

IAFPE-MA, Inc.
(Indian American Forum for Political Education – MA)
Constitution and By-Laws for IAFPE-MA, Inc.

ARTICLE I

NAME:

IAFPE-MA, Inc. (hereinafter referred to as the “Forum”), is an educational and non-profit organization incorporated in the Commonwealth of Massachusetts with no affiliation to any political party.

ARTICLE II

FORUM BY-LAWS:

The by-laws contained in this document are the by-laws of the Forum for the governance and administrative convenience of the organization to achieve its objectives.

ARTICLE III

OBJECTIVES:

1. To function as a catalyst in development of civic consciousness and the promotion of political awareness among all individuals of Asian Indian origin.
2. To provide opportunities for learning through seminars, symposia and workshops on civic, economic, business and political issues, including Indo-US relations.
3. To monitor current legislative and regulatory developments affecting the lives of the individuals of Asian Indian origin in the United States of America.
4. To facilitate the informal exchanges of ideas between Forum Members and political leaders, including public officials, and to develop an atmosphere of mutual understanding through such exchanges of ideas.
5. To promote voter registration among Indian American citizens and encourage them to study the major issues involved in political campaigns in order to exercise their civic responsibilities.
6. To educate Forum members to recognize their individual social responsibilities to wards the society by involving themselves in community and public affairs.

ARTICLE IV

REGISTRANTS, MEMBERS, PRIVILEGES AND DUES:

IV-a. Registrants & Affiliate Members:

Any individual shall be eligible to become a registrant of the Forum, provided the person is eighteen years or older, attends at least one Forum event annually and provides the Forum Executive Committee their name, address and email for the purposes of registration and internal Forum use. All registrants of

the Forum shall have right to attend and participate in Forum's events but cannot run for office, or receive any discounts for Forum's programs.

Any individual who holds a membership to any Indian American organization in the State of Massachusetts can claim an affiliate membership of the Forum. All affiliates must provide the Forum Executive Committee their name, address, affiliate organization and email for the purposes of internal Forum use. They can attend Forum events and participate in them but cannot run for office or receive any discounts for any of Forum's programs.

Membership:

Any individual who is of Asian Indian origin and is of 18 years of age and a resident of the Commonwealth of Massachusetts can become an active member (see IV a-1 below) and will be permitted to cast a vote at a General Body Meeting and contest for an office of the Forum, subject to certain restriction and eligibility criteria set in these Bylaws in the categories of membership below.

IV-a-1. Active Member:

Any person of Asian Indian origin and a resident of Massachusetts shall be eligible to become an active member of the Forum upon paying the annual dues. A new active member will be eligible to vote one month after becoming an active member and will be eligible to be nominated to hold an office six months after becoming active.

IV-a-2. Ten Year Active Member:

Any active member who contributes a sum determined by the Executive Committee and subscribes to the objectives of the Forum shall be a ten year member. Such members shall have all the privileges of an Active member. A new 10 year active member will be eligible after one month with the right to vote & eligible to run for office six months after becoming active

IV-b. Dues and Contributions:

The Executive Committee of Forum shall set annual dues for active membership. The minimum contributions required of Ten Year Active members may not be nominal in nature. These dues maybe revised from time to time but must be approved by a General Body Meeting

The Forum may collect funds beyond its membership dues and may use such contributions in support of its activities.

IV-c. Denial of Membership:

Any member or officer may be denied or removed from the general membership and /or the Executive Committee under extreme circumstances, when the individual is considered detrimental to the objectives of the Forum. Such an action will be taken only after two-third vote of active members present at a General Body meeting, pursuant to the recommendation of the Executive Committee and /or a majority of the Board of Trustees, The meeting at which such action will be taken must be held within a reasonable time frame of the recommendation not to exceed three months and with at least two weeks of notice. The individual will have the right to be present at this meeting to state his/her case.

ARTICLE V:

ADMINISTRATION OF FORUM:

SECTION: V- 1: GENERAL BODY:

V-1-a: The General Body of the Forum shall consist of all dues paying active members of the Forum and shall meet at least once a year.

