

Kannada Koota of Northern California (KKNC)

Constitution Bylaws

**Approved by the Board of Trustees of KKNC
on Dec 21, 2005 in Milpitas, Santa Clara County, State
of California, USA**

Supersedes all previous versions of KKNC Constitution

Version: 1.2

Dated: Dec 21, 2005

Status: Approved Revision

KKNC Board of Trustees

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2. Vice Chairman: Ramesh Sirsi (650) 856-8948 rameshsirsi@sbcglobal.net
3. Trustee 1: H.V.Gangadhara (925) 820-8479 hosallig@hotmail.com
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Bylaws of KKNC Constitution

1. Preamble

Refer to the Articles of the Constitution document for Preamble details

a. Details of Charter (See Articles of Constitution document for Goals and Charter for KKNC)

i. Introduction

It is well recognized that an individual will have a variety of interests and may belong to and take part in many organizations concurrently. For instance, the same person may be a member of a US or Indian political party, a sports club such as a cricket association, organizations promoting a language other than Kannada, religious/caste/community/region-of-previous-domicile based organizations, a particular kind of church/temple/mosque etc. It is that individual's right to belong simultaneously to different associations/organizations for personal fulfillment. Just as those organizations limit the scope of their activities to fulfill only a part of the interest spectrum of the individual, KKNC charter is not meant to encompass all the needs of the individuals in all the spheres of interest such as mentioned above. KKNC charter also shall be limited to cover a specific subset of activities of common interest to the affinity group that forms the membership of the organization. The charter may in future be expanded or amended through the provisions made available in this document.

ii. Caveat

KKNC shall not knowingly support/promote/recognize/uphold any individual or group who/which pursues a biased agenda based on caste/sect/regional/political/anti-Kannada themes. Any individual within or outside the membership who pursues above stated bias, or works to circumvent/contravene the charter stated below, or pursues commercial/business/financial interest for their own interest which does not benefit the common good of the membership, or works to sow dissension or cause disunity within the membership shall be denied support/role in any (or all) activity of KKNC.

KKNC charter of activities shall consist of, but not limited to, the following which is not in any priority order. Examples for each charter heading are also shown

- 1. Promoting Kannada language and Kannada literature**
 - i. KKNC shall use Kannada in the conduct of its operations.
 - ii. But, with due respect to the membership who may not be conversant or fluent in Kannada, English shall be used as an alternate language. Use of other languages should be strictly on an absolute need basis and limited in scope to a particular item of common interest such as lines in a play that must be said in a language other than Kannada or English.
 - iii. Encourage members to write to/contribute to/read/review/discuss a periodical magazine or other publication published by KKNC and/or other organization.
 - iv. Support organizations that promote Kannada literature

- 2. Cultural activities derived from Karnataka**
 - i. Performing arts such as music, dance, drama etc.
 - ii. Screening of Kannada movies, staging of Kannada plays
 - iii. Distribution/promotion of recorded works/books
 - iv. Culinary art forms (variety of food from Karnataka)
 - v. Folklore, folk arts based activities
 - vi. Dresses, makeup, jewelry from Karnataka
 - vii. Traditional religious festivals in Karnataka such as, but not limited to, Sankranti, Yugadi, Ganesha Chaturthi, Navarathri, Deepavali etc.
 - viii. Celebration of other religious/traditional festivals such as Ramanavami, Krishna Janmastami, Dasa/Sharana day, Kannada Rajyothsava etc.
 - ix. Commemoration of important events/milestones/leaders in the development and advancement of Kannada and Karnataka such as Karnataka Ekikarana, birthday celebration of Purandaradasa, Vishveshwarayya, Kuvempu etc.

- 3. Recognition of, and encouragement to, members/families**
 - i. Recognition of achievements
 - ii. Promotion of creative works
 - iii. Encouragement of children to exhibit their talents in Kannada

- 4. Welcome/Charitable assistance to members**
 - i. Logistic help
 - ii. Temporary housing
 - iii. Career assistance
 - iv. Crisis help
 - v. Medical assistance
 - vi. Educational help
 - vii. Help to senior citizens

- 5. Education and Spreading competency in Kannada**
 - i. Language classes for children and adults

- ii. Tournaments, competition, showcasing
- 6. Support and attract younger generation of Kannadigas**
 - i. Creation of forums of common interest
 - ii. Matrimonial assistance
 - iii. Vocational guidance
 - iv. Career counseling
 - v. Personality development
- 7. Sport activities**
 - i. Competition, training, 'Sports Day' etc
 - ii. Promoting/supporting entries in recognized competitions.
- 8. Community Development**
 - i. Picnics, gatherings, excursions, cruises
 - ii. Group travel and tours
 - iii. Cross regional events such as between Southern and Northern California Kannada communities, east coast and west coast etc.
 - iv. Taking part in pan-US/North America/ International events
 - v. Cultural exposure and support to local, state and federal entities (organizations as well as personnel) that enhance the KKNC charter.
- 9. Charity**
 - i. Local US based need groups
 - ii. India/Karnataka based need groups
 - iii. Other international need groups
 - iv. Supporting other Charity organizations by promoting, co-hosting, co-fund raising
 - v. Encouragement of not only monetary but also physical help and service
- 10. Hosting of distinguished Kannada/Karnataka personalities or groups from anywhere in the world**

KKNC is not obligated to implement every item in the charter every year, but encouraged to do the maximum possible, if necessary, through sub-committees or through affiliation with other organizations. As a reminder, note that KKNC charter is not meant to encompass all the needs of the individual members in all the spheres of interest in their life and therefore limited to the scope shown above

b. Goals

The main goal of the organization is to cater to the needs of the residents of the larger San Francisco Bay Area in USA who have an affinity for the Kannada language and/or the heritage of the state of Karnataka, India. These residents are either directly, or indirectly through their forefathers, hail from India and represent the ethnic groups from Karnataka having interest in its varied culture and the Kannada

language. KKNC shall pursue the goals of Education, Support of Religious and traditional festivals, Charity and assistance to and through its membership and Community Development.

c. Objectives

Consistent with the above stated charter, caveats and goals, KKNC shall work to promote the following objectives:

1. Maintain unity and sense of common belonging among all Karnataka/Kannadiga immigrants and their descendents
2. Pursue as many activities as possible within the charter for the benefit and well being of the membership. Enrich the membership community with a greater appreciation of, and involvement in, the heritage of Karnataka.
3. Remain fiscally sound, solvent and accountable by careful management of incomes, outflows and fiduciary responsibilities to the government, membership, community and other partner organizations.
4. Promote a larger share of membership and active participation from within the community
5. Keep the respect and harmony within the membership, between KKNC and other Indian organizations in the Bay Area and United States of America
6. Promote a desire and increased role and participation in KKNC from the younger generation/children of Kannada families.

2. Articles of Association

a. Governing Body

The governance of KKNC shall be through two committees, the Board of Trustees and the Executive Committee

i. Board of Trustees

The main purpose of the Board of Trustees is to ensure continuity, smooth functioning of KKNC, safe keeping of KKNC assets and documents and amend the constitution if needed. The Board of Trustees will oversee the election of the Executive Committee each year, ensure a smooth handover, resolve disputes and assist the Executive Committee in conforming to the constitution.

ii. Executive Committee

The Executive Committee will conduct the operations of KKNC in conformance with the Constitution. It will have the authority to raise and disburse funds.

b. Mandatory Bylaws of the Constitution

A number of requirements stipulated in this document are of a mandatory nature. These are stated with imperatives, usually with “shall”, “is required to”, “must” etc. Where it is not clear, the Board of

Trustees shall clarify, and shall be the final arbiter of, the interpretation for the Executive Committee, and revise the document if necessary.

c. Advisory Bylaws of the Constitution

A number of statements/requirements in this document are of an optional or advisory nature in order to guide/encourage the Executive Committee. These are stated using words such as “should”, “may”, “will” etc. Where it is not clear, the Board of Trustees, shall clarify, and shall be the final arbiter of, the interpretation to the Executive Committee and revise the document if necessary.

