

# ***Bangla- O-Biswa***

## **The Constitution**

Amended October 23, 2015

### **Article 1. Name and Objective of the Association**

Section 01: The name of the association shall be Bangla-O-Biswa herein after referred to as Association.

Section 02: The Association shall primarily be a nonprofit social, cultural, and educational organization. The purpose of the Association shall be to encourage those people with ancestral origin in India, or people who are interested in Indian culture, to retain and foster the cultural heritage of Bengal and to exchange the same with other cultures.

Section 03: Until such time as a permanent Location for the Association is established, the residential address of the President of the Association shall serve as the current address.

Section 04: The organizational structure of the Association shall consist of three elements: (i) the Members, (ii) the elected Executive Committee, and (iii) the Board of Trustees.

### **Article 2. The Membership**

Section 01: The membership shall be open to any person, 18 years and older, who is interested in the Associations activities and is prepared to abide by the constitution and pays the membership due annually. Membership year is July 1<sup>st</sup> to June 30<sup>th</sup> of the following year. Membership is annual and all members will have to pay the annual membership dues by the 11<sup>th</sup> month (May 31<sup>st</sup>) of the membership year.

Section 02: There shall be three categories of membership:  
(i) individual, (ii) Family, and (iii) Student.

Section 03: All individual, family and student members who have been annual members for at least two times in the last 4 years and have actively participated in at least one event every year in the last 4 years, shall have voting rights in the election of the Executive Committee

### **Article 3. The Executive Committee**

Section 01: The Executive Committee shall be elected body of members entrusted to manage and carry out all the activities of the Association in compliance with the Constitution.

Section 02: The Executive Committee shall consist of the following members:

- 1 President
- 2 Vice President
- 3 General Secretary
- 4 Treasurer
- 5 Cultural Secretary
- 6 Member-At-large
- 7 Member-At-Large

Section 03: The term of the Executive Committee shall be for one year. A member of the Executive Committee may not hold the same post on the Executive Committee for more than 3 consecutive terms.

Section 04: The Executive Committee members shall jointly share the responsibility of successful conduct of Association activities and programs. Each Executive Committee member shall fulfill his specific responsibilities. In addition, each Executive Committee member will also perform all other tasks delegated to him or her by the President or by the Executive Committee. This article may be used for delegating specific responsibilities to the E. C. members.

Section 05: President: The President shall be the Chief Executive Officer of the Association. He or she shall convene, conduct, and preside over the Association's functions, the General Body Meetings, and the

Executive Meeting. He/she shall ensure that decisions of the Executive Committee are executed in efficient and timely manner. He/she may also delegate these responsibilities as and when required.

Section 06: Vice President: The Vice President shall perform the duties of the President in his/her absence.

Section 07: General Secretary: The General Secretary shall be responsible for keeping the minutes of the Executive Committee Meetings, sending the notices of the meetings. He/she shall be responsible for all the Association's correspondence. He/she shall assist the President in coordinating the activities of the Executive Committee.

Section 08: Treasurer: The Treasurer shall be the custodian of the Association funds and finances. He/she will maintain accurate financial records of the Association's receipts and expenses. He/she shall be responsible for all reimbursements authorized by the Executive Committee. He/she shall be responsible for sending out notices of membership renewals and collect the membership dues and other assessments. He/she shall regularly submit to the Executive Committee the report on the financial standing of the Association and shall present an annual report to the General Body.

Section 09: Cultural Secretary: The Cultural Secretary shall take the initiative and leadership in formulating and organizing cultural activities and programs of the Association.

Section 10: Member-At-Large: The two Member-At-Large shall assist the Executive Committee in maintaining an effective communication with the members of the Association. They shall also assist in the overall coordination of the Association's activities.

Section 11: The Executive Committee shall have the power to set up special committee and sub-committee to help it carry out the Association functions and undertake special projects. At least one of the Executive Committee members shall be a member on such committee or sub-committee. The Executive Committee shall have the power to dissolve such committees in its entirety or dismiss specific individuals.

#### **Article 4. The Board of Trustees**

Section 01: The Board of Trustees referred to as the Board, shall consist of 3 members. The current Executive Committee shall select the Board for three years. If a new Executive Committee is formed during this tenure, they shall at least keep 2 out of the 3 Board members in the Board for the same tenure.

