

# IUSD Bylaws

## INDIA-US SOCIETY OF DELAWARE

### Revised Constitution and By-laws

#### ARTICLE I : NAME AND OBJECTIVES

Section 1: Name: The name of this organization shall be The India-US Society of Delaware. It is referred to as 'IUS-DE' or 'The Society'

Section 2: Address The postal address for correspondence with IUS-DE is that of the President's home.

The current address is 131 Dodge Drive, Smyrna , DE 19977.

Section 3: Website: The website is <http://www.iusde.org>. Members are encouraged to visit this site often for updated information on the Society activities, announcements, newsletter and photos of events etc. Email address for correspondence: [contact@iusde.org](mailto:contact@iusde.org).

Section 4: IRS Internal Revenue Service of US have determined that IUS-DE recognition is exempt from Federal Income Tax as a SOCIAL CLUB under Internal Revenue Code Section 501 (c) (07). The Employer Identification Number for the Society is 51-0380258.

Section 5 : The Society has the following main objectives:-

#### Objectives

- a. To sustain and perpetuate the cultural heritage of India among the Indian community in the State of Delaware;
- b. To work for the general civic, moral and social benefit and welfare of the members of the Society;
- c. To promote inter-cultural activities in Delaware community for better awareness of Indian heritage and community relations;
- d. To form affiliation and cooperation with other national and regional organizations for common cause of Indian nationals in U.S.;
- e. To seek donations and other forms of financial support for meeting the Society's efforts, as permissible under the IRS Code.

## ARTICLE II : MEMBERSHIP AND DUES

There shall be five types of membership open to all as detailed below.

Section 1: Annual: This type is divided into two classes: FAMILY and INDIVIDUAL.

The FAMILY membership includes the spouse, dependent parents over 60, and unmarried children below 21..An Individual will have ONE vote, and a Family, TWO votes at the General Body meeting.

Section 2: Life: A family or individual contributing the prescribed dues for this type will be a Life Member. Individual will carry ONE vote, and Family, TWO votes in the General Body meeting.

Section 3: Patron : A family or individual contributing \$ 1000 or more belongs to this type. Each Patron member is entitled to ONE vote. A current Life member may become a Patron by paying the difference.

Section 4: Corporate: A firm or organization may become a Corporate member by a contribution of \$ 5000 or more. Each member is entitled to ONE vote in a General Body meeting.

Section 5: Honorary: The executive committee of IUS-DE may award, by a majority vote, an honorary membership to an individual or group in recognition of significant service in the cause of Indian community and culture. An honorary member will have all member benefits except voting rights.

Section 6: Dues: The period is calendar year, and the dues are payable in advance to cover the following year The membership dues for annual and life types are determined by the Executive Committee before the annual General Body meeting and approved at the meeting for taking effect from the start of next year. The Fees Schedule may be found in Appendix I, and amended as necessary.

Section 7: Voting Eligibility: A member should be in good standing at least 3 months before the Annual General Body Meeting to be eligible for voting purposes.

## Section 8: Rights & Responsibilities:

- a. All members, Officers and Directors should abide by the terms of the, Constitution and By-laws of IUS-DE.
- b. They should not, in any manner, act in behalf of the Society against the objectives and rules of the Constitution.
- c. Anyone who feels that there may be a conflict of interest in his/her role should abstain from voting on such matters.
- d. No member shall use the IUS-DE website and e-mail id for personal interest.

## ARTICLE III : ELECTIVE POSITIONS

Section 1: Officers Elected officers are President, Vice President, Secretary, Assistant Secretary and Treasurer.

### Section 2: President

The duties of the President shall be:

- a.. To preside over the meetings of the General Body and Executive Committee;
- b. To serve as the Chair of the Executive Committee;
- c. To appoint Chairpersons of committees;
- d. To exercise general executive authority between meetings of the General Body and the Executive Committee, subject to ratification;
- e. To countersign all requisitions and purchase invoices for payment;
- f. To perform such other functions and duties, as may be voted by the General Body or the Executive Committee;
- g. To serve as ex-officio member of all committees with no vote.
- h. To serve as the spokesperson of IUS-DE to external media etc..
- i. To form a panel of members to hear appeal on disciplinary action.