3. Organization

a. Definition

KKNC stands for Kannada Koota of Northern California.

b. Type

KKNC shall be a non-profit Educational, Religious, Charitable, Community Development organization

c. Purpose

Main purpose is to fulfill the needs of the community of members in fostering their oneness, language and their heritage.

d. Registration

- i. Federal – Currently registered with a Tax Payer Identification number: 94-2801002
- ii. State – Currently registered as a non-profit “association” with an organization number: 9787805

e. Tax Status

- i. Federal – Currently registered as a non-profit organization. KKNC has obtained Tax exemption status under 501 (C) (7). KKNC shall seek certification as 501 (C) (3) to allow donations to KKNC to be claimed as Tax Deductible by the donors
- ii. State – Currently registered as a non-profit organization. Tax exemption status was granted by State of California Franchise Tax Board on May 19, 1982.

1. Approved by J. Kudo, Supervisor, Exempt Organizations
2. Refer correspondance to : 342:MS:rk:g
3. Stated Purpose: Social/Recreational
4. Code Section: 23701g
5. Form of Organization: Association (unincorporated)
6. Accounting period ending: Dec 31
7. Organization number: 9787805

f. Autonomy

KKNC shall be a fully autonomous organization with complete liberty to carry out the activities according to its charter. There shall be no other body that has jurisdiction over KKNC. Any claims for such jurisdiction

shall be invalid. KKNC may from time to time become member/affiliate of other organizations and may agree to perform duties consistent with such membership/affiliation provided the Executive Committee along with the Board of Trustees or, when necessary, the general membership have approved. But, these obligations shall not contradict or come in the way of KKNC operating according to its charter and constitution. Any financial commitments made shall be non-binding unless already approved as such by the Executive Committee and the Board of Trustees. Financial commitments, if made, shall be limited to the term of the current Executive Committee and shall not place an on-going obligation.

g. Affiliations

KKNC may enter into relationships of affiliation or membership with other organizations provided the aforementioned Charter with its Caveat and Autonomy stipulations are not compromised.

Following is a description of the current affiliation status:

- i. Other Kannada Organizations
KKNC is an affiliated member of AKKA. But, this shall not grant any power to AKKA to dictate financial or other obligations to KKNC that is not voluntarily offered.
- ii. Other non-Kannada Organizations
Currently, there are no affiliations with non-Kannada Organizations. But, they may be entered into subject to the provisions of 3.f Autonomy sections.
- iii. Other Regional Organizations
Currently, there are no affiliations with other Regional Organizations. But, they may be entered into subject to the provisions of 3.f Autonomy sections.
- iv. National Organizations
Currently, there are no affiliations with National Organizations. But, they may be entered into subject to the provisions of 3.f Autonomy sections.
- v. International Organizations
Currently, there are no affiliations with International Organizations. But, they may be entered into subject to the provisions of 3.f Autonomy sections.
- vi. Karnataka Government organizations
As part of the non-political charter of KKNC, KKNC shall not belong to any Government organization in India including the Karnataka Government unless it is clearly consistent with the charter, caveat and the Autonomy provision in section 3.f.
- vii. Karnataka NGO
As part of the non-political nature of KKNC, KKNC shall not belong to any non-Government organization in India including Karnataka unless it is clearly consistent with the charter, caveat and the Autonomy provision in section 3.f.

4. Constitution Amendment Process

a. Initial passage

This document, when passed and enacted by the KKNC General Body, shall be in full force in its entirety and be the sole document on this subject

b. Future changes

- i. Any changes in the future may be proposed by any member in writing to the President.
- ii. The President shall review and forward the requested change with a recommendation to the Board of Trustees Chairman. The Board of Trustees shall not entertain changes that are materially contradictory to the charter and mandatory prescriptions in the document, unless there is a clear case of the general good it will result in for KKNC and the membership at large.

c. Board of Trustees

The Board of Trustees shall review all proposed changes and vote on their merits. Frequent changes to the Constitution are not desirable and should not be put to vote by the General Body more than once a year. The Board shall group all changes accepted, shall mark-up the appropriate sections in the Constitution, update the version numbering, present the old and the new versions to the Executive Committee. Even if the changes are minor, the process proposed further should be adhered to.

d. Executive Committee

The Executive Committee shall review the proposed change, vote on its merits and provide feedback to the Board of Trustees. The Board of Trustees may then decide to go ahead, abandon, change or defer the changes to a later time. If the Board of Trustees deems it necessary, the Executive Committee shall call a General Body meeting as a separate meeting or as a part of another regular event. In any case, the revisions and the revised document in its entirety shall be made available on the web and to the general membership with reasonable review time before the vote. The General Body meeting must vote with a simple majority to accept the changes. Where the changes are considered minor by the Board of Trustees, the Board of Trustees through the Executive Committee shall announce to the general membership the list of changes, post it for review and announce that if there is no objection received within a reasonable stipulated time it shall be considered as approved. In that event, both the Board of Trustees and the Executive Committee shall vote to accept the changes as not needing a vote by the General Body. The Chairman of the Board of Trustees shall keep a record of the changes proposed, the final disposition, and track the changes to the document clearly in the front section of the revised document. Each successive revision to the document shall be kept on file for a minimum of five years from the date of change approval. The current revision should be available to anyone in the membership, preferably on-line via the Web. The previous versions may be kept as hardcopy only.

5. KKNC Membership

a. Eligibility

Membership should be made available to anyone who applies without any discrimination. Each membership has to be accepted by the Executive committee with an issuance of a membership card or a similar document. However, the Executive Committee may decide to not accept the membership of certain individuals if it is clear that the person may cause harm to the organization or its membership in any way. The Executive committee shall inform the Board of Trustees of such decisions. The Board of Trustees may override the decision if they find the decision to be not based on a fair assessment or based on prejudice or discrimination. The Board of Trustees override shall be binding on the Executive Committee.

b. Responsibility

It is the responsibility of the Executive Committee to ensure that the new membership applicant is aware of the nature of the organization and can reasonably be expected to take part in the activities without prejudice or mal-intent. It is possible that people may want to join out of idle curiosity, intent to disrupt the proceedings, challenge authority or cause harm to the members or to the organization. Therefore, each member should be made aware of the means to access the constitution and learn of their eligibility and responsibility requirements.

c. Benefits

Once admitted, every member shall be entitled to all the benefits from KKNC without discrimination.

d. Redress

In case of dissatisfaction, any member may take his/her complaint in writing to any member of the Executive committee. Should it be necessary, the member may escalate the complaint to any member of the Board of Trustees. That Trustee shall bring up the issue with the Board of Trustees for adjudication without undue delay. The final decision of the Board of Trustees shall be binding without recourse to further challenge.

e. Types of Membership

i. Annual Paid membership

This is for a term of one year. Membership may be accepted anytime in the year. The Executive committee will set the annual membership dues at the beginning of the year and is encouraged not to change it in the middle of the year.

1. Family – This will cover the head of household, spouse, their respective parents and children aged 25 years or less. This will not cover guests or other relatives of the family
2. Single – This will cover an individual only

ii. Life Membership

1. This is a membership signaling a lifetime commitment to KKNC. This shall mean that the members are committed to seeing KKNC operate successfully uninterrupted. This also shall mean that, should there be a problem running

KKNC due to a failure to elect, resignation, dismissal or other crisis, the life members will take up the role of running KKNC in conjunction with the Board of Trustees.

