

# **Kaveri Sangam of Western New York**

## **CONSTITUTION**

### **PREAMBLE**

WE THE PEOPLE OF SOUTH INDIAN ORIGIN RESIDING IN WESTERN NEW YORK AND THE NIAGARA FRONTIER REGION, WITH A VIEW TO GIVING EXPRESSION TO OUR CULTURAL, TERRITORIAL, LINGUISTIC, PHILOSOPHICAL AND SPIRITUAL ASPIRATIONS AND TO PROMOTE UNDERSTANDING OF OUR CULTURE AMONG THE LOCAL COMMUNITIES, DO HEREBY FORM AN ASSOCIATION.

### **ARTICLE I – NAME**

The name of the association shall be “KAVERI SANGAM” hereafter to be called the “ASSOCIATION” OR KAVERI.

### **ARTICLE II - OBJECTIVES**

- 1) The Association shall be a not-for-profit organization and also, non-political in nature and shall remain so for its entire life.
- 2) Conducting classes to educate, promote and develop a knowledge of languages, culture and customs of India in our children, and promote English and local customs/norms to facilitate assimilation of the community members from the Southern part of India in the USA.
- 3) The programs may take several forms such as:
  - a) Organizing cultural programs, movies, religious discourses, etc.
  - b) Conducting classes in languages of South India for our American born children, as well as English classes where necessary to facilitate adjustment of new immigrants from India.
  - c) Promoting growth progress that will benefit the membership and the community.
  - d) Volunteer and participate in service activities that benefit the South Indian community and the WNY community at large.
  - e) Sponsor joint meetings with Kindred Associations in the area to fulfill common objectives.

### **ARTICLE III - MEMBERSHIP**

A. Membership shall be open to all who believe in the objectives of this Association and who agree to abide its constitution and by-laws.

B. Membership categories shall be defined in the by-laws of the Association. Membership in this Association is not transferable or assignable, is limited to the membership of Kaveri Sangam alone and not in any of the affiliated organizations. Voting rights of the membership is limited to Kaveri Sangam members only.

C. Members or ex-members agree that any legal dispute or lawsuits will be limited against the association and its governing Executive Committee (the Executive committee) only and within the confines of the county (Erie), state (NY) and federal regulations that govern such lawsuits.

#### **ARTICLE IV - EXECUTIVE COMMITTEE**

The Association shall have a governing Executive Committee (EC) consisting of 8 (eight) Kaveri Sangam members. This would include the position of President, Vice-President, General Secretary, Membership Coordinator, Food Coordinator, Cultural Coordinator, Communications Coordinator and Services Coordinator. Roles and Responsibilities of the each position will be defined in the by laws of the Association.

#### **ARTICLE V - BY-LAWS**

The Association shall enact By-laws governing all subjects outlined in the Constitution and also all other matters that may be required for efficient management and continuity of the Association. Rules regarding amendment of By-laws shall be defined therein.

#### **ARTICLE VI - AMENDMENTS**

The Constitution can only be amended in the manner provided for in the By-laws.

#### **ARTICLE VII - DISSOLUTION**

If, because of circumstances beyond the control of the Association, dissolution of the latter becomes imperative, all funds after meeting all liabilities will be donated to one or more non-profit tax-exempt organizations qualified under Section 501 (C) (3) of the IRS Code, by choice of the two-thirds of the entire membership. The liability of the members is limited to their current dues only.

## KAVERI SANGAM BY – LAWS

### **ARTICLE I - ADDRESS OF THE ASSOCIATION**

The current address of the association is the mailing address of the President of the Association for that year. In addition, it will be in C/O PO Box 698, 9630 Transit Road, Suite 1000, East Amherst, NY 14051 or as address change.

### **ARTICLE II - MEMBERSHIP**

#### **SECTION 1. MEMBERSHIP:**

THERE SHALL BE THE FOLLOWING CATEGORIES OF MEMBERSHIP. The fees for each membership shall be decided and updated periodically as necessary by Kaveri Sangam's EXECUTIVE COMMITTEE on its membership application form.

**A. REGULAR MEMBERS:** are defined as members who pay the full annual dues as fixed by the Executive Committee of the Association. The categories are:

**INDIVIDUAL** - will have one vote for all business matters of the association that requires any voting.

**FAMILY** – Every adult within a family is eligible to vote for matters that require any voting;

**STUDENT** – Full-time students not holding a regular salaried employment will have one vote on all business matters and shall pay reduced dues as fixed by the Executive Committee.

**SENIOR** – Individual members over the age of 65, not holding a regular salaried employment will have one vote on all business matters and shall pay reduced dues as fixed by the Executive Committee.