V-1-b: The General Body shall have the power to elect or dismiss the Executive Committee and the Board of Trustees, elect or dismiss any member of the Executive Committee or Board of Trustees or any other Committee or Subcommittee of the Forum. It shall have power to make specific recommendations to the Executive Committee. It shall have the power to change the provisions of the Forum's constitution and Bylaws and the power to dissolve the organization. The General Body shall exercise these power according to the procedures outlined in this constitution.

SECTION : V-2:

Composition and Duties of the Executive Committee:

The Executive Committee shall be responsible for the day-to-day activities of the Forum including but not limited to collecting dues, organizing functions, publishing newsletters, and maintaining the current membership list.

All the members of the Executive Committee shall be elected during a General Body meeting. The term of all elected officials in the Executive Committee shall be for two calendar years, except for the President Elect. The elected President Elect shall serve as the President Elect for two years and then become the President to serve for a two year term following the end of the President's term. The Executive Committee shall consist of:

President: **The President** shall be the chief Executive Officer of the Forum and shall preside over all Forum meetings.
The President shall with the advice and consent of the Executive Committee and the Board of Trustees establish short-term goals and shall communicate those goals to all concerned.
The President shall act as a liaison with Government Officials at the local, State and National level and with other organizations.
The President shall communicate Forum news to the members in timely manner.
The President shall be jointly responsible with the Treasurer for all timely filings of tax returns and annual reports as required for a 501c(3) organization by state and federal laws.

President Elect: In absence of the President, resignation, inability or noncompliance of term completion, the **President Elect** shall fulfill the duties of the President. In addition, **the President Elect** shall carry out all administrative responsibilities assigned by the President.

Secretary: **The Secretary** shall keep minutes of all meetings and help with correspondence when needed.
The Secretary shall be responsible for collecting annual membership subscriptions and for maintaining the roster of membership to date.
The Secretary shall present a report of activities at the annual meeting of Forum.

Associate Secretary: Shall assist in organizing functions.
Shall fulfill the Secretary's duties in his/her absence.

Treasurer: **The Treasurer** shall be responsible for the receipt, disbursement, recording and safekeeping of all funds, belongings to the Forum.
The Treasurer shall secure checks issued in the name of the Forum.
The Treasurer shall be jointly responsible with the President for all timely filings of tax returns and annual reports as required for a 501c(3) organization by state and federal laws.

The Treasurer shall present a statement of accounts at the annual Forum meeting. Accounts shall be audited as per article VIII, Item#5.

Members

At-Large:

There shall be two **members-at-large**. Their duties shall be to assist Executive Committee in efforts of organizing functions, programs, public relations and fundraising. In addition, **members-at-large** shall fulfill the duties assigned to them by the President.

The Executive Committee members will not be eligible to serve on Board of Trustees except as defined in Article V, Section V-3.

Except for the Office of the President, if a vacancy occurs, appointment to fill the position until the next General Body meeting shall be made by the Executive Committee.

Section-V-3

Composition of the Board of Trustees:

Regular Trustees:

There shall be seven members for the Board of Trustees including the immediate Past President, the current President and Treasurer of the Executive Committee. A person nominated to the Board of Trustees and voted on by the General Body meeting shall be a dues paying member of the Forum, as per Article IV, Section IV-a 1, for at least four years. The nominee shall be of good standing in the community and shall have shown dedication and strong support towards the success of the organization. The nominee shall be one who has either served the Forum's Executive Committee or the Board of Trustees in the past and who is well versed in the Forum's affairs and shall show capacity to protect and preserve the Forum and its constitution and Bylaws.

Functions and Duties of the Board of Trustees:

- a. To ensure continuity of the Forum and involvement in the community.
- b. To raise funds to achieve the objectives of the Forum.
- c. To help with dissemination of Forum news, especially to encourage participation at meetings, and to act as liaison with other communities for good public relations.
- d. To review the activities of Forum including the Executive Committee, Trustees should encourage creativity in Forum, and should not interfere in the normal activities of the Executive Committee, unless they are in violation of the basic principles of the Forum.
- e. To advise on questionable policy matters and, as a last resort, to bring it to attention of the General Body for further action.

