



## ABC's of Church Management Newsletter

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### Watching Language Used in Bylaws

Recently, many questions have been coming in requesting how to use the terms “absentee voting” and “proxy voting” properly in bylaws. It is best to begin with an understanding of the terms.

Robert's Rules of Order Newly Revised Tenth Edition, describes the terms as follows:

*“Absentee voting: It is a fundamental principle of parliamentary law that the right to vote is limited to the members of an organization who are actually present at the time the vote is taken in a legal meeting, although it should be noted that a member need not be present when the question is put. Exceptions to the rule must be expressly stated in the bylaws. Such possible exceptions include: (a) voting by postal or electronic mail, or facsimile transmission (fax), and (b) proxy voting. An organization should never adopt a bylaw permitting a question to be decided by a voting procedure in which the votes of person who attend a meeting are counted together with ballots mailed in by absentees. The votes of those present could be affected by debate, by amendments, and perhaps by the need for repeated balloting, while those absent would be unable to adjust their votes to reflect these factors. Consequently, the absentee ballots would in most cases be on a somewhat different question than that on which those present were voting, leading to confusion, unfairness, and inaccuracy in determining the result. If there is a possibility of any uncertainty about who will be entitled to vote, this should be spelled out unambiguously and strictly enforced to avoid unfairness in close votes.”*

*“Proxy voting: A proxy is a power of attorney given by one person to another to vote in his stead: the term also designates the person who holds the power of attorney. Proxy voting is not permitted in ordinary deliberative assemblies unless the laws of the state in which the society is incorporated require it, or the charter or bylaws of the organization provide for it. Ordinarily it should neither be allowed nor required, because proxy voting is incompatible with the essential characteristics of a deliberative assembly in which membership is individual, personal, and nontransferable....But in a nonstock corporation, where membership is usually on the same basis as in an unincorporated, voluntary*

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“When and How to Revised Church Bylaws” has recently been released by ABC’s of Church Management.

This document takes church leaders step by step through the process of revising bylaws. It provides suggested wording and provides helpful guidelines for selecting leadership structures that will allow the church accomplish its mission and vision.

The resource is \$10 and can be ordered at [revdrjules9093@insightbb.com](mailto:revdrjules9093@insightbb.com).

*association, voting by proxy should not be permitted unless the state’s corporation law – as applying to nonstock corporations – absolutely requires it.”*

In the majority of situations in church governance, proxy voting should not be permitted since as was stated above “*Proxy voting is not permitted in ordinary deliberative assemblies...*”. It is up to the individual church as to whether they chose to allow absentee voting.

If a church decides to allow absentee voting, the guidelines should be spelled out in detail in the bylaws. Please note that Robert’s Rules of Order Newly Revised Tenth Edition stated specifically that absentee votes should not be included in the vote along with the vote of those present. It is very common for motions to be debated or amended during a business meeting which can influence how those present may vote and those voting absentee would not have the opportunity to hear these before voting. Therefore when reporting the results of a vote, the results can be stated as “*those present vote 100 ‘for’ and 10 ‘against; absentee votes are 5 ‘for’ and 2 ‘against.’*” That will allow for an accurate accounting of the votes.

For more information read pages 408-415 in Robert’s Rules of Order Newly Revised Tenth Edition.

**Helpful Hints:** If your church is currently in the midst of difficulty, this is not the time to revise your bylaws. If they are amended at this point in time, the change will, more than likely, provide a power play for one group or another in the church. Bylaws should not be revised within the first year of a pastor’s coming to the church. The first year of pastor’s coming should be spent each getting to know the other and setting the vision and mission for the church. Churches should review their bylaws at least every 2 to 3 years and when there have been major changes to leadership structures or ministries.

## Playground Safety Check-up

It’s hard to believe that summer is about half over. It’s time to do a mid-summer check-up. The U.S. Consumer Product Safety Commission recommends the following checklist in its brochure “Is Your Home Playground a Safe Place to Play?”:

1. Install and maintain a shock-absorbing surface around the play equipment. Use at least 9 inches of wood chips, mulch, or

**ABC's of Church  
Management**

1353 Miller Lane

New Albany, IN 47150

Phone: 812-945-3741

Cell: 317-379-1393

E-mail:

[revdrjules9093@insig  
htbb.com](mailto:revdrjules9093@insig<br/>htbb.com)

- shredded rubber for play equipment up to 7 feet high. If sand or pea gravel is used, install at least a 9-inch layer for play equipment up to 5 feet high. Or, use surfacing mats made of safety-tested rubber or rubber-like materials.
2. Install protective surfacing at least 6 feet in all directions from play equipment. For swings, be sure surfacing extends, in back and front, twice the height of the suspending bar.
  3. Never attach – or allow children to attach – ropes, jump ropes, clotheslines, or pet leashes to play equipment; children can strangle on these.
  4. Check for hardware, like open “S” hooks or protruding bolt ends, which can be hazardous.
  5. Check for spaces that could trap children, such as openings in guardrails or between ladder rungs; these spaces should measure less than 3.5 inches or more than 9 inches.
  6. Make sure platforms and ramps have guardrails to prevent falls.
  7. Check for sharp points or edges in equipment.
  8. Remove tripping hazards, like exposed concrete footings, tree stumps, and rocks.
  9. Regularly check play equipment and surfacing to make sure both are in good condition.
  10. Carefully supervise children on play equipment to make sure they are safe.

If you put new shock-absorbing material down in the playground area this spring, now is the time to “fluff” it. Shock-absorbing materials, especially mulch, tend to pack down after repeated use. Check especially under swings and at the base of any sliding boards. If any of the material has worn away to the point that there is less than 9 inches when fluffed, add additional material since there is still approximately 3 more months of playground use remaining this year in most geographical regions.

Remember to check the shock-absorbing material again around the first of September and after events, such as VBS, which had children regularly on the surface.