2. This automatically means a family coverage which includes the head of household, spouse, their respective parents and children aged 25 years or less
3. There is a one-time fee for all membership privileges for the lifetime of the head of household and spouse
4. Dues are set by the Executive committee at the beginning of the year in consultation with the Board of Trustees
5. Since a one time fee may not adequately cover a life member for his/her lifetime (due to inflation, low returns on lifetime fund investments etc.) additional fees may need to be levied depending on the financial situation of KKNC. Life members are not obligated, but encouraged, to pay additional fees on a one-time or periodic basis. The Executive committee may levy additional fees on all members on a per event basis depending on the event. Life members shall also pay the fees under such circumstances
6. If necessary, the Executive Committee may undertake to raise, or contribute, funds to bring the Life Membership fund to a level which will pay for providing continuing privileges to Life Members.

iii. Honorary Membership

Honorary membership may be granted on an Annual or Lifetime basis for Donors to KKNC depending on the level of donations. Membership without paying dues or donations is discouraged. In very special circumstances, the Executive Committee may grant honorary membership for a period of one year at a time.

f. Dues

Membership dues are payable on a time schedule and per the process set each year by the Executive Committee. Dues once paid are non-refundable. Membership privileges shall not be granted until dues are paid fully. Membership is not automatically renewed for the next term unless the next term fees are fully paid.

g. Withdrawal – Resignation

Any member may resign from membership by notifying the President in writing without assigning any reason. Membership dues paid shall not be refunded in full or in part. At the end of the year, unless the member renews membership by paying the fees due, the member is considered to have resigned and may be taken off the mailing list for KKNC communications.

h. Removal

At times, it may become necessary to remove a member from KKNC membership. This provision shall not be utilized lightly and for trivial reasons. Both the Executive committee and the Board of Trustees shall

vote in a majority to remove a person from membership. Section 1.d (Charter and Caveat) should be consulted to determine if the specific individual violates the charter of KKNC or behaves in ways injurious to the membership, organization or its reputation.

6. Board of Trustees

a. Responsibilities:

The overarching responsibility for the Board of Trustees is to keep KKNC operating successfully year after year and ensure KKNC functions in accordance with the constitution.

The Board of Trustees shall have the authority and responsibility to include the following.

- i. Seek nominations and conduct election of the President
- ii. Appointment of Sub Committees for special subjects where warranted only if the Executive Committee cannot handle that task
- iii. Meet with the members of the incoming Executive Committee at least twice, if not more often, to review the budget and planned program of activities at the beginning of the year and to conduct an audit by the year end to determine consistency with the charter.
- iv. Call for and meet with the President and/or the entire Executive Committee to provide feedback and advice when necessary.
- v. Review, feedback and provide guidance on any proposed changes to the schedule of membership fees.
- vi. Budget and obtain funds from the Executive Committee for the operation of the Board of Trustees. Each Executive committee shall set aside a minimum of 1% and may set aside up to 5% of the current year's operating budget for the use of Board of Trustees. Advances may be received from the Treasurer. All expenses must be submitted for re-imbusement to the Treasurer and accounted for. The Board of Trustees shall not have special funds at their disposition and may not carry funds from year to year.
- vii. Appraising the incoming Executive Committee of the Constitution:
Ensure copies of the constitution are handed to each member of the next Executive committee and appraise them of the important provisions.
- viii. Handover from outgoing to incoming Executive Committees:
Arrange for the schedule and smooth transfer of funds, bank accounts, investment accounts and equipment/assets to the new Executive Committee. Arrange for advance funds for the new Executive Committee to use ahead of assumption of office for purposes of early deposits, initial payments etc.
- ix. Arbitration of disputes:

Where disputes arise within the Executive Committee, between the incoming and outgoing Executive Committees, or between KKNC members and the Executive Committee, then the Board of Trustees shall have the authority to mediate and make final judgment which shall be binding on all concerned.

- x. Dismissal of any or all members of Executive Committee
 - 1. Under extra-ordinary circumstances, subject to the provisions of the Preamble Chapter 1, the Board of Trustees may deem it necessary to remove from office any, or all, member(s) of the Executive Committee
- xi. Historical record keeping
 - 1. The Board of Trustees Chairman shall ensure safekeeping for seven previous calendar years plus documents to date for the current year and shall handover the documents to the succeeding chairman on assumption of office.

The Chairman of the Board of Trustees shall safekeep

- i. Current version of the Constitution, record of changes including voting approval where applicable
- ii. Minutes of Board of Trustees meetings including voting record on resolutions passed.
- 2. President of KKNC, at the end of each year, shall hand over to the Board of Trustees Chairman the following documents pertaining to his/her term for safekeeping

The documents required are:

- i. Annual Financial Reports with auditors' signatures and exceptions noted
- ii. Names and contact info for Executive Committee and other subcommittees
- iii. Collection of mailings, email sent to KKNC membership at large and outside organizations
- iv. Annual report of the year's activities
- v. Any magazines, publications released that year
- vi. Membership roster, names, contact information for all members. In this regard, the Board (and the President) shall ensure the privacy of the information is maintained. This information shall be safeguarded to ensure that it is not misused.
- vii. Documentation of complaints, disputes, record of disposition
- viii. Record of transfer of financial and material assets from one Executive Committee to its successor
- ix. Records of income/dues/ receipts, records/receipts/cancelled checks for payments, Bank Account openings/closings

- x. Tax filing for Federal, State and Local agencies
- xi. Insurance coverage records and records of any claims, disposition and open issues
- xii. Insurance coverage and liability handling**
 - 1. The Board of Trustees will advise and verify the adequacy and veracity of insurance coverage purchased by the Executive Committee
- xiii. General Body Meeting**
 - 1. The Board of Trustees shall initiate, and the President shall oblige, announcing a meeting of the General Body of KKNC membership either as a separate meeting or as a section of a general get-together of KKNC members organized by the Executive Committee for other purpose.
 - 2. Elections shall only be held during the General Body Meeting for Board of Trustees and the President.
 - 3. Changes to the Constitution must be put to vote for acceptance only at a General Body Meeting.
 - 4. The Board of Trustees Chairman or his appointed delegate Board member shall officiate at the General Body Meeting.
 - 5. General Body Meeting may also be called to inform, seek input from, or otherwise discuss issues with KKNC membership whether it pertains to the jurisdiction of the Board of Trustees or the Executive Committee

b. Relationship with Executive Committee

The Board of trustees shall operate with the spirit of letting the Executive Committee operate freely making its own decisions. In fact, the Executive Committee is the officially elected body to carry out the KKNC operation for its term. It can make its own policies and procedures that applies to its term. Close rapport and co-operation need to exist between the two bodies. Only when there is a deviation/violation of the Constitution, or a dispute, or policies/procedures/practices that inhibit/adversely affect future Executive Committees should the Board of Trustees get involved. Gentle persuasion, empathetic listening and friendly advice should be resorted to at first. Only when it must, the Board of Trustees shall take up other measures to safeguard the interest of KKNC and its charter.

c. Board of Trustees Members

All trustees shall serve on a voluntary/honorary basis without personal remuneration. The Trustees shall include:

- i. Chairman – shall be a previous President or Executive Committee member or Life Member. Shall have been a member of good standing and active participation for at least five years.
- ii. Vice Chairman – shall be a previous President/Executive Committee member or Life Member. Shall have been a member of good standing and active participation for at least five years.