**B. PATRONS:** Regular member paying patron membership dues, as fixed by the Executive Committee shall be acknowledged a patron.

**C. HONORARY:** Distinguished members of the community who are nominated by a majority vote of the Executive Committee to bring prestige or whose expertise will be an asset to the Association.

**D. ORGANIZATIONAL:** Other organizations may choose to become part of Kaveri Sangam. Details are being worked out on this.

#### **SECTION 2. ELIGIBILITY:**

Any individual can apply for membership in any of the categories described below. The Executive Committee reserves the discretion to accept or deny any membership application on a case to case basis.

#### **SECTION 3. MEMBERSHIP YEAR:**

The membership year shall coincide with the fiscal year of the Association and shall be from January 1 to December 31 of a given calendar year.

#### **SECTION 4. PRIVILEGES:**

Members shall have the privilege of being notified of all Association activities by email, postal or other methods as defined by the Executive Committee on record with the Association. Positions to Executive Committee will be open to any member as defined in Article II, Section 1 of these By-laws.

#### **SECTION 5. TERMINATION:**

**TERMINATION:** In the event any member is found guilty with a civil or a criminal violation in a court of law, Executive Committee may suspend his/her membership status with all privileges. All decisions regarding the above said matters in section 4 shall be decided by the Executive Committee.

### **ARTICLE III - EXECUTIVE COMMITTEE**

#### **SECTION 1. GENERAL POWERS:**

The property, affairs and business of the Association shall be managed and controlled, and all the Association's powers shall be exercised by or under the authority of its Executive Committee as duly constituted under the terms of the By-laws of the Association. All Executive Committee members are volunteer members of the organization.

#### **SECTION 2. SELECTION:**

The Executive Committee members shall be selected by nomination of retiring committee members. In the event sufficient nominations to the 8 positions are not available, efforts shall be taken to request the membership to nominate qualified candidates for the positions. The Executive Committee shall at its discretion, add additional executive committee and sub-committee positions. This shall be decided through voting in an Executive Committee meeting. At a future date, the Executive Committee may at its discretion choose to conduct due election process to select the new members for vacant positions in the Executive Committee.

#### **SECTION 3. NUMBER AND TENURE**

Every effort shall be taken by the outgoing Executive Committee members to nominate and select candidates for the vacant positions in the committee, which currently stands at eight. Each Committee member shall serve a minimum of two (2) years in any position. Except in the case of emergency situations, the Executive Committee members are expected to fulfill this obligation. The term of an Executive Committee member shall not exceed 4 years. After completion of their term, the individual may become part of the Executive Committee again after 2 years or more, if found appropriate. The terms of the office of the Executive Committee shall be staggered so that at least 50% of the Executive member remain in office for continuity reasons.

Vacancies may be filled, or new offices created at any meeting of the Executive Committee. Each officer shall hold office until his/her successor shall have been duly elected or appointed in his/her stead, unless prior thereto he/she dies, resigns, or is removed from office.

A Steering Committee shall be formed with retired Executive Committee members to act in an advisory role to the Executive Committee.

#### **SECTION 4. DISCIPLINARY ACTION**

In the event a request for disciplinary action against any member or members of the Executive Committee is made by any member(s) of the association in writing, the President of the Executive Committee will appoint an ad-hoc grievance committee, to investigate the issue and recommend their findings to the Executive Committee in an expeditious manner for further action at the next meeting or a special meeting called for the purpose. The member or members under investigation shall not form part of the grievance committee or the decision-making process during the investigation or the subsequent meetings of the Executive Committee called for that purpose. The member(s) have the right to offer a defense of the accusations made at the meeting and present witnesses in his or her defense.

#### **SECTION 5. OATH**

All Executive Members must take an oath individually.

#### **SECTION 6. PRESIDENT**

The President shall be the Chief Executive Officer of the Association, responsible to the Executive Committee for the administration of its business and affairs. He/She shall preside at all meetings of the Members, the Executive Committee, and of the Executive Committee at which he is present, and in general shall perform all duties incidental to the office of President and such other duties as may from time to time be assigned to him by the Executive Committee. He/She shall appoint all committees so authorized by the Executive Committee and shall name the Chairperson. He/She shall be given notice of and shall have the right to attend and vote at, all Committee meetings. Except as otherwise provided in these By-laws or ordered by the Executive Committee, he/she shall sign for the Associations "all deeds, agreements, and other formal instruments. The President shall be in charge of all financials, memberships, sponsorships, communications, collaborations and conducting events along with the respective coordinators. The President also has the added duty to perform or delegate the tasks and duties of other executive members in the event that any of them is unable to perform his/her duties to the satisfaction of the Executive Committee.

