

# INDIA ASSOCIATION OF DAVIS

## ARTICLES of INCORPORATION

The name of the corporation is **India Association of Davis (IAD)**.

- A. The corporation is a non-profit public organization. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes and not for personal gain of any person(s).
- B. The specific purpose of this corporation is to represent the people of East Indian origin in the U.S. for the furtherance of their social and cultural interests, to forge links with like-minded sister organizations in the country to support humanitarian and charitable causes, to provide a forum for exchange of information on matters of common interest, and to organize functions to advance inter-cultural understanding.
- C. The current name and address of this organization in the State of California is:
  - India Association of Davis
  - 2031 5<sup>th</sup> Street
  - Davis, CA 95618
- D. This corporation is organized and operated exclusively for charitable purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.
- E. No part of the activities of this corporation shall consist of carrying on any political, religious and/or any sectarian propaganda or agenda. The corporation shall not participate or intervene in any political campaign, including the publishing or distributing statements on behalf of any candidate for public office.
- F. The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this corporation shall ever benefit any office bearer or any private person. If the corporation is dissolved due to any circumstances by the majority vote of the members, the assets of the corporation remaining after payment or provision for payment of all debts and liabilities of the corporation shall be distributed to a non-profit charitable organization in good standing serving the community of Davis under tax exempt status, Section 501(c)(3) of the Internal Revenue code.

# **INDIA ASSOCIATION OF DAVIS**

## **CONSTITUTION and BY-LAWS**

### **PREAMBLE**

India Association of Davis (hereinafter referred to as IAD) is a social and cultural association organized by people of East Indian origin, settled in the City of Davis and nearby areas for the purposes of promoting and fostering international relationship and goodwill among the people of India and U.S.A. in the social, cultural, and mutually beneficial areas.

### **ARTICLE I: NAME**

The name of the organization shall be India Association of Davis (IAD).

### **ARTICLE II: LOCATION AND ADDRESS**

The address of IAD provisionally shall be the home address of the president or any other IAD executive committee member. This address will be reviewed by the executive committee from time to time and shall be changed if it is deemed necessary.

### **ARTICLE III: PURPOSE AND OBJECTIVES**

#### Section 3.1: Purpose

The purpose of IAD is to promote exchange of information, to foster goodwill amongst the people of the East Indian origin and the USA and to organize social and cultural activities for the benefit of the people of Davis in general and East India community in particular.

#### Section 3.2: Objectives

1. Enhance interaction, friendship and support among East Indians of Davis and provide organized assistance to individuals and families at the time of need.
2. Work in concert with other organizations with similar objectives to promote East Indian culture and heritage.
3. Support and participate in the activities of East Indian organization in the USA to promote service to India, and promote national and international unity.
4. Increase awareness of East Indian culture and heritage among youth, and help resolve the issues that are unique to the second generation East Indians growing up in the USA.
5. Promote understanding between the peoples of India and the United States of America.
6. Support Davis community causes and organizations through voluntary work and contributions.
7. Promote visibility of East Indians in the Davis community.

8. Provide a forum for the discussion of community issues and needs and identify resources available to resolve them.
9. Establish a sister-city relationship between Davis and a designated city in India.

## **ARTICLE IV: MEMBERSHIP**

### Section 4.1: Types of membership and voting rights

The IAD shall have two types of memberships.

1. Regular Members: Anyone living within the Davis Joint Unified School District shall be eligible for regular membership and shall have the voting rights in all matters of IAD.
2. Associate Members: Anyone living outside the Davis Joint Unified School District shall be eligible for associate membership and shall not have voting rights in any matters concerning the IAD. All other rights and privileges will be same as those of Regular Members.

### Section 4.2: Annual Membership Dues

Annual membership dues for all Regular and Associate members and annual membership dues for Student/Scholar members (including their families) shall be determined by the IAD committee and approved by the General Body.

### Section 4.3: Period Covered by Membership Dues

The term of annual membership dues will be from September 1<sup>st</sup> to August 31<sup>st</sup> of the following year. The membership becomes due on September 1<sup>st</sup> of each year. The membership dues for any individuals and/or families arriving in town after the September 1<sup>st</sup> may be pro-rated based on the remaining months of the membership period in that year.

