

Indian Association of Sacramento® (IAS), California

Constitution and By-laws

Approved by the General Body of IAS on XX/XX/2013 in Sacramento, State of California, USA
Supersedes all previous versions of IAS Constitution

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Enactment Authority: **IAS Board** – Simple Majority

IAS Constitution Committee Signatories

President

Vijay Bhaskar Jonnalagadda

Secretary

Anupriya Ramraj

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PREAMBLE:

We, the Asian Indian community residing in the greater Sacramento, California are encourage to promote cultural, educational activities, and to enhance the intercultural understanding among the people of the United States of America and Asian Indians residing in greater Sacramento, do hereby join together to form a registered non-profit association.

Purpose of *Indian Association of Sacramento* is to promote the culture, heritage and traditional values of India among the Indian American society, particularly the second and consecutive generations of Indians in Greater Sacramento area. We also work on sustaining the cultural values and educating our younger generations on the traditions of India. Further this organization will try to create the awareness of the breadth and depth of the Indian culture among local communities in Greater Sacramento area.

BACKGROUND:

In the year 2005, few motivated and visionary people who were all associated with Indian cultural organizations got together and decided to start the celebration of the India Independence Day and named the celebration as “India Day”. This team was bonded by the mission and purpose of proud Indian Americans coming together to share with others as well as their own kids the diversified Indian culture, language, clothing, food etc and still take pride in our original roots. All the money collected after expenses during each event has been disposed off by donating to a Non-profit organization.

Every year the IAS Team elect new governing committee members. A single lead was selected to co-ordinate the activities of all the sub committees formed to conduct the Events. The team developed to trust among each other and thus handled difficult decisions through mutual agreement and all this was well coordinated by the lead of that year. No rigid rules, by laws were required, because everyone in the initial years were very close to the mission and goals.

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Now after many successful years, we may need some guidelines to allow new members to carry forward the IAS visions and goal's next level to make the event better and bigger.

The organization founded with the following objectives in mind.

1. The event should be free of fee or less burden to the general public to allow more participation.
2. To bring all the Indian groups together to celebrate Indian and local events.
3. To support charity activities in the US and in India.
4. Keep the financial books open, transparent and simple.
5. Event Expenses were covered through local business sponsorships or monitory contributed from their members after IAS Board approval.
6. Select good programs evenly representing India in its diversified glory with variety of languages.
7. Try to provide some valuable educational awareness to social issues faced by the community in general.
8. Provide tasty Indian food through vendors and create an environment of an Indian Food Mela around the event arena.

MISSION:

"Indian Association of Sacramento" (IAS) is a unified group of people from the Asian Indian communities in the greater Sacramento area. Its purpose is to facilitate communication, cooperation and integration between the Asian Indian community and the local communities to celebrate and showcase the Indian culture, traditions and India's glory to the future generations. "

ARTICLE 1: NAME

The name of the association shall be **Indian Association of Sacramento (IAS)**, here onwards referred as IAS. The IAS is a non-profit PUBLIC BENEFIT CORPORATION and is not organized for the private gain of any person or group. It is organized under the Nonprofit Public Benefit Corporation Law for public purposes. It is organized and

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operated exclusively for leisure, recreation and charitable purposes within the meaning of section 501 (c) (3), Internal Revenue Code. No substantial part of the activities of this organization shall consist of carrying on propaganda or otherwise attempting to influence legislation, and the association shall not participate or Intervene in any political campaign (Including the publishing or distribution of statements) on behalf of any candidate for public office.

