

**To:** Local Chapter \_\_\_\_\_ Region \_\_\_\_\_  
**From:** NYS Women, Inc. Membership Chair, \_\_\_\_\_  
**Re:** Non-compliance with NYS Women, Inc. Bylaws Article VI: Sections 1, 2 or 3

We regret to inform you that your chapter has failed to comply with the requirements of the NYSW, inc. Bylaws, Article VI Sections 1, 2 or 3 (see below). As per the Manual of Instruction (MOI Section 3.06) your chapter is in jeopardy and may be dissolved by date. Please call me at insert phone number to discuss the options available.

- Membership in your chapter has fallen below the 5-member requirement
- the Local Chapter has failed to begin the process of incorporation

We value our members and hope they will continue being part of NYS Women, Inc. According to the MOI, Section 3.06 (see below), the other options available include:

- 1) An extension of the deadline if requested by the Local Chapter President (and approved by the State President)
- 2) Merger of two chapters (see application to merge)
- 3) Disbanding of one Local Chapter and transfer of membership to another Local Chapter (see notification to Database Manager below)

Your current roster is attached to help in this decision.

In addition to your decision, we will require from you

- ✓ A return of this form signed by an officer
- ✓ Minutes which contain the following
  - Date of meeting
  - Motion, including name of person making the motion; that it was seconded; statement of dissolution or merger ; result of the vote taken on motion, effective date of dissolution or merger
- ✓ Treasurer’s report which contains the following:
  - Distribution of funds (see Local Chapter Bylaws and State Bylaws Article XX)
  - Final bank statement
- ✓ The NYSW, Inc. Charter

**Please submit this form and attachments:**

- 1) Original (complete packet) to the NYSW, Inc. Membership Chair, who will notify the database manager for appropriate action.
- 2) Copy (form only) to your Region Director
- 3) Copy (form only) to the NYSW, Inc. State President

**Submitted and Signed by Local Chapter President or other designated officer:**

<b>Name</b>	<b>Office</b>	<b>Date</b>
<b>Email</b>		<b>Phone</b>

**Attachments:**  
**Current Roster**  
 Excerpts from the NYSW, Inc. Bylaws and Manual of Instruction

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For use by NYSW, Inc.  
 Received/Approved by \_\_\_\_\_ \_\_\_\_\_  
Name Date

## **NYSW, Inc. Bylaws ARTICLE VI: LOCAL CHAPTER REQUIREMENTS**

SECTION 1: A local chapter is eligible for admission to NYSW, Inc. if:

- a) It has a minimum of five (5) members and/or student members.
  - b) It submits local chapter bylaws not in conflict with state bylaws and policies.
  - c) It is, or is in the process of becoming, incorporated in the State of New York as a non-profit corporation
- SECTION 2: To remain in good standing, a local chapter must maintain a membership of at least five (5) members and/or student members.

SECTION 3: A local chapter whose membership falls below five (5) members and/or student members shall be dropped at the end of the second fiscal year.

## **NYSW, Inc. Bylaws ARTICLE XX: DISSOLUTION**

Upon dissolution of this organization all of its assets remaining after payment of all costs and expenses of such dissolution shall be distributed to organizations which have qualified for exemption under section 501 (c)(3) of the Internal Revenue Code, or to the federal government, or to a state or local government, for a public purpose, and none of the assets will be distributed to any member, officer or trustee of this organization.

### **MOI 3.06 Section: Local Chapter Structure & Organization**

#### **Merger of a Local Chapter**

The merger of two or more Local Chapters by their own mutually approved actions may do so by filing the Application to Merge (TK 3.06 Application to Merge Local Chapters) with attachments as requested on the Application to Merge form.

A merger can be accomplished by-

- 1) One Local disbands and transfers its membership to another Local Chapter
  - File Application to Dissolve Local chapter Form (TK 3.06 Application to Dissolve LC) with attachments as requested on the form
  - Bank records and funds are transferred to the receiving Local Chapter
- 2) One Local Chapter disbands and transfers its membership to the other Local Chapter and files for a change-of-name charter
  - File Application to Dissolve Local chapter Form (TK 3.06 Application to Dissolve LC) with attachments as requested on the form
  - Bank records and funds are transferred to the surviving Local Chapter
  - Surviving Local Chapter files a change-of-name application (TK 3.06 Name Change Application) and receives a charter with the new name
- 3) All involved Local Chapters disband, create a group of all transferring members and file for a change-of-name charter
  - Each Chapter files the Application to Dissolve Local chapter Form (TK 3.06 Application to Dissolve LC) with attachments as requested on the form
  - Members wishing to transfer to a different Local Chapter must notify the Membership Chair of their intent to transfer and the name of the Local Chapter to which they wish to be transferred. Members wishing to transfer to the newly created chapter should notify their Local Chapter Membership Chair who will record that instruction on the copy of the Roster accompanying Application to Dissolve Form
  - Bank records and funds from Local Chapters are transferred to a new Bank Account under the new name

#### **Disbanding of Local Chapters**

- 1) A Local Chapter may be disbanded by their own approved actions by:
  - Filing the Application to Dissolve Local chapter Form (TK 3.06 Application to Dissolve LC) with attachments as requested on the form

The Minutes must contain a record of the vote approving the Chapter's disbandment and a report of the distribution of funds (in compliance with the Local Chapter bylaws)

- 2) A Local Chapter will be disbanded:
  - a) after the Local Chapter membership has fallen below five (5) members for two (2) years
  - b) The deadline may be extended if requested by the Local Chapter President and approved by the State President