### Section 3:

Vice President - The duties of the Vice-President shall be:

- a. To perform all duties of the President in his/her absence or disability.
- b. To serve as ex-officio member of all committees with no vote.

#### Section 4: Secretary

The duties of the Secretary shall be:

- a. To give due notice of all meetings of the Society and Executive Committee, as directed by the President;
- b. To keep full and accurate minutes of all the meetings, and provide reports thereof at all the regular meetings;
- c. To submit to the General Body at its annual meeting a report of the status and the activities of the Society since the previous report;
- d. To sign requisitions and invoices for payment by the Treasurer;
- e. To keep accurate, up-to-date records of all members and their dues and take prompt, proper action for collection of such dues;
- f. To keep the attendance roster for all Executive Committee meetings, And take action under these by-laws on delinquent members;
- g. To help and coordinate in the work of the various committees.

#### Section 5: Assistant Secretary:

This is a new position to be held by a member aged between 17 and 25. The main duties are to chair the Standing Youth Committee, and organize the Society activities for the benefit of younger generation.

#### Section 6: Treasurer:

The duties of the Treasurer shall be:

- a. To receive all monies of the Society, and promptly deposit them in?Bank account of the Society;
- b. To act as the Chair of the Finance Committee;
- c. To make disbursements authorized by the President and Secretary;
- d. To remit checks signed by the President, Vice-President or Treasurer, and by two signatories in case of checks above \$ 500;
- e. To keep accurate, up-to-date records of all financial transactions under the GAAP and IRS requirements for nonprofit institutions;
- f. To submit reports to the Executive Committee and General Body on the financial status of the Society since the last report;
- g. To submit reports to IRS and other external agencies, as required;
- h. To perform other duties of fiscal nature, as directed by the President or the Executive Committee from time to time.

## Section 6: Directors:

THIRTEEN Directors will be elected at the General Body meeting. The President may appoint, if necessary, persons to fill in vacant positions. The duties of Directors shall be:

- a. To attend all meetings of the Executive and other Committees where he/she performs specific functions, and inform the President and/or Secretary, in advance, of any absence for valid reason.
- b. To perform functions relating to the specific committee(s);
- c. To participate in all discussions at the meetings of the Executive and other committees, and vote on the decision proposals;
- d. To recommend prospective candidates for elective offices;

## SECTION IV : COMMITTEES

### Section 1: Executive

The Executive Committee shall consist of the Officers and Directors. The President, or his/her designee, shall chair the meeting to conduct business according to the procedures under Robert's Rules of Order. The Chair shall not vote on any proposal except to break a tie, if needed. Past Officers of the Society shall serve as ex-officio directors with no vote.

### Section 2: Standing:

The following will be the Standing Committees. Each such Committee, of maximum 3, shall be chaired by a Director.

- a. By-laws : to keep the document up-to-date, suggest and/or review suggested amendments, as needed, for vote by Executive Committee before approval by the General Body.
- b. Community Relations and Publicity: to maintain cordial relations among the DE community and promote Indian heritage.
- c. Computer Operations : to create and maintain required computer files, databases and website links etc. for the Society needs.
- d. Cultural Events.: to organize arts and cultural events and also present such events at multicultural fairs etc. held in Delaware.
- e. Finance: to budget for coming year's activities, seek funds, and plan for long-term for improved membership and fiscal health of IUS-DE.
- f. Youth: to help younger generation growing in dual culture.

Non-members may also be invited to serve on any committee without vote.

### Section 3: Special:

A Special Committee may be formed, as approved by the Executive Committee or General Body, to perform ad-hoc purpose. Non-members may also be invited to serve on these committees without vote. Some suggested special committees are listed below:

- a. Publications: as Newsletters, Annual Souvenir etc.
- b. Events Coordination: as Venue booking, Food Catering, Decoration

### Section 4: Duties:

All Committee members shall perform their duties for the common cause and welfare of the Society and promoting its objectives..

## ARTICLE V : ELECTION PROCEDURES

### Section 1 : Term :

All officers and directors will hold office for two years, starting with an ODD year, and renewable for another term. Each officer and director shall hold office until his/her successor is elected and accepts the office concerned by smooth transfer of power.