ARTICLE 2: OBJECTIVES AND GOALS

Objectives

The objectives shall consist of, but not limited to the following, which is not in any priority or order

1. **Provide a Unified Platform for entire Indian Community**
 - Bring all cultural groups and Indian organizations together for one cause
 - Bring the best of the cultural programs from most of the Indian languages to one stage.
2. **Represent a Single unified voice of the Indian Community**
 - Maintain Public Relations with local and government entities as well Media. Provide a unified response wherever it is necessary.
 - To bring media attention at times when community needs external support.
- 3.
4. **Provide assistance to Asian Indian community**
 - Moral support to local Indian community in any social or communal issues.
 - Support Indian community members through representation to local officials if required.
 - Provide Logistic help, crisis help, medical assistance, educational help and help to senior citizens. The intent is to provide voluntary assistance to the extent possible.
5. **To motivate and involve younger generation of Asian Indians**
 - Recognition of achievements, Promotion of creative works, and encouragement to children to exhibit their talents in Asian Indian Community.

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- Leadership development of younger generation.
 - Bring educational awareness to the community.
6. **To promote Sports and other competitive educational activities:**
- To conduct and promote sports competition, training, ‘Sports Day’ etc.
 - Enable the younger generation to compete and improve in different fields.
7. **Community Development and Education**
- Getting involved in the local community by involving in community programs.
 - Creating awareness of Indian culture and heritage among the American society.
 - Health and educational Seminars, free health clinics, senior citizen assistance etc.
8. **To support the activities related to charitable causes.**
- Supporting the charitable activities that are directly or indirectly helping the under privileged communities in Sacramento or other parts of United States or India.
 - Supporting the activities that will help the people who are affected by the natural calamities in the community or elsewhere in the world.

IAS is not obligated to implement every item in any particular year.

b. Goals

Section I:

No substantial part of the activities of the association shall be used to carry on any propaganda, and the association shall not participate in, or intervene in any political campaign on behalf of any candidate for public office.

Section III:

No part of the net earnings of the association will benefit any individual.

ARTICLE 3: ORGANIZATION STRUCTURE

The Indian Association of Sacramento (IAS) shall consist of the following

1. Members
2. Officers
3. Executive Committee
4. Board of Trustees (BOT)

ARTICLE 4: MEMBERS

Section I:

Member of Indian Association of Sacramento (IAS) is any individual person eighteen years, or older who subscribes to the objectives of the association and pays the annual dues if any, as decided by IAS Board.

Section II:

Membership may be revoked for a period as determined by the Board for the conduct considered undesirable (*see Article 20, section II of the bylaws for an explanation of undesirable conduct*). The revocation requires:

- i. Behavior is deemed unacceptable by the simple majority of the IAS Board.
- ii. Due notice of a month to all the members of the IAS Board .
- iii. An opportunity to the member (s) to defend their conduct (if the member(s), whose membership is being revoked, attend the proceedings and requests for one)

ARTICLE 5: IAS Officers

An IAS officer is IAS member who is actively involved in carrying out IAS activities during the fiscal year.

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- iv. **Section I: Eligibility:**
- v. I. Actively volunteered in the IAS activities for at least 1 year within last three years
- vi. OR
- vii. II. Member of the working committee of other Indian organizations in Greater Sacramento in last 5 years,.
- viii. **Section II:**
- ix. None of the officers shall carry salary or take remuneration of any kind for their services from IAS finance.

ARTICLE 6: THE EXECUTIVE COMMITTEE

Section I:

The executive committee shall consist of three office bearers.

Section II:

The members of the outgoing IAS Board at the general body meeting shall elect the new Executive Committee. (“Refer to the election procedure, Article 18”)

Section III:

The IAS Executive Committee shall consist of President, Secretary, and Treasurer.

Section IV:

The term of office for the executive committee shall be a maximum of one calendar year.

Section VI:

None of the members of the executive committee including the office bearers shall carry salary or take remuneration of any kind for their services from IAS.

Section VIII: An executive committee member cannot be a Board of Trustee.

ARTICLE 7: BOARD OF TRUSTEES

Section I:

Member should have served in one of the preceding years and meet one of the below criteria.

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I. Member should have served as the president of IAS or Lead of India Day in previous years

Section II: The board of Trustees shall consist of five office bearers. Their designations are as follows.