Section 02: The Board of Trustees shall have no executive functions but shall assist and advise the Executive Committee in formulating plans and policies, raising funds, and managing assets of the Association. The Board shall also oversee that the Executive Committee functions according to the provisions of the Association's Constitution.

The Board shall select one of their members as the Chairperson and shall meet at least twice in a calendar year to review activities of the Association and the Executive Committee and submit their feedback to the Executive Committee

Section 03: In the event of the failure of the Executive Committee to function according to the provisions of the constitution and/or specific guidelines laid down by the general body, the Board in coordination with and the approval of the General Body Meeting shall dissolve the Executive Committee and shall take charge of the administration of the Association until such time, not exceeding 90 days, as the new Executive Committee is elected.

## **Article 5. The General Body Meeting**

Section 01: The General Body of the Association shall consist of all the General Members who have paid their membership dues for the year.

Section 02: The Annual General Body Meeting of the Association shall take place during the months May-June. The business carried out at the Annual General Body Meeting may include the election of the Executive Committee, review of the Association's programs and financial status, and any other matter.

Section 03: A special meeting of the General Body may be called by a majority vote of the Executive Committee Members, or by the Board of

Trustees, or by written petition signed by at least one third of active members of the Association. The President shall call the General Body Meeting within four weeks from the date such request is Requested, failing which the Board shall call and preside over the meeting.

Section 04: The voting members of the General Body shall have the power to elect the Executive Committee, dissolve the Executive Committee , make specific recommendations to the Executive Committee and change provisions of this Constitution

Section 05: The Quorum of the General Body Meeting shall consist of one third of the active members. The amendments to the Constitution and the motion to dissolve the Executive Committee shall require an affirmative vote of 2/3 of the voting members of the Association. Further, the motion to dissolve the Executive Committee shall not have voting by proxy or absentia ballot.

#### **Article 6. The Elections**

Section 01: The Elections of the Executive Committee shall be held every year at the annual General Body Meeting. The Election date shall be announced at the least three weeks prior to the date of the elections. Voting shall be by secret ballot.

Section 02: The Election Commissioner shall be selected preferably by the Executive Committee. In case that has not been done, the active members present in the annual meeting shall select the Election Commissioner.

Section 03: The quorum for the election shall be 1/3 of the active members. If the General Body Meeting fails to achieve quorum, the election of office may be completed through the majority of the members present at the meeting. Only voting members defined in Article 2 of the constitution will be allowed to vote in the elections

#### **Article 7. The Financial and Asset Management**

Section 01: The income of the Association shall be derived from the membership dues, donations, grants, and various other fund raising activities, and investments. The funds shall be maintained as follows:

Restricted Funds: Those funds may be used only for the purpose for which they are collected.

General or Unrestricted Funds: These funds may be utilized to fund the Association's day to day activities.

Section 02: The Executive Committee shall demonstrate an utmost responsibility in managing and maintaining the funds and assets. The majority of the surplus funds shall be invested in non-speculative investment grade instruments. The Executive Committee shall make every reasonable effort to strengthen the surplus passed on to it by the previous Executive Committee. The Executive Committee shall be responsible for maintaining the tax exempt status.

Section 03: All expenses exceeding \$200.00 shall be paid by checks. The President and the Treasurer of the Association shall affix signatures on checks and withdrawals of the funds of the Association. Alternatively, under special circumstances, the Executive Committee may authorize the Vice President and the Treasurer to sign the Association checks.

Section 04: The Executive Committee shall maintain an up to date list of all assets and properties and shall act as a prudent care taker during its tenure.

## **Article 8. Dissolution of the Association**

Section 01: If the Association ceases to function and the Executive Committee of Trustees feel that the Association no longer fulfills its original ideals and objectives, the Association may be dissolved as follows:

- (a) The Executive Committee shall circulate a notice of intent of dissolution and obtain consensus of the voting members.
- (b) If overall consensus of the members is in favor of dissolving the Association, a General Body Meeting shall be called and a motion to dissolve shall be placed before the General Body. If the motion is passed by the 2/3 majority vote of all active members, then the Association shall be dissolved. After paying all the liabilities the remaining assets of the Association shall be donated to charitable organizations that the General Body decides.