### Section 2: Biennial Election

The election of officers and directors will be held at the General Body meeting every EVEN year, to take effect at start of the following year.

### Section 3: Notice to eligible voters

- a. Secretary will mail a notice to every member in good standing, at least 30 days prior to the General Body meeting, listing the slate of prospective candidates and calling for any other names on floor at the time of the General Body meeting.
- b. An eligible member who could not be present at the General Body Meeting, but would like to exercise his/her vote, should send a PROXY appointing another eligible voter to act in his/her behalf at the meeting.

### Section 4: Election Procedures

- a. SEVENTEEN Directors will be elected by the General Body.
- b. A candidate running for election should sign an acceptance form.

- c. If a member nominates another for election, the nominee should sign the acceptance form.
- d. Persons will be elected by simple majority in secret ballot. If more than 17 persons run for Directorship, the top 17 winners will be elected.
- e. FIVE Officers will be elected by the 17 Directors from among them by another internal election.
- f. A Returning Officer, who is not a running candidate, may be selected to conduct the elections. Additional members may be summoned, if needed, to help in counting the cast votes and declaring the winner(s).
- g. Instructions on internal election of Officers are included in Appendix II.

## ARTICLE VI : MEETINGS

### Section 1: General Body

The annual General Body meeting shall be held on the Diwali function, before the cultural program. Election of directors, when scheduled, and approval of the various reports and proposals for Constitution amendments shall be the main order of business at this meeting. Only the members who have been active for at least 3 months before the meeting shall vote.

### Section 2: Executive

- a. The executive committee shall meet on third Wednesday Committee of every even month. The Secretary will mail the agenda of items for business in such a meeting.
- b. Emergency meetings of the executive committee: may be called by the President, Secretary or any two members of the Committee by giving two days' written notice and specifying the purpose of such emergency meeting.

### Section 3: Standing and Special Committees :

These committees will meet, as needed, at the discretion of the respective chairs. A Standing Committee shall meet at least once every quarter.

### Section 4: Quorum:

Quorum at a meeting is determined by a simple majority of its size. In the absence of a quorum at any regular or special meeting, it may be adjourned to a day, hour and place to be specified at that time. All business planned for the original meeting may then be lawfully transacted at the adjourned meeting without quorum.

### Section 5: Order of meeting Business

a. Business is conducted in a professional manner at every meeting in accordance with a written agenda and parliamentary procedure described in the Robert's Rules of Order-Newly Revised.

b. The agenda for a meeting should include:

- Ascertainment of members present and quorum
- Call to order to start the meeting
- Additions/deletions to agenda
- Reading of previous meeting's minutes
- Reports of Officers
- Reports of Committees
- Unfinished business from last meeting
- New business
- Next meeting proposals
- Adjournment

c. The minutes of each meeting will be recorded by the Secretary or a designee, accurately describing the discussions in the order of the items on the agenda for that meeting. A list of members present at the meeting, and those who are absent for valid reason should be furnished at the top of the report of minutes concerned

## ARTICLE VII : RESIGNATION AND DISCIPLINARY ACTION

### Section 1 : Resignation

An officer or director may resign in writing addressed to the Executive Committee stating reasons therefor. He/she shall remain in the position till takeover by a successor.

### Section 2: Removal or Suspension

a. Any IUS-DE member may be removed or suspended. Suspension from membership, upon satisfactory evidence that such person is guilty of conduct not in accord with its objectives.

b. Any Officer or Director may be removed from his/her position for any or all of the following reasons:-

- Unexplained absence from 3 consecutive meetings of the committee concerned,;
- Justified complaints by members on conflict of interest;
- Committee decision on lack of contribution to IUS-DE.

c. Any person, removed or suspended as above, may appeal against such disciplinary action. The President will form a panel to review the case for final decision in the matter.

## ARTICLE VIII : FINANCIAL CONTROL AND PROCEDURES

### Section 1: Fiscal Year:

Calendar Year will be the fiscal year for the Society

### Section 2: Bank Account(s)

- a. All payments shall be made only by check, drawn on the bank account(s) opened for the purpose.
- b. Payment requisitions and invoices should be properly supported by details and paid receipts for the amounts claimed for payment.
- c. No check should be made for CASH or to the signatory

### Section 3: Check

- a. President, Vice-President and Treasurer will be the signatories signatories for checks issued by the Society.
- b. For checks above \$ 500, two signatories are required.