## **ARTICLE V: THE ORGANIZATION**

The organization shall consist of:

1. General Body
2. Executive Committee
3. Standing/ ad hoc committees
4. Advisory Committee

## **ARTICLE VI: COMPOSITION AND FUNCTIONS OF THE GENERAL BODY**

- A. The general body shall consist of all categories of members listed under Article IV, Membership.
- B. Membership shall cease on:
  1. The death of a member
  2. Non-payment of dues prescribed under Article IV, Section 4.2

3. Misdemeanor or for such other reason as decided by the executive committee
- C. Functions of General Body:
  1. To make recommendations to the Executive Committee on any issues deemed appropriate
  2. To approve the Annual Report
  3. To participate in IAD activities
- D. Funds: The organization shall hold all its funds in a bank account and shall require two signatures approved by the Executive Committee, preferably the President and Treasurer.

## **ARTICLE VII: COMPOSITION AND FUNCTION OF THE EXECUTIVE COMMITTEE**

### Section 7.1: Composition

1. There shall be an Executive Committee that shall consist of a minimum of five and maximum of seven members.
2. The immediate Past-President shall serve as an ex-officio member of the Executive for one year.
3. Members of the Executive Committee shall be elected by the General Body at its first annual meeting. Only Regular Members of IAD and of age 18 years or older shall be eligible to serve on the executive committee.

### Section 7.2: Vacancy

Should any vacancy arise during the middle of the year due to discontinuation of membership through death, resignation or for any other reason, the Executive Committee in consultation with the Advisory Committee shall fill the vacancy and inform the members through the IAD newsletter. Any Executive Committee member who fails to attend three consecutive meetings will forfeit the privilege of being an Executive Committee member and the Executive Committee may declare the position vacant and proceed to fill the vacancy as stated above.

### Section 7.3: Officers

The organization shall have a President, Vice-President, Secretary, and Treasurer elected from the Executive Committee.

### Section 7.4: Tenure of Officers

The tenure of the members of Executive Committee is two years. The President and Secretary shall be elected by the Executive Committee at their first meeting. These two positions are opened for the Executive Committee members who have already served one year. The Vice-President and Treasurer shall also be elected during this meeting from the remaining members who are serving their first year on the Executive Committee. This system is designed so that there is more continuity and the entire leadership does not retire at the same time.

## Section 7.5: Duties of Officers

**President:** The President shall be responsible for the overall functioning of the Association, enforcement of the by-laws, and official correspondence. The President shall call for and preside over the Executive Committee meeting to make decisions and ensure that the decisions and resolutions are carried out.

**Vice-President:** The Vice-President shall provide primary support to the President and execute the functions of the President in his/her absence.

**Secretary:** The Secretary shall keep all the records and minutes of the Executive and General Body meetings and maintain the IAD's master calendar. The Secretary shall be responsible for sending notices and announcements.

**Treasurer:** The Treasurer shall be responsible for the funds of the organization including collecting membership dues, donations and disburse the funds in a timely manner as directed by the Executive Committee. The Secretary shall provide quarterly financial report to the Executive Committee and Annual Report to the General Body. The Treasurer shall provide verbal financial reports, the status of membership and dues collected to the members at large at IAD regular meetings.

**Remaining Officers:** The remaining officers of the Executive Committee shall be chairpersons of the standing committees as described in Article VIII.

## **ARTICLE VIII: STANDING COMMITTEES**

Section 8.1: There shall be three standing committees

- A. Membership / Nominating Committee
- B. Youth Committee
- C. Advisory Committee

- A. Membership / Nominating Committee

This committee shall have a total of three members with Vice-President as the chairperson. The other two members of this committee shall be appointed by the Executive Committee. This committee is responsible for promoting and increasing the membership of IAD. This committee is also responsible for recommending and nominating a slate of candidates before and during the election of the Executive Committee.

- B. Youth Committee

The chairperson of the youth committee shall be an officer of the Executive Committee. A minimum of two youth members shall be appointed by the Executive Committee during their first or second meeting.

## B. Advisory Committee

The Advisory Committee shall consist of three members who have previously served on the Executive Committee and have long standing record of service and good standing in IAD with paid membership for at least ten years. The term of Advisory Committee is for five years and the subsequent Advisory Committee will be nominated by the current Advisory Committee and ratified by the Executive Committee. Also, if a vacancy(ies) arises in the Advisory Committee due to relocation, resignation or any other reason, the Advisory Committee will nominate the replacing member(s) and the member(s) may be ratified by the Executive Committee. In the event there is no unanimity in the selection process, the Executive Committee will make the final decision. The Advisory Committee members will not serve on any other standing committee. Only Regular Members of IAD and of age 18 years or older shall be eligible to serve on the Advisory Committee.

