

Notes on draft revision v. 10.10.2014:

*Here is the proposed amended constitution for consideration in 2014. Among other changes, it creates a **Board of Trustees** in addition to the **Executive committee** to provide long term guidance. Jointly they constitute the **Administrative Body**. The Board of Trustees provide long term guidance and will run the organization when an Executive Committee cannot be elected because of lack of candidates. It also allows for an alternative mechanism for collecting the membership fee when so desired.*

*Also note that a document **Operating Procedures** is appended.*

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Proposed Revised IANC Constitution

History: On June 7, 1998 the first constitution was ratified by the Executive Committee, which can be seen at the IANC website. This revised constitution was discussed and finalized in 2013

ARTICLE 1: Name

The name of the association shall be India Association of Northern Colorado (IANC) Inc. (hereinafter referred to as the "association".)

ARTICLE 2: Purpose

The purpose of the association is to organize educational, charitable, religious and literary activities for promoting awareness of Indian culture and traditions. The association is organized exclusively for, and will be operated exclusively for these purposes, in accordance with the requirements of § 501(c)(3).

ARTICLE 3: Structure of the Association

The association shall consist of Ordinary Members and an Administrative Body consisting of an Executive Committee and a Board of Trustees. In addition it may have Affiliate Members and honorary members.

i. The Executive Committee shall include the President, the Secretary, the Treasurer, and other committee members as may be designated by the Administrative Body from time to time. The President and the Secretary offices may not be held by the same person. An Executive committee member must have been a resident of Northern Colorado for at least three years.

ii. The Board of Trustees (hereinafter referred to as the "Board") shall consist of a Chief Trustee and at least two other Trustees. All Trustees shall be individuals from the ordinary Membership. A trustee must have honorably served previously as a President, or must have served IANC honorably for several years and have been living in Northern Colorado for at least four years.

ARTICLE 4: Requirements and Types of Membership

Ordinary membership is open to those individuals and their spouses who support and agree with the goals and objectives of the Association, and pay the membership dues as decided by the Administrative Body. Dependent members of the family or household of a Member are affiliate members if they are younger than 18 years. Members of the India Student Association at Colorado State University are granted affiliate membership without cost. The membership dues may be collected as a part of admission to specific functions. In special situations when the membership fees have not been collected by IANC, the Administrative Body may deem the current IANC mailing list as Members until the time when membership fee is collected.

ARTICLE 5: Meeting of the Members

The General Body meeting shall be open to all members, shall be scheduled as decided by the Administrative Body. There shall be at least one General meeting in a year. For a General Body meeting,

twenty percent of the membership shall constitute a quorum. The quorum shall not be insisted upon unless the Constitution, objectives, purpose or policy of the Association is to be altered.

ARTICLE 7: The Administrative Body

The Administrative Body shall direct the affairs of the association. The Administrative Body may increase or decrease the number of Executive Committee members from time to time as seem necessary. In no event may the number of the Officers be decreased to fewer than three. The Administrative Body shall hold meetings as needed, not less than once each 6 months. Three members of the Administrative Body shall constitute a quorum for the transaction of business at any meeting of the Administrative Body.

The Executive Committee will run the day-to-day operation of the Association. The Board of Trustees serve as senior advisors and vote on all major decisions along with the Executive Committee.

ARTICLE 8: Election of Executive Committee

The President, Secretary and the Treasurer shall be elected by the ordinary members. Other officers shall be appointed as decided by the Executive Committee which may include coordinators for specific subcommittees or activities with input from the Committee. If the secretary or the treasurer are unable to serve due to unforeseen circumstances, the Administrative Body may appoint a replacement. The election will be conducted by a Nominating Committee, which will be appointed by the Board of Trustees and may not include the current Executive Committee members.

A member of the Executive Committee will serve for one year, and continue for a second year term if he/she so chooses.

ARTICLE 8: Election of Trustees

The Trustees will be nominated by a nominating committee appointed by the Administrative Body and will be elected by the members in a general meeting. The Chief Trustee will be elected by the Board members. A Trustee will serve for term of 3 years. A Trustee may be reappointed. Trustees will provide guidance to the Executive Committee as needed.

ARTICLE 9: Funds

The Administrative Body is the custodians of money and property belonging to the Association. The money will be deposited in a bank for safe keeping with access to the Chief Trustee, President and the Treasurer. The Executive committee or the Board shall not have the authority to donate funds or assets to another organizations in excess of 5% of the initial bank-balance in a year, without the approval by the majority of members in a General meeting, with the exception of funds collected specifically for charitable purposes.