- 1) Chairman
- 2) Trustee 1
- 3) Trustee 2
- 4) Trustee 3
- 5) Trustee 4

Section III: The board of Trustees shall be nominated as per election process (Refer, Article 18).

Section IV: Term of office for board of Trustee

If the eligible number of IAS officers for the BOT exceeds five, then the below selection criteria shall be followed to select.

I. Senior most BOT shall retire based on FIFO method (First In First Out)

Section V: No one can be a member of EC and BOT at the same time.

ARTICLE 8: MEETINGS

Section I: The annual general meeting shall be held by inviting all the general members.

Section II: Executive committee, IAS officers and BOT members (*IAS Board*) will attend at least one planning meeting each year.

Section III: Decisions at any meeting shall be approved by a simple majority.

Section V: All the meetings minutes shall be published to the IAS Board.

ARTICLE 9: DISSOLUTION

Section I:

For dissolving the association, all IAS board members and general members shall be completely informed. A Board meeting should be held, with at least four weeks' notice to current year Board members. 3/4th of the complete IAS Board should agree to dissolve.

Section II: Upon dissolution of this association, the IAS board should make provision for the payment of all the liabilities of the association, distribute of all the assets of the association in such a manner, or to such organization or organizations organized or operated exclusively for the benefit of a local charity decided by the Board at the time of dissolution. Such local charity has to be located inside the United States, (Operated as a tax exempt organization under section 501(c)(3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue law) .

ARTICLE 10: AMENDMENTS TO THE CONSTITUTION

Section I. This constitution may be amended with the approval of 2/3 of complete IAS board.

Section II. That the IAS Board shall appoint an ad-hoc committee to review the merits of the proposed amendment and receive recommendations as to the merits of the proposed amendment. The ad-hoc committee shall consist of equal representation of the people proposing the amendment, current executive committee, board of Trustees, and officers.

ARTICLE 11: LOCATION OF THE ASSOCIATION

Section I. For official purposes, the headquarters of the association shall be located in Greater Sacramento area in the State of California where it is duly registered. Until such a time as a permanent location is established for IAS, the residential address of the President or nominated by president shall represent the address of IAS. As per IRS guidelines, PO Box is not recommended.

ARTICLE 12: DUTIES OF BOARD OF TRUSTEES

Section I: The role of the board of Trustees is to provide guidance to the executive committee. Call for Executive or Board meeting, if necessary to get feedback and provide necessary advice.

Section II: The board of Trustees shall be responsible for the execution of the special procedures listed under article 19 (Disciplinary Action).

Section III: Any amendments to the constitution or the bylaws have to be approved by the board of Trustees as mentioned in article 9 of the constitution.

Section IV: There shall be semiannual auditing in the month of June and December by designated board members by BOT.

ARTICLE 13: MEETINGS OF BOARD OF TRUSTEE

Section I: Board of Trustees meeting shall be called on as need basis.

Section II: The Trustee who calls for the meeting shall request chairman to conduct and publish the minutes to the board within 10 working days.

Section III: The minutes of the meeting shall be sent to the Secretary of IAS for filing.

ARTICLE 14: DUTIES OF EXECUTIVE COMMITTEE

Section I: The executive committee shall be responsible for the day to day functioning of the association including the financial management and all the activities of the association. Every major decision should represent the majority view of the executive committee and not few individuals on the committee. Any decisions having a long term bearing on the Association (~~for instance a decision extending beyond the current tenure of executive committee~~) will require an approval from the IAS Board.

Section IV The executive committee is empowered to appoint members to represent IAS at special events and meetings, only under special circumstances and on a temporary basis. This empowerment has to be in writing with appropriate limitations and used very prudently.

Section VI: Executive committee shall enforce removing of committee member from IAS committee mailing list if they found more than 50% absence in the Monthly meeting after consulting with BOT, *in the last 3 months*. Exceptions to this policy include health reasons, family situation, and temporary employment to another place.

