

Answers to FAQs Concerning the By-Laws

1. "The Mission Statement first identifies specific minorities (LGBTQ - Lesbian, Gay, Bisexual, Transgender, and Questioning) and then general minorities (other sexual or gender minorities) as an afterthought. Shouldn't it be the other way around?"

The Mission Statement was constructed in this way at last year's Board Retreat because some form of the LGBTQ acronym is used very often in our community. "LGTBQ" is a common acronym used in search engines.

It is difficult to encompass KhushDC's target audience in a single term except perhaps "non-heterosexual," which was rejected as being awkward and undesirable as it is phrased in terms of exclusion. The phrase "LGBTQ South Asians" is always understood to include all sexual or gender minorities who self-identify as South Asian.

It was decided to place lesbians first in the list (LGBTQ instead of GLBTQ) to emphasize that KhushDC is not an organization that exists only for men. KhushDC actively encourages participation and leadership in its female members.

The inclusion of the phrase "other sexual and gender minorities" in the Mission Statement shows that KhushDC is welcoming to those who identify as intersex, queer, bigender, polyamorous, the entire transgender/transsexual spectrum, etc. It also demonstrates that KhushDC is aware of the differences between biological sex and perceived gender.

It should also be noted that the Mission Statement of KhushDC is stated in terms of the group which it serves, and places no racial/ethnic limitations on who may be involved in KhushDC by supporting its Mission.

2. "Shouldn't the By-Laws be more specific or specifically address the issue of [fill in the blank]?"

The By-Laws are intended not to be unnecessarily specific. They outline the broadest Mission of KhushDC and how KhushDC organizes itself and plans to accomplish that Mission. The By-Laws are not intended to be altered except by amendment and only in extenuating circumstances.

The "Policies and Procedures" document currently being developed will address the daily management of KhushDC and will make specific provisions for many of the unaddressed situations in the By-Laws. The "Policies and Procedures" document will also address issues that may change from year to year depending on the KhushDC Board, such as the amount of money to charge for membership dues.

3. "Shouldn't adults/professionals pay more for membership dues than students/youth/unemployed/persons on a limited income?"

The "Policies and Procedures" document will address this issue, which may change from year-to-year depending on the KhushDC Board. A pro-rated schedule may or may not be developed. A protocol may or may not be developed to allow persons on a limited income to submit a petition for a reduction/exemption in paying dues. It is likely that the amount decided upon for yearly membership for both General Members and Youth Members will be very reasonable.

4. "Why is the term 'self-identifying South Asian' important?"

It is difficult to define the term "South Asian." Providing a list of countries, religions, cultural stereotypes, etc. would not do justice to the experience of what it means to be South Asian. If we try to define what "South Asian" means, we are likely to encounter any of the following scenarios:

- a. A person will declare that another person is "not South Asian enough" because of skin color.
- b. A person will declare that another person is "not South Asian enough" because of the culture in which the accused was raised.
- c. A person will declare that another person is "not South Asian enough" because of the part of the world he/she is from, regardless of ancestry or family culture.
- d. A person will declare that another person is "not South Asian enough" because of mixed ancestry.
- e. A person will declare that another person is "not South Asian enough" because of religion.
- f. A person will be offended that he/she self-identifies as South Asian but does not fit the criteria as stated by KhushDC.

Therefore, the By-Laws committee feels that if a person self-identifies as a "South Asian," then for the purposes of KhushDC, that person is South Asian.

It is possible that under the "self-identification" designation a person may falsely claim to self-identify as South Asian. The By-Laws committee feels that such a misrepresentation would be clearly apparent to the General Membership, and the aforementioned person would not be in danger of being elected as President or Vice-President under false pretenses.

5. "The President and Vice-President should more than just 'self-identify' as South Asians. Shouldn't they really *be* South Asian? Isn't image important?"

How does someone determine if one person is "more South Asian" than another? See Question #4 above. Yes, image is important. See Question #6 below.

6. "Why must the President and Vice-President be 'self-identifying South Asians'? Isn't this unfair to non-South Asians who are sympathetic to South Asian causes?"

It is important to note that of the five people on the By-Laws committee, two were not South Asians. The two non South Asians on the By-Laws committee were completely in agreement that the President and Vice-President positions should be eligible only to self-identifying South Asians.

The By-Laws committee understands the importance of the President and Vice-President positions as figureheads in addition to their other duties.

The By-Laws committee feels that KhushDC should place primary importance on making LGBTQ individuals who self-identify as South Asian feel welcome and comfortable. A new member of KhushDC just coming to terms with his/her sexuality may not feel comfortable in a South Asian organization which does not have South Asians at the highest levels of leadership.

While non South Asians may not be eligible to serve as President or Vice-President, they may serve KhushDC in several other ways. Here is a partial list of all the duties that non South Asians have recently performed for KhushDC:

- Events Coordinator
- Secretary
- Publicity
- Pre-Pride Fundraiser committee
- Capital Pride 2005 committee
- By-Laws committee
- Newsletter Editor (erstwhile)

7. "Should Youth Members be included in KhushDC at all?"