- iii. Members – will comprise a total of three members with the following qualifications:
 - 1. Member 1 - Any member of KKNC for at least 5 years
 - 2. Member 2 - Any member of KKNC for at least 5 years
 - 3. Member 3 - Current President or Vice President of Executive Committee (President shall specify who)

d. Election of Trustees

- i. Nominations for Trustee positions must be received prior to the election date. Existing/continuing trustees are encouraged to screen the nominations for appropriate qualification for trustees and determine no more than 2 nominations to be placed for election at the General Body meeting.
- ii. Every effort shall be made by the Trustees to avoid having a competing election by getting seekers to compromise and seek alternatives. Only if unavoidable, shall an election be called. If a compromise is reached and only one nomination is available for each position, then the general body shall be asked to approve the selection.
- iii. Trustees, including the Chairman and Vice Chairman, shall be elected (or approved, if only a single nomination) by voice vote or hand count or open ballot at a General Body Meeting. Any continuing trustee may be appointed by the Chairman as the electoral officer.
- iv. Elections shall be held at the same time as the election of President. It is preferred to be held on the last meeting of the year of KKNC activities. If not possible, a special General Body meeting shall be called to hold elections, preferably no later than Dec 31.

v.

e. Terms

- i. Each member of the Board of Trustees shall have a term of two years in general except in the very first year of operation.
- ii. At the first election, all members of the Board of Trustees shall be elected together. The first Vice Chairman and Member2 shall serve for only one year and come up for re-election at the end of the year for the next term of 2 years. The first Chairman and member1 shall serve for 2 years and subsequently every two years. The President (or Vice President if delegated) of each year's Executive Committee shall automatically be a member of the Board of Trustees during his/her official term. The preceding process will ensure continuity of at least 50% of the Board of Trustees membership and allow for the remaining percentage to change each year allowing healthy overlapping.
- iii. In case of resignation of a trustee, the remaining trustees may appoint any member meeting the required qualifications to fill out the remainder of the term. Such appointments shall be

announced to the general membership and seek ratification at the first opportunity possible.

f. Term Limits

- i. No member of the Board of Trustees shall be elected for more than two back to back terms. (total of four years)
- ii. Provided there is a break in holding office, there is no limit to how many terms may be served by an individual on the Board.

g. Approval Basis:

The Board of Trustees shall make judgment upon and pass resolutions which may have the following originators:

- i. Resolutions sponsored by a member of Board of Trustees
 1. The Executive Committee representative (President/Vice President) need not be present to vote
- ii. Resolutions sponsored by President of KKNC
 1. The Executive Committee President/Vice President must be present at voting time
- iii. Resolutions sponsored by any KKNC member
 1. The sponsoring member will be encouraged to be present at the time of voting in order to demonstrate fairness of hearing, discussion and voting.

h. Voting Quorum:

There shall be a minimum 3 of 5 Trustees for any voting to be considered valid.

i. Voting Power:

One vote per member – simple majority vote is all that is required for a resolution to pass – that is, two votes are sufficient if only three members attend. Chairman shall have the power to override a vote if he/she feels necessary which should be used only under extra-ordinary circumstances.

j. Communication of Board of Trustees proceedings:

- i. The responsibility for minutes, distribution and record keeping shall belong to the Vice Chairman who, when required, might delegate an alternate trustee to perform the function.
- ii. When it is required to communicate the Board of Trustees resolutions/decisions to the general membership, the Chairman shall make a request to the President with written material to communicate. The President shall organize the dissemination of the information to the General membership.
- iii. The Chairman, or a member of the Board of Trustees, may also write to the general membership, or address the general membership at a get together, with the concurrence of the President.
- iv. Under extra-ordinary circumstances, only when it must be done, the Board of Trustees may approve the Chairman to address KKNC general membership bypassing the Executive Committee. This provision must not be entered into lightly.

7. Governing Authority

The authority to govern KKNC during its term shall belong to the Executive Committee. See above for Role and Relationship of Board of Trustees with respect to the Executive Committee and its governing authority.

a. Board of Trustees role

- i. Nomination of President and Trustees for the next term
 1. The Board of Trustees shall, in sufficient time prior to the election, seek and receive nominations for the posts of President and outgoing Trustees by announcing to the KKNC membership. There shall be a deadline specified for receiving the nominations after which nominations may only be accepted if there is no qualified nomination received.
 2. Nominations may come from any registered member of KKNC. Another registered member shall second the nomination. The nominee must clearly indicate that he/she is interested and willing to participate in the election and in executing the responsibilities if elected.
 3. Nomination, seconding and nominee acceptance may be received verbally, but duly noted in the records of the Board.
 4. Nomination notices and deadlines for submission should be announced to the membership through the current Executive Committee's communication practices. Where absolutely required, the Board of Trustees may issue its own communication.
 5. Where nominations are not forthcoming in time or where the nominations received are not felt to be the right candidates to run KKNC due to whatever reason including inexperience, any trustee may seek/encourage/convince other member(s) to contest for election who must accept their candidacy with full knowledge of other nominations submitted.
 6. The Board of Trustees should make every effort to have the nominees determined, notify the KKNC membership of the candidates ahead of the election date. Only if it is impossible to get nominations ahead of time, nominations may be sought from the general gathering during the time designated for election.
 7. In accepting the nominations for election, the Board of Trustees shall act without prejudice or bias of any kind except in cases where KKNC membership or KKNC charter will not be well served or even harmed. Such exceptions may be due to, but not limited to, the following:
 - i. Inability of the person to serve the term

- ii. Exceeding term limit provisions
- iii. Person known to be prejudiced against the KKNC charter or the constitution provisions
- iv. Objection from nominee's family members which will inhibit fulfilling the role and term

ii. Election Process and conduct of election

1. Board of Trustees Chairman is overall responsible for the process and conduct of election. He/she may delegate the role in whole or in part to other trustees.
2. The membership shall be advised of the date of election, deadlines for receipt of nominations and the process for sending in nominations with a reasonable notice.
3. The Board of Trustees should make every effort possible to seek and present qualified nominations for President and Trustee positions to the electorate. However, the Board shall make an effort to persuade the contestants to see if they can all work together on the committee in different positions, so a constructive compromise can be achieved to let everyone interested have a role in the committee but avoid a contest for positions. This will allow a consensus candidate to be nominated and get the General Body endorsement. Nevertheless, if the nominees insist on contesting, then the Board shall present their nominations for election.
4. At a minimum, the Board of Trustees should strive for at least one nomination for each post available.
5. The election process should first proceed to elect the president for the next term followed by the Trustee positions that are to be filled. The election officer should introduce the contestants without any bias. Each contestant should be given a brief, but the same, amount of time to present his/her case to the electorate. After this, the election should be held. If there is only one candidate for any of the positions, even then, a vote should be called to endorse him/her for the post. There must be at least 25% of the electorate in attendance confirming the single nominee. If not, the Electoral officer should ask for a show of hands for those opposing the election of the person. If more people actively oppose than support, then the election commissioner should call for additional nominations from the floor. If there is any, then the process should be repeated. If there is no nomination from the floor, the original nominee should be declared elected.
6. The Trustee acting as the electoral officer should announce to the electorate that the President is granted powers to select and appoint anyone of his/her choosing for the other

posts in the Executive Committee and that individual will have the same rights as a duly elected Executive Committee member. The newly elected President should forward the names of such appointees to the Board as soon as possible after his/her election. The Trustee/electoral officer should ensure the appointee is willingly accepting the position and get agreement to serve in a simple letter. At the conclusion of the Trustees and President election and selection of Executive Committee members by the President, the Board of Trustees shall issue a statement to the KKNC general membership, the official names of the Executive Committee members for the next term.

iii. Oversight of adherence to Constitution

1. It is the responsibility of the Board of Trustees to ensure each newly elected Trustee and member of the Executive Committee is aware of the latest approved version of the Constitution and means of access to the document.
2. The Chairman is encouraged to hand out printed copies of the Constitution to each member of the incoming Executive Committee as soon as possible after the election.
3. All members of the Board of Trustees are encouraged to attend a meeting of the Executive Committee soon after election to point out the highlights from the Constitution, as well as the supportive role of the Board of Trustees.
4. Any member of the Board of Trustees may request the Chairman to attend to any violation of the Constitution during the course of the year. The Chairman, guided by the Constitution, shall make effort to seek conformance from the violators.

iv. Inquiry

1. When needed, the Board of Trustees may hold an inquiry into any matter of violation of the Constitution.
2. Such inquiries shall first proceed to redress or forgive the transgression without undue publicity.
3. Where it must, the Board of Trustees may hold a public inquiry into a matter of non-conformance with the Constitution.