Section VII: President: The president shall be the spokesperson and chief executive of the association. In the event that the president is unavailable, the Secretary shall temporarily perform the duties of the president.

Section VIII: Secretary: The secretary shall keep & communicate full and complete record of all meetings of the association. The secretary, with the help of other members shall be responsible to execute all decisions taken by the executive committee.

Section IX: Treasurer: Treasurer shall be responsible for the receipt, disbursement, recording, and safekeeping of all funds of the association. The treasurer shall pay all bills, which have been approved in the manner prescribed by the executive committee. Treasurer shall be responsible for IAS annual tax filing.

ARTICLE 15: MEETINGS OF THE EXECUTIVE COMMITTEE

Section I: Executive committee meeting shall be called on need basis.

Section II: The President shall preside over all meetings. The Secretary, in the absence of the President, shall preside over such meetings.

Section III: The Secretary shall prepare the proceedings of the meetings of the executive committee and keep minutes of the meeting.

Section IV: Each person in the executive committee, except the president shall have one vote.

Section V: The president shall vote only if there is a tie in the voting.

Section VI: In the event decisions are made based on telephone, email, or personal discussions with members of the executive committee, such decisions and opinions should be properly documented. The documentation should be saved along with the minutes of the meetings.

Section VII: A copy of the minutes shall be provided to the board within 10 working days of the meeting. All Executive committee decisions must be communicated to all the committee members-

ARTICLE 16: FISCAL YEAR AND FINANCE

Section I: The fiscal year of the association shall be the calendar year.

Section II: The executive committee shall be responsible for the finances of the association and must provide estimated budgetary information to IAS Board.

Section III: A financial account in the name of the association shall be maintained in a bank and operated by the Treasurer, Secretary, and President.

Section IV:

1. After every IAS event, the treasurer shall provide financial reports to the board, within 15 working days after receiving all receipts and income.
2. The treasurer shall provide the financial report on request from the president of the executive committee within 10 working days.
3. For bills of amount larger than \$500.00, the Executive Committee should approve the payment.

Section V: The treasurer shall present the financial statements and accounts in the annual meeting.

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Section VI: Upon request by any IAS member, the executive committee shall make it available for inspection for the financial statements of the preceding fiscal year at a mutually convenient location.

Section VII: Only the members of the executive committee are empowered to make decision on expenditures on behalf of the association.

Section VIII: All expenditures made by any individual or individuals on behalf of the association shall require the approval of the executive committee.

Section IX:

- i. All efforts should be made by the outgoing executive committee to pay all outstanding bills for the current year before handing over the office to the new committee.
- ii. In the event any bills cannot be paid by the outgoing executive committee under conditions beyond their control, the new executive committee shall pay these bills provided these bills are individually identified with sufficient funds earmarked for these by the outgoing executive committee.
- iii. Any reasonable and legitimate late bills that could not be accounted for or identified, as bills to be paid by the outgoing executive committee shall be paid by the new committee provided the amount is less than or equal to \$500.00. For bills of amount larger than \$500.00, the executive committee should approve the payment.

Section X: There shall be one annual assessment in the month of December by the designated board members by BOT.

Section XI: IAS shall publish financial statement of current year.

Section XII: IAS shall maintain financial statement as per Compliance guide for 501©(3) Public Charities.

ARTICLE 17: VACANCIES

Section I: The board of Trustees shall take appropriate action to fill any vacancies in the executive committee, no later than one month of such occurrence.

Section II: The executive committee shall take appropriate action to fill any vacancies of the IAS Officers, no later than one month of such occurrence.

Section III: If no suitable member is available or willing, then Board of Trustees can nominate any executive officer or IAS officer to fill in the remaining term.

ARTICLE 18: ELECTION RULES

Section I IAS ELECTION PROCEDURE AND POLICIES

IAS Board shall consist of IAS Board of Trustees, IAS executive officers and IAS Officers with maximum total head count of 25. Out going President shall be the Election Officer.