Section V-4

Term and Appointment of Board of Trustees:

The term of appointment to the Board of Trustees shall be for four years with no Trustee serving more than 2 four year terms. The Board will choose its own Chairperson from its members *for* a period of two years. The current President or Treasurer may not serve as the Chairperson of the Board of Trustees.

The initial Board of Trustees will be chosen by the Executive Committee and the immediate past President and will be ratified by the General Body. At the General Board Meeting 2 years later, two new members shall replace two members of the initial Board. Subsequently, the Nominating Committee

of the Forum shall propose the names of the candidates to fill the positions on the Board of Trustees. If a vacancy occurs, appointments to fill the position till the next General Body meeting shall be made by the Board of Trustees.

A Trustee cannot serve on the Executive Committee simultaneously. However, any member of the Board of Trustee may attend the Executive Committee meeting as a non-voting member.

For a Trustee meeting, 4 members of the Board must be present to constitute a quorum. An affirmative vote of 4 Trustees will be required to pass any Board resolution.

The Executive Committee must notify the Board of Trustees of any resignations from the Committee in writing, prior to any communications with the community or the media.

Section V-5:

Arbitration of Policy Matters:

To arbitrate problems or questionable policy matters, the decision made by five members of the Board of Trustees will be final and binding and must be documented. They will have the power to call a special Executive Committee and /or General Body meeting to recommend their findings and decisions. They may ask the General Body for dismissal of the Executive Committee. In such case, the Board of Trustees shall assume the responsibility of day-to-day activity of Forum for ninety days. Within those ninety days, the General Body shall elect a New Executive Committee. Nominations of the candidates for a New Executive Committee shall be the responsibility of the Nominating Committee of the Forum. They should follow the guidelines out lined in Article VI, Section VI-1of the constitution.

ARTICLE VI:

ELECTION OF THE EXECUTIVE COMMITTEE:

Section VI-1:

- a. A Nominating Committee will be appointed by the General Body meeting as per Article-VI, section VI-3
- b. Twelve weeks before the elections, a notice will be sent to all Forum members by the Secretary of the Executive Committee on behalf of the Nominating Committee announcing the date of the election meeting and inviting nominations for the positions on the Executive Committee.
- e. Nomination papers maybe be emailed or be posted at least three weeks before the elections and signed by three active Forum members. The nomination papers should be sent to any Nominating Committee member.
- d. The Nominating Committee will be responsible for recommending eligible candidates for the next Executive Committee and two outgoing members of the Board of Trustees. One week before the elections, the Nominating Committee will send to all members the list of all eligible candidates for each position, along with each candidate's curriculum vitae. The list will highlight the Nominating Committee's slate of candidates for the Executive Committee and Board of Trustees.

Section VI-2: Conduct of Election Process:

- a. A proxy Vote and/or floor nomination are not permitted. Except for extenuating personal circumstances, a candidate must be present to be elected. In the absence of any nominations for a

given position at the time of the General Body meeting, floor nominations may be invited and accepted by the General Body.

- b. Supervision will be by a Nominating Committee member and ratified by the floor.
- c. In case of multiple nominations for a position voting shall be by secret written ballots, which shall include the names of all eligible candidates as defined in Article IV Section IV-a The name(s) of the Nominating Committee's recommended candidate for each position will be highlighted on the ballot.

Section VI-3: Election of the Nominating Committee:

- a. Three active members of the Forum shall be elected to the Nominating Committee at a General Body meeting between election years of the Executive Committee. A Nominating Committee member will not be eligible for any position on the next Executive Committee. The outgoing Chairperson of the Board of Trustees shall be a member of the Nominating Committee.
- b. The term of the Nominating Committee shall be four years.
- c. Six weeks before the Election, the Executive Committee will send a notice to all Forum members. This letter will announce the date of the General Body meeting at which elections will be held and will invite nominations for the Nominating Committee. Names may be submitted by the candidates themselves, or by others on their behalf, to the Secretary of the Executive Committee for placement on the ballot
- d. Three weeks before Election, the Secretary will send out a list of candidates for the Nominating Committee to all members.
- e. Conduct of Elections for the Nominating Committee:
 - i. Proxy votes will not be accepted, and the candidate must be present to be elected only exception be made as defined in Article VI, section VI-2a
 - ii. Nomination will be accepted from the floor.
 - iii. Supervision will be by an election officer chosen by the Executive Committee and ratified by the floor.
 - iv. In case of multiple nominations, voting will be by secret written ballots.