#### **SECTION 7. VICE-PRESIDENT/TREASURER:**

In the absence or disability of the President, the Vice-President shall have all the powers and be subject to all the restrictions upon the President. The Vice-President shall, also, have general administrative duties under the direction of the President and such other duties as may be assigned to him/her by the Executive Committee.

At Kaveri Sangam, the Vice-President assumes the role of a Treasurer as well. As a treasurer, Vice-President will be key in financial decisions and annual budgeting He/She shall have charge and custody of and be responsible for all funds and securities of the Association; receive and give receipts for, money due and payable to the Association from any source whatsoever, and deposit all such moneys in the name of the Association in such banking institutions, as the Executive Committee shall designate. The Treasurer shall keep proper books of account, which shall be at all times open to the inspection of the Members and Executive Committee. Once a year, he/she shall make a report of the accounts for the entire fiscal year. At each stated meeting of the Executive Committee, he/she shall present a recent balance sheet and an account showing in detail the receipts and disbursements of the Association since his last report. The Executive Committeemay audit the accounts of the Treasurer annually. He/She shall be responsible for filling the necessary financial returns to the concerned authorities.

## **SECTION 8. GENERAL SECRETARY:**

The General Secretary shall call for meetings, as provided in these by-laws, of all meetings of the Executive Committee, and any such meetings of the members of the Association. The General Secretary will be responsible to create the agenda for the meeting, the conduct of the meeting and shall keep minutes of the meeting. This includes meetings conducted in person and through conference calls. The General Secretary will be responsible for proper functioning of all sub-committees. He/She also, shall perform the administrative duties under the general direction of the President.

## **SECTION 9. COORDINATOR FOR CULTURAL ACTIVITIES:**

The Cultural Coordinator shall be responsible for arranging special congregations to celebrate special holidays and functions, and such other events as directed by the Executive Committee. The cultural coordinator will coordinate, communicate and conduct all activities related to the successful celebrations of all cultural events. Such activities shall include but not limited to communicating date and venue to the membership, setting up registration, setting up venue, date, time, practice sessions, presentations, audio/visual equipment and awards. All such activities may be completed with a sub-committee of Kaveri members.

## **SECTION 10. COORDINATOR FOR FOOD:**

The Food Coordinator shall be responsible for planning, arranging and ensuring food for attendees of all the events and the Annual Picnic. The activities of the Food Coordinator shall be but not limited to the planning for the food (Potluck, Sponsored Lunch etc.), any communication to the membership at large for food related activities, coordinating preparation, assistance and cleaning activities. All such activities may be completed with a sub-committee of Kaveri members.

## **SECTION 11. COORDINATOR FOR MEMBERSHIP:**

The Membership Coordinator shall be responsible for planning, implementation and maintenance of all membership related activities. Those include but not limited to setting targets, identifying new members, maintaining database of members, validating memberships during the events and providing receipts. The Membership coordinator will report on the number of members during the events. All such activities may be completed with a sub-committee of Kaveri members.

## **SECTION 12. COORDINATOR FOR COMMUNICATION:**

The Communication Coordinator shall be responsible for all communication related to Kaveri activities including but not limited to communication about Kaveri events through flyers, emails, website and social media, and disseminating information related to community. The Comm. Coordinator shall be responsible for handling all mails including but not limited to incoming emails and PO Box. The Comm. Coordinator will be responsible for setting up administrative and other privileges for access to communications and social media. All such activities may be completed with a sub-committee of Kaveri members.

## **SECTION 13. COORDINATOR FOR SERVICE**

The Service Coordinator shall be responsible for all Service related activities of Kaveri including but not limited to planning, coordinating and reporting on service activities. The Service Coordinator will be responsible for identifying projects, create collateral related to the projects, invite volunteers from the

community and conduct these volunteering activities.

#### **SECTION 14. ADDITIONAL OFFICERS, ETC.:**

The Executive Committee may appoint such other officers, committees and agents as it may deem necessary each of who shall hold office for such period, have such authority, and perform such duties as are provided in these By-Laws or as the Executive Committee may from time to time determine. The Executive Committee may delegate to any officer or committee the power to appoint and to prescribe the authority and duties of any such subordinate officers, committees or agents.