v. Annulment of election

1. On completing an election and before the Trustees or Executive Committee members take office, if it is determined that there was fraud, serious mistakes or other errors during the Election process, the Board of Trustees may vote to annul the elections and call for new elections. In that event, the KKNC general membership must be

informed as soon as possible, giving justification for the annulment.

vi. Dismissal of Executive Committee

1. Under extreme circumstances, the Board of Trustees shall have the power to dismiss any one or all members of the Executive Committee.
2. The main justification for such a course of action should be a serious transgression of the Constitution, unsuitability of the person for reasons stated in the constitution, clear and large scale demand from KKNC members for recalling the elected committee

vii. Temporary custody of KKNC

1. Should there be a situation where the Executive Committee cannot perform the duties due to resignations, postponement/annulment of elections, dismissals or non-availability of any nomination for the post of President etc., the Board of Trustees shall assume temporary custody of KKNC, all its assets and all accounts in its name
2. The Board of Trustees shall make urgent, motivated effort to duly elect the next President, who will then appoint the Executive Committee and hand over the assets to them as soon as possible.

viii. Dissolution of KKNC

1. In the event a situation arises where KKNC needs to be dissolved, the President, and then the Board of Trustees, shall attempt to avoid dissolution.
2. If unavoidable, the Board of Trustees, shall distribute the **remaining funds and assets as donations to recognized charities.**
3. Once the dissolution plan is formulated, it shall first be put to vote to the general membership if possible. If not possible, the Board may take the decision.
4. On a decision to dissolve, the Board of Trustees shall inform the membership, government agencies, affiliated bodies and disburse the funds and assets.
5. The Board of Trustees shall record the transactions in complete and the Chairman hold the documents in his/her personal possession for a period of seven years. The Vice-Chairman shall hold copies of the key documents for a period of seven years.

b. Executive Committee

The Executive Committee will consist of the following officers. All positions shall be on a voluntary/honorary basis without personal remuneration. These positions shall be available to any fully paid member for the current year or even a new member in that year, except as mentioned below.

- i. President – shall head up and chair the Executive Committee.
 1. The candidate for President shall be a member of good standing and active participation in KKNC for at least 2 years.
- ii. Vice President – shall execute duties assigned/delegated by the President. If the President is unable to fulfill his/her own role at any time, the Vice President shall be immediately promoted to President and another person appointed by him/her as Vice President.
 1. The candidate for Vice-President shall be a member of good standing and active participation in KKNC for at least 2 years.
- iii. Treasurer – shall be the primary person responsible for the financial well being of KKNC and shall discharge all the fiduciary duties described further below
- iv. General Secretary – shall be responsible for the membership drive, promotions, publications, communications, annual report and duties with respect to organizing events other than the duties handled by the Cultural Secretary, and for activities towards other goals under KKNC charter (eg, charity, community service)
- v. Cultural Secretary – shall be responsible for organizing, planning, conducting and reporting on cultural events/activities in the charter. The President shall decide the domain of responsibilities between the two secretaries in the event it is not readily apparent.

Above are the recommended positions on the Executive Committee. It is strongly recommended that the President have at least five members (an odd number for voting reasons) in the committee including the President. The minimum number shall be three – President, Treasurer, General Secretary. The President has the prerogative to add additional positions on the Executive Committee. It is advisable to keep the size of the ‘Executive Committee’ small in order to get effective discussion and decision making. Instead of adding more positions to the Executive Committee, the President is encouraged to appoint as many subcommittees as needed to attend to the variety of roles needed. For example, the President may appoint sub-committees for Food, Entertainment, Youth activities, Elder member activities, Magazine, Fund raising, membership drive etc. as needed. The President should also designate a leader for each of the committee, determine the decision making process within each subcommittee and the reporting relationship between the Sub Committee leader and the Executive Committee. The President also should make clear that, while the Executive Committee will make the final decision, the sub-committee leader is encouraged to make decisions on any issues brought up at the subcommittee level.

c. Terms

- i. The entire Executive Committee shall govern for the term of one calendar year, effective Jan 1st through Dec 31st.
- ii. Whether or not any member of the Executive Committee was appointed prior to Jan 1st or in the middle of the year, his/her term shall expire on the coming Dec 31.

d. Term Limits

- i. President:
 1. It is highly recommended, but not absolutely mandatory, for the President to not seek a consecutive (back to back) term. This is to allow fresh entrants to this role. However, the Board of Trustees may seek other nominations for the position in the event the current President wishes to seek the position for the following year. Should there be other applicants for the President position, the Board of Trustees shall ensure due process is followed through an election without prejudice or bias.
 2. No one shall occupy the role of the President for more than two years consecutively or for more than 3 years within a 5 year period.
 3. Provided the above term limits are not violated, there is no limit to how many terms may be served by an individual as President.
- ii. Executive Committee members other than the President:
 1. It is generally recommended, but not mandatory, for Executive Committee members to not seek a consecutive (back to back) term for the same role in the Committee. This is to allow fresh entrants to this role. Should there be other applicants for the position, the President elect shall ensure due consideration is given to them without prejudice or bias.
 2. No one shall occupy the same role within the Executive Committee for more than two years consecutively. No one shall serve as a member of the Executive Committee in any capacity for more than 3 years within a 5 year period.
- iii. Provided the above term limits are not violated, there is no limit to how many terms may be served by an individual on the Executive Committee.
- iv. There shall be no term limits to the positions in any of the sub-committees, Ad-hoc committees, volunteer list. (See below)

e. Electoral Authority

- i. Elections of Trustees and President shall only occur during a "General Body Meeting". This may be an exclusive meeting called as such or be a section of a general meeting/gathering of

KKNC members declared as “General Body Meeting”. The General Body meeting shall be opened and closed by the Board Trustee acting as the Election Officer through a declarative announcement stating the agenda as “election of the next President and Trustees”.

- ii. As a Life Member or a Paid Annual member, if it is a family membership, the family shall have a total of two votes to cast:- each of the spouses (or significant other in the household if registered as such in the KKNC records) shall exercise one vote only if physically present at the election time. Similarly, a Single (non-family) member shall exercise only one vote if physically present at the time of voting.
- iii. Voting rights are not transferable to any other relative in the family.
- iv. Proxy voting shall not be allowed.
- v. There shall be a minimum of 10% of the current members as determined by the Election Officer for the election to be valid.
- vi. A simple majority vote is all that is required for a valid election.
- vii. The majority vote should first be sought as raising one hand per eligible voter present. If the observation is not clearly indicative of the vote, then the electoral officer plus any two other members selected, should go row by row counting the hands raised. If there is any discrepancy in the count, then the middle count, however far from the other two, shall be deemed as the official count and recorded as such. If the outcome is with a very narrow margin, every effort needs to be made to count the votes accurately.
- viii. At the conclusion of the voting for each office, the results shall be announced immediately to the General Body which will make it official. If in doubt, the Election Officer may reconduct the voting process during the same General Body Meeting. Alternatively, written non-secretive votes specifying the candidate’s name, position sought and voting member’s full name and hand signature shall be obtained to determine the official vote. The Election officer shall come prepared to conduct the election to any detail needed to accomplish closure at the General Body Meeting announced.

f. Election Process

- i. The election process is as described in section 7.a.ii.

g. Role of President

- i. The President is the chief executive of KKNC for the year elected. The President is fully empowered and fully accountable to manage the activities for the term.
- ii. The President shall review the charter of KKNC, consult with his/her team to lay out a program of events and activities to pursue the goals and objectives he/she lays out for the year.