The By-Laws committee feels that young LGBTQ South Asians face the same kinds of pressures and internal conflicts as LGBTQ South Asians of all ages. Therefore, KhushDC should provide a network of support for young LGBTQ South Asians as well.

Currently, if a Youth Member is in attendance at an event, a KhushDC Board Member or person appointed by the Board will "chaperone" the Youth Member to protect him/her from illegal alcohol consumption and/or sexual harassment.

The By-Laws and "Policies and Procedures" committees plan to work with SMYAL (Sexual Minority Youth Assistance League) to design a way incorporate the protection the youth of KhushDC into the By-Laws. It is also likely that KhushDC will work with AQUA (Asian/Pacific Islander Queers United for Action) and AQUA:Youth on these issues.

8. "Why are 'Youth Members' ages 18 and younger, while 'General Members' are ages 19 and over? Isn't '19' or '21' a more appropriate age?"

The minimum legal drinking age in this country is 21 years old, which is somewhat arbitrary. However, many young people experience a greater shift in identity around age 19 -- they go to college. This experience helps a young person assume greater personal responsibility for his/her own life, and the young person often leaves the home of his/her parents at that time.

The By-Laws committee feels that it is less likely that a person still in high school or living at home will have the necessary responsibility to serve KhushDC in a position as involved as an KhushDC Board Member. Therefore, 19 years old was designated as the minimum age for General Membership, as most young persons have entered college by that time. Only General Members are eligible to become KhushDC Board Members.

9. "Shouldn't a minimum age be designated for Officers/Board Members?"

Only General Members are eligible to become KhushDC Board Members. General Members are dues-paying individuals who support the Mission Statement of KhushDC and are at least 19 years of age. However, Youth Members (dues-paying individuals, ages 18 and younger who support the Mission Statement of KhushDC) may serve on various other committees.

10. "What is the difference between 'Officers' and 'Board of Directors'?"

The Officers are the elected officials of KhushDC. They are the President, Vice-President, Secretary, and Treasurer. The five-person Board of Directors includes the four Officers, plus one appointed (non-elected) At-Large Board Member. Therefore, the Officers, who are also four of the five Board Members, are democratically elected. An amendment to the KhushDC By-Laws with the intent of more explicitly stating this distinction will be tabled and voted upon at the KhushDC General Membership meeting (held in conjunction with the KhushDC Board Elections) in July 2006.

At the time that the By-Laws were being developed, the At-Large Board Member was the Events Coordinator. This is because social events are a large part of KhushDC as it exists now. At some time in future, the KhushDC Officers may decide that another position is more essential to the Board of Directors. This is why the duties of the At-Large Board Member are not clearly defined.

It is also important to note that the term "Board" is often used unofficially to mean anyone who serves KhushDC at an involved level, including but not limited to the webmaster, publicity person, newsletter editors, and persons serving on various committees.

11. "Doesn't the KhushDC Secretary get too much importance?"

The inclusion of a Secretary on the KhushDC Board is common practice for many organizations such as ours. Secretaries often have many responsibilities concerning official documentation of KhushDC's decisions, proceedings, and actions. The

responsibilities currently assigned to the KhushDC Secretary are similar to those assigned to secretaries in other organizations.

This should not be confused with giving the Secretary unnecessary "importance." The KhushDC Secretary will have only one vote concerning any decisions that are made by the KhushDC Board. Complete re-structuring of the KhushDC Board at this stage is unlikely.

12. "When will the KhushDC Board Elections/General Membership Meeting, Board Retreat, and By-Laws Ratification Meetings be held?"

The General Membership Meeting will be held in conjunction with the KhushDC Board Elections, which are held in July. The Elections will be governed by the Elections committee. This will be further outlined in the Elections "Policies and Procedures."

The KhushDC Board Retreat will likely be held after the Elections. As with all KhushDC events, the details concerning the date, time, place, and nature of the KhushDC Board Elections/General Membership Meeting, Board Retreat, and By-Laws Ratification Meeting will be announced on the KhushDC.org website, as well as on the KhushDC Yahoo! Groups listservs at <http://groups.yahoo.com/group/khushdc> and <http://groups.yahoo.com/group/khushdc-announce>

13. "What is the quorum for ratifying the By-Laws?"

Because an official Membership structure has not been determined before this date, and the official Membership structure is included in the By-Laws to be ratified, it is difficult to answer this question. The By-Laws committee feels that a 2/3 majority of the persons attending By-Laws Ratification Meeting should be sufficient for ratifying the By-Laws. Any persons not able to attend the By-Laws Ratification Meeting should contact the Board AS SOON AS POSSIBLE to make other arrangements.

14. "What about the loopholes, vaguenesses, missing sections, circular references, etc.?"

All of the above issues will be available for discussion at the KhushDC By-Laws Ratification meeting. These issues may also be address by Amendments to the KhushDC By-Laws at a later date.