### **ARTICLE V - MEETINGS SECTION**

#### **1. REGULAR MEETINGS:**

The new members will take charge of the Association as of the Jan 1 of each year. The first meeting of the Executive Committee shall be held before the 15<sup>th</sup> day from the beginning of each year. During the meeting, the officers shall take an Oath of Office. The Executive Committee shall meet at least once a month or more frequently as seemed necessary to conduct the day-to-day business of the Association. Except in the case of unavoidable circumstances, the Executive Committee members are expected to attend them on time as per directions. The meetings dates shall be fixed ahead and called for by the General Secretary. While these can be conducted in person or through conference calls, at least four such meetings in a year (March, June, September and December) shall be conducted in person at a time and venue agreed upon.

#### **SECTION 2. SPECIAL MEETINGS:**

Special meetings of the members, Executive Committee for any purpose or purposes may be called by the President or in his absence by the Secretary. These meetings can be conducted either in person or through conference calls.

#### **SECTION 3. NOTICE OF MEETINGS:**

A formal notice of meeting shall be sent at least 48 hours before the meeting, except in the case of emergency. The General Secretary will be responsible to do the same. Written or printed notice must state purpose, place, day and hour of the meeting and be mailed or e-mailed to the Executive Committee member. Other communication media such as text or whatsapp may be used but such communication shall be saved for recording purposes.

### **ARTICLE VI**

#### **SECTION 1. RESIGNATION & REMOVAL OF DIRECTORS OR OFFICERS:**

**Resignation:** While a minimum of 2 years is the expected tenure of any Executive Committee member, except under extraneous situations, any Executive Committee member may resign at any time by giving written notice to the Executive Committee or to the President or to the General Secretary of the Association.

**Removal:** Any Executive Committee member may be removed by the Executive Committee for good and sufficient cause, provided the Executive Committee member whom it is proposed to remove shall be given an opportunity to be heard at a meeting of the Executive Committee. The Executive Committee may choose to ask for the removal of a Executive Committee member who failed to attend three consecutive meetings of

the Committee without sufficient reason.

## **SECTION 2. VACANCIES:**

A vacancy of a Executive Member position because of death, resignation, removal or otherwise may be filled by the Executive Committee until the end of the year. The vacancy of an officer because of above reasons may be filled for the unexpired portion of the term as appointed by the President, subject, however, to the approval of the Executive Committee at its next scheduled meeting.

## **ARTICLE VII – COMMITTEES**

The Executive Committee shall by resolution or resolutions passed by a majority vote of the Committee, designate from among its members the following standing committees:

1. Membership Committee
2. Cultural Committee
3. Communications Committee
4. Food Committee
5. Service Committee

These committees shall possess and exercise such authority in the management of the business of the Association. The Executive Committee from time to time appoint such other standing or special committees as it may deem desirable and shall provide for their powers and their duties. The respective Executive Committee coordinator shall be the Chairperson of each committee.

## **ARTICLE VIII - TRANSFER OF CHARGE**

The new Executive Committee Team will be formed before the end of the year. Once the team is formed, the charge shall be handled over to the new team no later than January 10<sup>th</sup> of the year. The records will include Membership Records, Financial and Banking Records, Auditor's Report and any cash or other property on hand, under the authority of the Executive Committee.

## **ARTICLE IX – FINANCES**

The Association has a right to open as many accounts as necessary provided the money is kept in local banks. Any account opened should be by the approval of the Executive Committee. All funds should be deposited to maximize interest income. All transaction shall be done by Checking Accounts. Cancelled checks shall be kept for auditing purposes. The Executive Committee shall decide how to operate the accounts. All checks shall be signed by the Treasurer or the President of the Executive Committee.

## **APPROPRIATIONS**

All withdrawals and disbursements must be approved by the Executive Committee except as specified herein. The Executive Committee can approve expenses for the activities as specified in Article II over any 6-month period whose sum shall not exceed 10% of the total reserve (cash on hand) or \$1000 whichever is smaller. Any amount larger than this shall require the explicit approval of the Executive Committee. All such approvals must be reported and recorded at the next meeting. All expenses must be substantiated by appropriate bills or written statements. A budget prepared by the Treasurer must be presented to the Executive Committee to get its approval.



## **SPECIAL FUNDS**

The Executive Committee may establish Special Funds for specific purposes from donations and contributions from Patrons and other well-wishers of the organization. The money from the Special Fund shall not be used for transacting day-to-day business of the Association, unless agreed upon by the Executive Committee. The funds shall be kept in separate accounts for each fund and the Treasurer shall be the sole custodian of all such funds. The income disbursement shall be determined by the Executive Committee. The Executive Committee may deem it necessary to appoint a separate Finance Committee and define its powers when needed.

## **ARTICLE X – AMENDMENT**

The Constitution and any By-Laws adopted by the Association may be altered or amended at any duly called general meeting of the Association.