Recall or removal of elected officials (EC and BOD)

a) Recall of Officers, Directors or EC members any EC or BOD member:

To initiate the process, Signature required, 25% of the General Body

b) Appointment of independent committee

EC and/or BOD appoints investigative body

c) Analysis of the report

Report Submission, analysis and further action by EC and/or BOD

d) GBM Meeting

15 day notice to convene GB, 2/3rd of the members assembled need to vote removal

e) Disbarment from Sangam

Duration of forfeiture of membership by GB recommendation

Section 3: Suspension of Membership

Section 4: Conflict-resolution procedure for issues within Executive Committee

By-law X

Amendments

(Sections 1 – 3)

- Amendments to by-laws and Articles of Incorporation can be proposed by any member in good standing.
- All amendments shall be submitted in writing to the Chairman of BOD so as to enable him/her to circulate it and the details of the meeting among membership at least 30 days in advance.
- All amendments must be approved by a majority of the EC or BOD or at least 15% of members in good standing before being placed before the general body.
- Amendments placed before general body requires 2/3 majority with 20% of eligible members for quorum.
- Any amendments to the by-laws cannot be brought up before the general body in the first month of the calendar year.

By-law XI

Rights of Members

- Right to information about meetings
- Request to attend EC and BoD meetings
 - Maybe be restricted to 5 Members
- Right to Call General Body Meetings – As Specified
- Participate in Election and Vote
- Right to Meeting Minutes
- Sangam Directory

Summary

- Q&A
- Discussions
- Please submit suggestions and/or questions to EC or BOD on any aspect of the constitution and bylaws by visiting Sangam website:
www.gatamilsangam.org and send e-mail to contact@gatamilsangam.org .