- iii. The President shall give due consideration to the wide scope of the charter and make attempts to provide sufficient coverage especially with activities that are popular with the membership and to meet the requirements for the Non-Profit, tax-exempt status of KKNC. For instance, the President is requested to look beyond celebrations of traditional festivals to items of charity, service, education etc.
- iv. The President shall ensure that the provisions in the constitution are adhered to in conducting the affairs of KKNC.
- v. The President, or his delegate the Vice President, shall consult with, and participate in, the Board of Trustees deliberations during the term
- vi. The President shall appoint suitable people for the positions on the Executive Committee and forward written acceptances to the Board of Trustees.
- vii. If there is a resignation, then the President shall appoint someone else or continue the management of KKNC with an unfilled vacancy.
- viii. On a serious breach of the Constitution powers, or conduct injurious to KKNC or to the rest of the Executive Committee, the President may terminate any office holder and appoint replacements. But, such termination shall be voted on by the rest of the Executive Committee, and the Chairman of the Board of Trustees be consulted, before termination is effective. The President shall provide justification to clearly demonstrate that the termination was necessary. The President is cautioned to not use this power hastily and without objective deliberation.
- ix. The President shall provide leadership to the rest of the committee. He/she shall make decisions and provide guidance to others in upholding not just what is popular, but what is the right thing to do for KKNC.
- x. In carrying out tasks/events/activities towards the manifold objectives in the charter, the President and the rest of his committee may appoint other members of KKNC or even outsiders to work in sub-committees, ad-hoc committees, advisory committees etc. The President must designate one of the members of his committee as accountable for these committees. The designated member must ensure that the work of these committees is reviewed, by the Exec Committee.
- xi. Any communication, publication, news item, magazine etc published on behalf of KKNC shall be approved by the President

h. Role of other Executive Committee members

- i. The positions and general roles of the rest of the Executive Committee is stated earlier.

- ii. Each of the members shall be assigned clear goals, accountability and reporting responsibilities by the President. From time to time there may be changes as to who handles what.
- iii. The members should endeavor to always work in the interest of KKNC, the Constitution Charter and work co-operatively with each other to form a well performing team
- iv. Each member should feel free to express his/her suggestions, views, feedback within the committee in a constructive manner.
- v. Each member should observe the confidentiality of the agreements, disagreements within the committee and should endeavor to keep the issues within the committee.
- vi. If issues need to be raised outside of the committee, due regard and notice should be given to the rest of the committee members.
- vii. It is best to raise the issues before the Board of Trustees and, only if unavoidable, before the KKNC membership. It should never be discussed with outside organizations. Making derogatory comments about KKNC in anyway to outside organizations makes KKNC weaker. Each committee member should use utmost care and diligence in this matter.

i. Sub-committees

- i. The President may create any number of sub-committees for specific purposes and appoint leaders within the committees and set terms of reference for their operation. The work of each such sub-committee shall be overseen by and reported to a designated member of the Executive Team.
- ii. Examples of such sub-committees are Entertainment committee, Publication committee, Public Relations committee, Education committee, Food committee, Youth Committee, Elder Members committee etc.
- iii. Each sub-committee shall operate during part or whole of the term of the Executive committee and cease operation at the end of the term unless reappointed by the incoming President.
- iv. Clear processes/procedures for decision making, handling finances by the sub-committees including compensation, reimbursement shall be implemented by the Executive Committee.

j. Ad-hoc committees

- i. The President may create any number of Ad-hoc committees for specific purposes and appoint leaders within the committees and set terms of reference for their operation. The work of each such committee shall be overseen by and reported to a designated member of the Executive Team.
- ii. Examples of such ad-hoc committees are Independence Day participation committee, movie screening, representing KKNC at outside events etc.

- iii. Each ad-hoc committee shall operate for a specific short duration, usually a single event and cease operation at the end of the period or event unless reappointed by the President.
- iv. Clear processes/procedures for decision making, handling finances by the ad-hoc committees including compensation, re-imbursement shall be implemented by the Executive Committee.

k. Advisory committees

- i. The President may create any number of Advisory committees for specific purposes and appoint leaders within the committees and set terms of reference for their operation. The work of each such committee shall be overseen by and reported to a designated member of the Executive Team.
- ii. Examples of such Advisory committees are: doing opinion surveys, designing a specific event within a cultural program, selecting a charity to support, selecting the sound system components for upgrading etc.
- iii. Each Advisory committee shall operate for a specific short duration and cease operation at the end of the period or event unless reappointed by the President.
- iv. Clear processes/procedures for decision making, handling finances by the Advisory committees including compensation, re-imbursement shall be implemented by the Executive Committee.

l. Volunteers

- i. Any member of the Executive Committee may sign up volunteers from within KKNC membership or outside in assisting with the activities under his/her portfolio on a event or duration basis
- ii. Clear processes/procedures for decision making, handling finances by the volunteers including compensation, re-imbursement shall be implemented by the Executive Committee.

m. Decision Making

- i. On appointment by the President, each Executive Committee member is deemed elected, and therefore, has voting rights in decision making within the committee.
- ii. The guideline is for the President and the committee to work towards consensus following the leadership of the President.
- iii. If consensus does not exist, the General Secretary shall call for open voting and record the votes in the minutes of the meeting.
- iv. There shall be a minimum of three Executive Committee members in attendance to have quorum.
- v. The President is urged to take into consideration the majority's view. If he/she does not agree, he/she may seek members to change their votes and ask for a re-vote.
- vi. If the dissenting vote comes from the President and from at least one other Executive Committee member, then the President may

- override the majority decision and it is recorded as such in the minutes.
- vii. If the dissenters are in a minority and do not include the President then the vote is deemed as passed with a majority vote.
 - viii. If there is only one dissenter who happens to be the President, that is, the rest of the voting committee members together oppose the President, the President may still override the vote and it shall be recorded as such. (note: these powers are granted to the President so as not to bog down decision making. The President is encouraged to listen to the other committee members and allow for consensus decisions to be made. The President should make judicious and infrequent use of the override authority)
 - ix. If it is a matter that is felt strongly by the members who all together voted against the President who then overrode it, then the committee members may request the Chairman of the Board of Trustees to intervene and provide advice. If after that, the President still does not change his/her view then the override stands.
 - x. If the President continues to override the Executive Committee votes on more occasions than not, then any member of the Executive Committee may do one of the following:
 - 1. Continue to work along if possible
 - 2. Resign his/her position
 - 3. File a complaint with the Board of Trustees and ask for intervention

n. Handling Disagreements

- i. Each member of the Executive Committee is urged to transcend differences and fulfill the term of appointment
- ii. As stated earlier, any member may file a complaint to the Board of Trustees.
- iii. The Board of Trustees shall give private and group audiences to each member of the Executive Committee including the President to make their case.
- iv. The Board of Trustees shall strive to bring the Executive Committee team to continue to work together. Generally, the President's position is allowed to stand. Only when necessary, and hard positions are reached, the Board of Trustees shall vote to do one of the following
 - 1. Remove one or more of the Executive Committee members who cannot work with the President
 - 2. Remove the President and appoint the Vice President or any other qualified member of KKNC as President
 - 3. Remove the entire Committee and appoint the vice-president or any one else as the replacement President. That President may keep any member from the dismissed committee or form a team with his/her own appointees.

The Board of Trustees shall ensure proper transfer of assets and control to the new President and his/her committee. If there is a time delay, the trustees shall run KKNC in the interim. Most importantly, the circumstances, the decision and follow-up must be communicated to the KKNC membership at large with due documentation of justification.

o. Setting Membership Dues

- i. It shall be the prerogative of the President, in consultation with his committee, to set Membership dues (annual as well as life membership) for the coming year.
- ii. In setting the dues, careful considerations shall be given to budgeting the year's operating plan and to adhere to government guidelines for operating a non-profit organization
- iii. The President shall ensure that increases in dues are justified and reasonable. Changes to the dues shall be effective at the beginning of the year. The President and the Treasurer shall review the proposed term's budget with the Board of Trustees and any proposed changes to both annual-paid and life memberships. The Board of Trustees shall consider such changes. If the Board consents, there is no further approval required. In the event the Board does not consent, the President shall provide notice and seek ratification of the general membership at the first large gathering called. The reason for seeking a change in the fee (whether increase or decrease) shall be explained before seeking a vote of approval. A majority vote is required for the change to be approved.