In the event of an impending dissolution, a General Body meeting shall be called to decide the disbursement of assets. The residual assets of the Association shall be turned over to one or more organizations that are themselves non-profit for exclusive public purposes and have similar objectives.

ARTICLE 10: Removal of a member of the Administrative Body

If a member of the Administrative body has not participated in 3 consecutive meetings (or 3 separate email discussions) he/she may be removed by the Administrative Body, if the motion for removal is supported by the two third majority of the Administrative Body.

ARTICLE 11: Ratification

A majority of Members at a General Meeting shall vote to ratify these by-laws.

ARTICLE 12: Amendments to the By-laws

Amendments to the By-laws may be made by a simple majority of in a General Body meeting.

Article 13:IRS requirements:

This amendment was added in 2008 to satisfy the IRS requirements. It will be retained as Article 13 of the new 2013 constitution.

The India Association of Northern Colorado is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in purpose clause hereof.

No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are tax deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code

Also the following items are proposed for the Operating Procedures.

Operating Procedures

Operating Procedures: The operating procedures will serve as a guidance for the Association. They may be revised time to time by the Administrative Body as needed.

- a. Elections will be conducted by a separate Nominating Committee (2-3 members), appointed by the Board. They will solicit the nominations/volunteers, assist those nominated to come to a convergence, and hold the elections. In case of an unresolved competition for a post, election will be held for that post. Attempt will be made to ensure diversity (regional and demographic). The election and voting may be conducted by email or other electronic media, provided the procedure used can be monitored by at least two responsible individuals from Nominating Committee or assisting the Nominating Committee and not members of the Executive Committee.
- b. In the special situation, when no new candidates for Executive Committee can be identified, the board of trustees may ask the existing Executing Committee members to continue to serve, if they are willing. However the Trustees will send an invitation to membership to nominate and elect new officers, at least once in 9 months during the time when the regularly elected Executive Committee does not exist.
- c. The annual membership fee will be determined by the Administrative Body time to time. No membership was charged in 2012 and 2013. However those buying the Deepanjali tickets in 2013 were deemed members until Deepanjali 2014. Those buying Deepanjali tickets in 2014 will be members until the next Deepanjali.
- d. For official communications, such as banking, state regulations and taxes, the home address of the current president shall serve as the associations address, unless determined otherwise by the Board.
- e. The IANC bank accounts will have three names, the President, the Treasurer and the Chief Trustee on them. IANC web resources (email, web hosting) will be accessible by the President and the Secretary.

- f. The president can approve expenses of up to \$450 directly. For higher expenses, an approval by the majority of the Administrative Body is needed.
- g. A portion of the association cash assets may be preserved for long term projects like acquiring a association center, and/or may be deposited in long term certificates of deposit. The majority of the Administrative Body will take this decision from time to time as needed.
- h. IANC funds will be used only for IANC's objectives. There will be no salaries, but volunteers may be provided reasonable meeting or event related hospitality (such as food) at the discretion of the President but not to exceed \$10.00/person each meeting.
- i. IANC funding guidelines for approval of sponsorship of external event: (approved Aug 2, 2014)
 - Funding limited to \$100 (unless a stronger case is made)
 - Activity should support IANC objectives
 - One of the proposers or the supporter of a proposal should be active current or past IANC volunteer for the proposal to be considered.
 - Award made on the basis of i. strength of proposal ii. credentials of proposer iii. availability of IANC funds, as evaluated by IANC board.
 - Judgement of IANC board is final, and no justification to the proposer needs to be provided.
 - IANC will be appropriately acknowledged
 - A brief report will be submitted which will include the number of attended.
- j. A list of all assets will be created, maintained and revised once a year by the Administrative Body and presented to the general body to ensure its integrity. Any durable movable Association assets, will be saved by one or more members of the Administrative Body for future use.
- k. The Executive committee will present financial status of the association to the General Body at the end of its term
- l. For issues that have not been formally specified in the By-Laws and the Operating Procedures, documents from well-established India Associations in USA may be consulted for guidance.

For example: <http://www.iagb.org/wp-content/uploads/2009/12/IAGB-Bylaws.pdf>
The Constitution: India Association of Greater Boston Inc, 23 September 2001

*Revised Oct 10, 2014, Oct 3, 2014, Sept. 23, 2014. Prior revision drafts: 3/9/2013 by YKM (was sent to IANC Ex Com and key volunteers), 5/15/13 by MS
Edited in response to Mohan's questions of Oct 11, 2013. Further edited in response to comments by Mandar on Nov 5 and Dec 18, 28, 2013.*