ARTICLE VII

MEETINGS AND QUORUM:

- 1. An annual General Body meeting will be called for the President by the Secretary in the fall of each calendar year, with a minimum of a six week notice and an agenda distributed at least two weeks in advance either electronically or by mail.
- 2. A special meeting of Forum may be called by the written request of one-third or twenty active members, whichever is less. The Executive Committee must act upon this written request within three weeks of its receipt, with the special meeting no later than six weeks from the date of receipt.
- 3. The quorum at all Forum meetings for the voting purposes will be one-third of active membership or fifty active members eligible to vote, whichever is less, with exceptions as stated in Article IX and Article X.
- 4. To dismiss the Executive Committee a special General Body meeting can be called by a majority vote of the Board of Trustee members. To dismiss the Board of Trustees, a special General Body meeting can be called by a majority vote of the Executive Committee. The quorum of such meetings shall be as required in Article IX. To act on the dismissal motion at the special General Body Meeting, a simple majority of the present quorum is sufficient.
- 5. All meetings of the organization shall be governed and conducted according to these bylaws and Roberts Rules of Order shall be followed whenever there is no direction or guidance provided in the Bylaws, rules or procedures of Organization.

6. The chairperson of any committee of the Forum shall have option of conducting their committee meeting via teleconference instead of in person if a majority of members of the committee choose to do so. All rules outlined in these bylaws must be followed to conduct the teleconference. The secretary, chairperson or other designee should record the minutes of the meeting.
7. All meeting minutes must be approved by the Committee at its next meeting and they should be filed for future reference.

ARTICLE VIII

FINANCIAL CONTROLS:

The Executive Committee, under the direction of the Treasurer, must maintain financial controls to include the following:

- i. A uniform chart of accounts and bookkeeping procedures must be adopted, and revenue and expense as well as balance sheet reports must be prepared on a quarterly basis and presented to the Board of Trustees.
- ii. A budget and authorization policy must be adopted
- iii. Financing of major events must not obligate the Forum beyond an amount specifically provided for the event.
- iv. As a nonprofit organization, Forum should stay within its budget and should not take loans. Books must be audited, and a complete audited statement must be presented at the annual General Body Meeting. The scope of the audit shall be defined by the Board of Trustees.

ARTICLE IX

AMENDMENTS TO THE CONSTITUTION:

The Constitution of Forum may be amended at a General Body meeting of the Forum, or in a special meeting of the Forum members, convened by the President for the purpose of amending this Constitution. Two-thirds of the active members eligible to vote must be present at such a meeting and a simple majority vote will be required to adopt the change.

ARTICLE X

DISSOLUTION:

The Forum may be dissolved at a special meeting of Forum members by the majority vote of the active members present. The quorum for this meeting must be two thirds of the active members eligible to vote. Within 60 days after dissolution, after paying all the outstanding debts, remainder of the assets of the Forum shall be donated by the Board of Trustees to a local charity in the Commonwealth of Massachusetts, dedicated to the welfare of the Asian Indian community.

ARTICLE XI

EXEMPT ACTIVITIES:

Notwithstanding any other provision of the Constitution and Bylaws, no member, officer, employee or representative of this organization shall take any action or carry out any activity by or on behalf of Forum not permitted by an organization exempt under Section 501 (C) (3) of the Internal Revenue Code and its Regulations, as they now exist or as they may hereafter be amended, or by an organization contribution to which are deductible under Section 170 (C) (2) of such Code and Regulations, as they now exist or as they may hereafter be amended. Prohibited activities include partisan political activities in the name of the Forum, lobbying on behalf of a foreign country and endorsement of any religious or political fund-raising efforts.

ARTICLE XII

EFFECTIVE DATE OF THE CONSTITUTION AND BYLAWS:

Transition rules for implementing this Constitution shall be decided by the current Executive Committee and the Constitution will be fully implemented by an Annual General Body meeting in 2016