8. Fiduciary Requirements

The term "Fiduciary" conforms to the definition "acting as a trustee for the principal party (KKNC) in the handling of money and associated financial, regulatory and legal matters". KKNC President shall ensure the highest standard in discharging the requirements set forth. The Treasurer shall be responsible and accountable for proper, timely and verifiable conformance to these requirements. Where it is not clear or specific, the interpretation should follow the above definition, where the funds collection, safekeeping, disbursal and accounting shall be according to best practices, legal requirements, and in general, safeguarding the interests of the organization. It is recommended that KKNC maintain the services of a professional legal advisor.

a. Fund Categories

The President shall ensure, and the Treasurer shall implement, secure handling and accounting of funds on a calendar year basis by the following categories. In each case, detailed auditable records by year shall be maintained with respect to:

1. opening balance (amount transferred over from previous year)

2. individual receipts during the year by payee
3. amount added to the fund during the year
4. amount withdrawn from the fund during the year
5. closing balance transferred to the following year.

The treasurer shall ensure detailed record by each entry with sufficient description to be auditable and understandable. Each entry shall show a clear reference to receipts or evidence of payments made.

i. Life Membership Fund

1. This fund shall be maintained so as to preserve the total 'principal'. 'Principal' is defined as the amount carried over from the previous year and life memberships collected during the current term. The interest or other investment income on this "principal" shall be defined as "earnings". The underlying principle in managing this fund is that the one-time fees Life Members pay should be sufficient to generate earnings that would approximately equal the annual fees that would otherwise have been paid by the members.
2. The funds shall be invested in accounts which do not put the principal at risk but earn the best possible gains during the year. The principal from the previous year combined with any unspent earnings in the current year shall form the principal for the next year. Every Executive committee shall strive to preserve this cumulative principal.
3. The funds shall not be locked up in any account that does not allow the fund to become liquid at the end of the year.
4. The accounting shall clearly distinguish the principal amounts received as life memberships from investment earnings. The Executive Committee may use up current year's earnings in its entirety for operational purposes.
5. The Executive Committee may vote to borrow money from the principal portion of this fund for temporary use but must restore the borrowed amounts by year-end.
6. The Executive Committee shall ensure that the 'principal' portion closing balance at year-end, at a minimum, equals or exceeds the opening balance plus new membership received.

ii. Annual Dues Fund

1. This constitutes the amounts received as Annual dues from the past and new members during the year.
2. The Executive committee shall have the power to use up all the funds in this category for operational purposes during the year.
3. The Executive Committee may decide how to dispose of the amount unused during this year from this fund.
Generally, the recommendation is to add to in any of:

- i. Principal portion of the Life Membership fund
- ii. Contingency fund

iii. Contingency Fund

1. This constitutes amounts set aside for the Executive Committee to draw from for high amounts needed temporarily such as deposits, guarantees, insurance etc. for events or activities during the year. This borrowed money shall be put back into this fund before the end of its term.
2. The Executive Committee is encouraged to add to, but not deplete, the balance transferred from previous year' Contingency Fund. This fund is to be maintained year over year for contingency purposes and should not be used to make up for deficits in receipts over expenses.
3. Part of this funding may be due to a multi-year project started by an Executive Committee. The intention may be to collect and build a fund over the years towards a specific goal, such as KKNC building, sound equipment purchase, fund for a future conference etc. In such a case, separate accounting must be kept for such funds within the contingency fund. On reaching the goal, the specific amount set aside may be used for the purpose originally intended. If the Executive Committee feels that the specified goal should be dropped or changed, then the Exec Committee shall propose the change to the Board of Trustees. Only with the majority consent of the Board of Trustees may the Executive Committee implement the change. If it is disapproved, the current Executive Committee, shall leave the amounts untouched and hand over the funds to the next committee.

iv. Donations

1. KKNC may solicit donations from anyone for any fund.
2. If a specific purpose is attached to a donation received, the Executive Committee shall ensure that the donation is only used for that purpose. Examples are Donations to add to Life Membership principal fund, a specific project within the Contingency Fund or an unspecified contribution to the Contingency Fund, specific charity activity, specific acquisition of equipment or capital asset etc.
3. For all donations, a receipt providing details of donor, purpose of donation, tax payer id and tax-exempt status of KKNC etc. shall be given to the donor.

v. Other sources of income

1. KKNC may receive income from a variety of other sources such as ticket sales, advertisements, food coupons, sale of gifts, capital assets, used equipment etc.

2. Income from this category may be used by the Executive Committee for operating expenses or to add to any of the aforementioned funds.
3. Income from sale of capital assets and used equipment should be used to buy other capital assets/equipment or set aside specifically for such future purchases in the Contingency Fund.

b. Management of Funds

- i. The President shall ensure through periodic review, and the Treasurer shall execute, proper management of funds as stipulated above.
- ii. For every account maintained at a Financial Institution, whether as an investment vehicle, savings account or Checking/current account, the accounts must show KKNC as the beneficiary. No account may be maintained as a personal account of any of the members of Executive Committee or Board of Trustees.
- iii. Every one of these accounts shall show the Treasurer, President and Chairman of the Board of Trustees as having the power to deposit/withdraw/manage the account through their personal signature (no spouse, friend, delegate, family member is allowed) The President shall stipulate the amounts that can be managed with a single signature and amounts that require two signatures to be valid. The President shall also stipulate the maximum amount of withdrawals that may be made with a single signature during a calendar month. The three signatories designated shall jointly open the accounts and ensure the financial institutions can enforce the stipulations.
- iv. If either an account or a financial institution needs to be changed, then all the signatories should be present to effect the change.
- v. The three signatories shall ensure that at least two of them are available (in station) and able to sign checks at any given time. Under exceptional conditions, such as trips together or vacations, no more than two weeks be allowed to pass without having at least two signatories in station.
- vi. Deposits may be made by any member of the Executive committee. All deposit receipts shall be provided to the Treasurer within a week of deposit.
- vii. If in the middle of the year there is a need to change the signatories for whatever reason, the financial institution shall be notified immediately upon the change becoming effective and get approval for the new signatory
- viii. The Chairman of the Board of Trustees should not normally sign any withdrawals with his/her own signature. The Chairman may only co-sign a withdrawal document that requires more than one signature. The only circumstance when the Chairman of the

Board of Trustees shall withdraw or close an account is in the event of dismissal of the committee.

- ix. Statements for all the accounts shall be arranged with the financial institutions to be sent to the Treasurer directly with all the attachments such as deposit receipts, withdrawal receipts, cancelled checks etc.
- x. The Treasurer shall give a photocopy of all statements received to the other two signatories within 2 weeks of receipt of statements.
- xi. The treasurer shall maintain a spreadsheet on all the accounts, current to within two weeks, at a website that is accessible (read-only or download) to all the members of the Executive Committee and the Board of Trustees. No one but the Treasurer shall have the ability to post updates to the on-line spreadsheet. The President and the Treasurer shall agree on the format at the beginning of the year and to changes needed during the year.
- xii. No one shall disclose the contents of the spreadsheet outside of the Executive Committee or the Board of Trustees without express permission of the President. This is to ensure that no unnecessary gossip starts outside.

c. Annual Operating Fund

- i. At the beginning of the year, the Executive committee shall budget income and expenditures for the year in as much detail as they can. These should be reviewed and may be adjusted as needed.
- ii. Careful consideration should be given to the preservation of Life Membership and Contingency funds as detailed earlier.
- iii. In managing income and expenses, the Executive Committee shall also pay due attention to the non-Profit status of KKNC as well as the charity and service parts of the Charter to ensure continuation of the tax status at both Federal and State levels.
- iv. The Executive Committee may use the funds budgeted for its annual operations in any manner it decides.