## Section 8.2: Duties of the Standing Committees

### A. Duties of membership / Nominating Committee

1. Establish and maintain current and accurate records of the membership, including but not limited to, home address and telephone number and special talents, if any. This membership information is not for solicitation and business purposes.
2. Assist the Treasurer to collect membership dues.
3. Provide semi-annual and annual reports on the membership status of IAD.
4. Develop and implement means by which all current and prospective members are encouraged to continue / become members and participate in the activities of the IAD.
5. Develop the procedures for the election of the Executive Committee members, and officers and shall inform the members in writing at least two weeks prior to the regular general body meeting in the month of August and submit the consenting nominees for the coming fiscal year, and conduct the elections.

### B. Duties of the Youth Committee

1. Develop a list of young people in the community, their ages, talent and interests.
2. Develop and implement youth oriented programs.
3. Promote and foster youth participation in the association activities in an equitable manner to enrich their cultural heritage.

### C. Duties of the Advisory Committee

The primary duty of the Advisory Committee is to advise and resolve common concerns, issues, and conflicts of IAD that the Executive Committee is unable to resolve. Furthermore, the Advisory Committee shall strive to bring unity and harmony in the IAD.

## **ARTICLE IX: SPECIAL COMMITTEES**

### Section 9.1:

Special Committees may be initiated by the President as needed, with the advice and consent of the Executive Committee.

### Section 9.2:

Chairpersons of the Special Committees shall be appointed by the President with the advice and consent of the Executive Committee.

## **ARTICLE X: MEETINGS**

### Section 10.1:

The regular meetings of the Executive Committee shall be held at a time and place designated by the President, unless and otherwise requested by a majority vote of the Executive Committee.

### Section 10.2:

For executive Committee meetings, a simple majority of the committee shall constitute the quorum.

### Section 10.3:

Special meetings shall be called by the President or Executive Committee as deemed necessary to carry on the business of IAD.

## **ARTICLE XI: ELECTIONS**

### Section 11.1:

At the regular Executive Committee meeting in July, the chairperson of the Membership / Nominating Committee shall present a slate of at least five names to the Executive Committee. These names shall be submitted to the membership at the regular General Body meeting in August for election.

### Section 11.2:

At the regular General Body meeting in August, additional nominations from the floor with the concurrence of the candidate(s) shall be called for by the

chairperson of the Nominating Committee. The ballot shall consist of the slate of candidates submitted by the Nominating Committee and the nominations from the floor.

## **ARTICLE XII: By-LAWS CHANGES**

Any changes or additions to the By-Laws shall be discussed / debated and noted by the Executive Committee and Advisory Committee. These proposed changes shall be notified to the members in writing and response is called for within two months of notification. No response is considered as affirmative. The Executive Committee may consider the minority objections. These changes shall be voted during the general body meeting. The changes become final by the majority vote.

## **ARTICLE XIII: CONFLICT OF INTEREST**

All IAD committee members (standing and/or ad hoc) are forbidden to make any personal monetary gains in cash or kind via any IAD related activity.

### Section 13.1: Contracts

In awarding contracts involving sums of more than \$300.00, the committee member(s) who may potentially gain or benefit personally, shall refrain from discussion and the decision-making process. With regards to the matters of Conflict of Interest, this clause (13.1) supersedes all others.

### Section 13.2: Awards/ trophies/ recognition

No IAD committee member(s) shall be eligible for any IAD award, in any form or shape, during their tenure as committee member.

### Section 13.3: Recognition and Selection of Children for IAD Activities

The IAD committee member(s) shall not participate in discussion and/or decision-making process in matters pertaining to the recognition, selection, and award of their children for any IAD related activity.

## **Appendix to the Articles of Incorporation, Constitution and By-Laws**

- A. The by-laws stated herein are revised to accommodate the progress and changing times and needs of the IAD.
- B. IAD is a non-political, non-religious, and non-sectarian organization. However, the elected public officials may be invited to various functions as a gesture of respect and recognition.
- C. Advisory Committee is supposed to serve the purpose similar to that of "Panchayat" to resolve any IAD issues and conflicts.