Section II. IAS Board of Trustees (BOT):

I. Consists of maximum of 5 officers.

Section III. IAS Board Executive Officers:

Following people constitute IAS executive officers:

- I. President
- II. Secretary
- III. Treasurer

Section VI. Election for IAS Board Executive Officers.

Election for President, Secretary, and Treasurer:

Eligibility:

- I. Should have served as an officer for 3 years in last 5 years.
- II. Should have served as the Officer in the preceding year.
- III. Should have served as a lead in any committee for at least one year.

Selection procedure:

- I. In December Election Officer should check with each officer in the committee if he/she is interested to continue in the next year's committee either through email/phone/face-to-face.
- II. Get the list of the officers who expressed their interest to be a President.
- III. Election Officer will ask other officers to write top 3 names in order of preference among the list of qualified officers who expressed their interest to continue as their choice for the next year's President.

IV. In a closed ballot election where the Election Officer, Board of Trustees and each officer will write the top 3 names for their choice for President on a piece of paper, fold it and give it to the Election Officer.

V. If the officer is out of station and not able to attend the meeting and is interested to continue in the next year's committee, he/she should indicate his/her top 3 names to Election Officer through email.

VI. Election Officer will work with all Board of Trustees and verify the ballots.

VII. Election Officer will announce the results based on the ballot counting.

VIII. If the President-Elect does not want to be President, then the officer with the next highest number of votes will be the President-Elect. If this officer also does not want to become President, then the third officer will have the chance to accept or decline. If all three do not accept Election officer will work with BOT and come up with a solution before IAS 1st annual activity.

IX. Eligible officers have to be present on the election date scheduled. If they are not able to come, they should intimate inability to attend in advance only to the Election Officer by email.

ARTICLE 19: SPECIAL PROCEDURES

Section I: The internal communications of the board, including the minutes of the meetings should not be made public, without express consent of the board. Violation of this rule can be grounds for impeachment.

Section II: The following undesirable conduct by a member can be grounds for starting the proceedings for the membership to be revoked.

1. Activities that work against the goals and objectives of the organization.
2. Activities that hinder the functioning of the board.
3. Making representation on behalf of the organization when not authorized to do so.

Section III: Any member with at least 10 member signatories can register issues or lodge complaints about the association, with the board of Trustees. The board of Trustees shall investigate the matter further and take appropriate action.

Section IV: A member of the board can be considered for Impeachment Proceedings based on the investigations conducted by the executive committee and board of Trustees. Upon investigations, by executive committee and board of Trustees can take suitable action, including expulsion from the organization to legal proceedings.

Section V: All IAS committee communications, decisions and materials are confidential to current working committee. Unauthorized disclosure of information will lead to disciplinary action by Executive committee after consulting with BOTs.

Glossary of Terms:

IAS Board or board – Includes all the IAS office bearers including Board of Trustees, Executive Committee & Officers.

Association – Indian Association of Sacramento (IAS)

Election officer – The outgoing President

Appendix A: Checklist for the activities during a committee formation

1. All the outgoing officer must attend the new committee formation meeting in December.
2. If unable to attend, they should intimate the election officer in advance about the inability to attend.
3. The outgoing officer must handover the responsibility to the new committee members.
4. The new executive committee should pass the resolution
 - a. There shall not be any membership fee.
 - b. Address of the IAS for that year. (As per IRS guideline)
 - c. All committee members shall attend 50% of the monthly meetings failing of which shall be resulted in forfeiting the position

Appendix B: SAMPLE IAS BALANCE SHEET

IAS yearly Balance sheet				
Receipts	EVENTS			
	Event 1	Event 2	Event 3	Event 4
Contribution received 1				
Contribution received2				
.....				
Total Receipts				

Expenses	EVENTS			
	Event 1	Event 2	Event 3	Event 4
Expense 1				
Expense 1				
.....				
Total Expenses				
Balance Forward from previous year				
Excess/Shortage of receipts over expenses of current year				
Balance Forward to next year				