### Section 4: Separation

An officer who incurs an expense in behalf of IUS-DE shall of duties not approve the requisition for payment or sign the check.

### Section 5: Restricted Account:

All monies received for PATRON and CORPORATE memberships shall be recorded under a RESTRICTED account, and not mixed up with the normal operational account.. Such amounts may be invested diligently to earn interest, which may be utilized for operations.

### Section 6: Indemnity of officer

No Officer shall be held responsible for any loss or liability the Society, unless such person is found to be culpably negligent in his/her acts in administering the assets and liabilities of the Society.

### Section 7: Indebtedness

Any transaction of indebtedness shall not be incurred or committed by any officer in behalf of the Society without express approval by the Executive Committee.

#### Section 8: Financial Records & Reports

Financial transactions of the Society should be recorded by the Treasurer in an acceptable book-keeping system, and reports prepared and submitted in accordance with the Generally Accepted Accounting Principles (GAAP) and IRS requirements.

Section 9: Internal Audit of books: The financial books of the Society shall be audited by an Internal Auditor to be appointed by the Executive Committee from the membership on an annual basis. The internal auditor will submit a Report with recommendations, if any, to the Executive Committee.

#### ARTICLE IX : AFFILIATION AND COOPERATION

The Executive Committee may form affiliation and cooperation with other national or regional groups, organizations or coalitions on the following major criteria:-

- Common cause of Indian nationals in the US;
- Encouragement of Indian youth for better understanding of Indian culture and heritage;
- Promotion of Indian culture and heritage among local communities.

#### ARTICLE X : AMENDMENT OF BY-LAWS

- a. This Constitution and by-laws may be amended by a two-thirds majority of the members present at the General Body meeting.
- b. Proposals for any such amendment should be submitted in writing at least 60 days in advance of the annual General Body meeting for purposes of review and recommendations by the Executive Committee to the General Body.
- c. Any such proposal(s) on amendment of by-laws shall be circulated to all members in good standing, along with other information on the annual meeting.
- d. If approved, the amendment will take effect at start of the following year.

#### ARTICLE XI : DISSOLUTION

The Society may be dissolved by two-thirds majority of eligible members voting on such a resolution at a General Body meeting. In such an event, the funds of the Society will be donated to a non-profit organization, as determined by the Executive Committee.

## APPENDICES

### I. Schedule of Membership Dues ( as at 1-1-2003)

ANNUAL : Individual \$ 15 Family \$ 20 (modified in 2009)

LIFE: \$ 150

### II Procedure for Internal Election of Officers by elected Directors:

- a. A Director should have served IUSD for at least 2 years for election as Officer, except in the case of the new office of Assistant Secretary.
- b. A Director who is not a candidate for any office is nominated as Returning Officer..
- c. The election is held by secret ballot by simple majority for each office, starting with President, and following the same procedure for the remaining offices.
- d. If only one candidate runs for a position, he/she is declared the winner unopposed.
- e. If there is an election for an office, all Directors cast their vote in secret ballot.
- f. The Returning Officer collects the ballots, counts the votes gained by each candidate, and declares the candidate with majority as the winner.
- g. In case of a tie, the Returning Office may ask one or more candidates to withdraw, and repeat the election process for the office in question.
- h. On completion of election for all offices, the Returning Officer will sign up a tally-sheet with the final votes obtained by each officer-elect for record and publicity.
- i. Timing of Final Results: If at all possible, the internal election of 5 Officers should be held just after the General Body meeting, and the final result announced to the General Body before the Deepavali function comes to a close. Otherwise, the newly elected Directors follow the above steps soon thereafter, and arrange for the announcement of the Final Election of the new Cabinet of Officers by mail to all members with a Letter from the new President to all members at large.

The results may also be publicized on the IUSD website and in the local press.

NOTE: These revised Constitution and Bylaws will replace the current document signed on 11-20-1998, and take effect from 11-16-2003.