d. Funds for Board of Trustees activities

- i. The Board of Trustees shall present a budget for their operation to the Executive Committee at the beginning of the year and adjust it during the year as needed.
- ii. The funds requested should generally be limited to 1% of the operating budget for the Executive Committee.
- iii. Where needed, the Board of Trustees may request additional funds. The Executive Committee may deny the request if the total requested for the year is more than 5% of the annual budget.
- iv. In general, the Board of Trustees shall strive to use as little money as possible for their operation.

e. Financial Management during the year

The Treasurer shall implement, and the President ensure through periodic verification, the following:

i. Maintenance of Accounts

1. Accounts shall only be opened in the name of KKNC.
2. Separate accounts may be maintained for the different categories of funds stated earlier. The Treasurer may limit the number of accounts to make it easier for managing. However, the Treasurer shall track the monies in the accounts by the categories stated earlier, namely:
 - a. Life Membership – Principal
 - b. Life Membership – Earnings
 - c. Contingency Funds
 - d. Annual Dues
 - e. Other income
3. All withdrawals shall have proper receipts and purpose stated on the receipt for audit purposes.
4. Cancelled checks are encouraged as further evidence of payments/withdrawals made.
5. Three sets of reports shall be maintained throughout the year with reports correct to within two weeks and made available to any member of the Executive Committee or Board of Trustees on request
 1. By Fund category by month
 2. By events/functions
 3. By expense categories (ie, Insurance, telephone, charity etc.)

ii. Approval of expenses

1. The Treasurer shall provide reasonable advances where requested to any member of the Executive Committee or other sub-committees
2. All expenses must be claimed on a standard expense reimbursement form that the Treasurer shall set up at the beginning of the year.
3. All expense claims must be supported by receipts.
4. The Executive Committee may excuse expenses for which receipts are not available or lost. But, the claimant must attach a signed note explaining the claim and why no receipt is available and why an excuse is requested.

iii. Issuance of receipts and Reconciliation

1. KKNC official Receipts shall be provided to all who contribute to KKNC funds. Copies of receipts or a journal of funds received shall be maintained.
2. All outflow of cash shall be supported by receipts which shall be kept for the entire year and handed over for safekeeping to the Board of Trustees as stipulated earlier.

3. Where Petty Cash accounts are maintained, an entry in the journal with the signatures of the Treasurer and the claimant shall suffice as receipt. The Executive Committee shall decide on the maximum Petty Cash account and the maximum amount that may be claimed from Petty Cash account each time.
 4. Financial institution Statements for all accounts must be reconciled by the Treasurer with his/her book-keeping within a week of receipt of statements to ensure safety of funds. Any discrepancy must be corrected with the financial institutions as soon as possible.
 5. If the discrepancy is not corrected, or is not correctable, then the Executive Committee should be appraised and should vote to approve or disapprove an adjustment due to discrepancies.
- iv. **Maintain valid and sufficient insurance** to cover contingencies and any unforeseen liabilities.

f. Accounting standards

- i. The Treasurer shall follow high standards in keeping the accounts, saving records and receipts and in ensuring quality and promptness of reporting.
- ii. Where necessary, the Board of Trustees or an outside professional may be consulted.
- iii. The Executive Committee shall agree on the standards to be maintained.
- iv. The Treasurer and the President shall ensure complete integrity in every aspect of handling finances.

g. Audit requirements

- i. The President and a designated member of the Executive Committee shall verify the accounts/reports on a monthly basis with the Treasurer to ensure that the reporting is auditable and good reports/receipts are kept
- ii. The President shall nominate any KKNC member as his/her designee for auditing and the Board of Trustees shall appoint one of the trustees as a second auditor. It is recommended that a licensed, professional auditor be used. If not possible to afford or use professional auditors, then the President and Chairman must ensure that the auditors nominated have the competence and integrity to perform a sound audit and certify the reports.
- iii. The two auditors shall work with the Treasurer to obtain an interim report by Dec 1st of the year, audit it and itemize actions needed for correction by Dec 15th of the same year. This report shall be given to the incoming Executive Committee president by Dec 15th to inform them of the funds likely to be available for their use as a basis for them to plan their budget. A member of

the Board of Trustees shall attend a meeting between the outgoing and incoming Presidents and Treasurers where the report is explained to the satisfaction of the incoming members. An action plan to fully hand over the accounts to the incoming Treasurer shall be agreed upon to occur before Jan 8th of the following year.

- iv. The incoming President or Treasurer may ask for an advance amount, as soon as they are elected, to be given to them for advance expenses. If there is disagreement on amount or timing, they may take the issue to the Board of Trustees for arbitration.
- v. The Treasurer shall follow the recommendations of the auditor and provide a final report on closing balances by Jan 1st of the next year. In doing so, the Treasurer is urged to finalize all transactions by Dec 28th. Where transactions are outstanding, they should be itemized in the report and shown as accruals in the final report. The incoming Treasurer shall make adjustments for deviation from accruals in the next year's report.
- vi. By Jan 8th of the following year, a final detailed report, audited and signed by both auditors, shall be given to all members of the outgoing Executive Committee, President and Treasurer of the incoming Executive Committee and Chairman of the Board of Trustees. An Executive Summary of the report signed by the auditors and the outgoing Treasurer and President shall also be posted on the KKNC web site and made available to the membership at large
- vii. At the end of the year, all records, account statements, receipts shall be organized and put in a binder file and handed to the Chairman of the Board of Trustees who shall provide a written receipt for taking possession of the records to the outgoing President and Treasurer.
- viii. The Board of Trustees shall ensure safe keeping of all the records for a minimum period of seven calendar years.

h. Reporting to General Body

- i. A section of the last general gathering of the year shall be declared as General Body Meeting. The Treasurer shall announce a summary of the interim financial report showing inflow and outflow of cash. Also, the Treasurer shall announce the actual opening balance per each type of fund and the estimated closing balances by the end of the year.
- ii. The General Body shall be informed that an audited final report will be posted on the KKNC web site which will be accessible by the general membership.
- iii. An interim summary report shall be included in an annual magazine that is issued to all general members. The final summary report for the previous year shall also be included in the magazine. Should there be no such magazine, then just a

handout of the reports should be given to all attendees at the first general meeting in the new year.

i. List and contact information

- i. The Executive Committee shall maintain an accurate, up-to-date list, with detailed contact information including full name, postal address, telephone address, email address of all members and other non-member persons/entities that the current and previous year's Executive Committees were in touch with.
- ii. The above information shall be handed as a soft copy (and additionally as a hard copy) to the incoming President as well as to the Chairman of the Board of Trustees for safekeeping.
- iii. The privacy of member contact information must be maintained. It is highly recommended that only the President and Secretary have access to the information during their tenure. At the end of their tenure, they shall cease to make use of the information, never divulge or transmit the information to anyone other than the incoming President, Secretary and the Chairman of the Board of Trustees who shall only use it for safekeeping.

j. Tax Return Filing

- i. The Treasurer shall prepare the final applicable Federal, State, County, City tax returns for the year of their term by Dec 31.
- ii. The Auditors shall review the tax return for accuracy and advise the outgoing President of their approval or issues.
- iii. The President shall verify the tax returns are correct and complete and arrange with the Treasurer to file officially by the Jan 8th of the next year.
- iv. Copies of the tax returns shall be provided to the incoming President and Treasurer as well as the Chairman of the Board of Trustees for safekeeping.
- v. If the tax returns are prepared in electronic form, both a hardcopy and softcopy with the appropriate software used to create the return shall be handed over to the incoming Treasurer.

k. Reporting requirements for other agencies

- i. Should there be any other reporting requirements to other agencies such as governmental, insurance, affiliated associations etc. the President shall ensure such reports are prepared and filed with the agencies by the end of the year.
- ii. Should there be a need, interim reports shall be handed over to the incoming President with advice of the deadlines to file final reports.
- iii. One copy of all reports, whether interim or final, shall be given to the Chairman of the Board of Trustees for safekeeping

----- **END of CONSTITUTION BYLAWS Document** -----