



Nepalese Association of Colorado Springs

(NACS)

Bylaws 2023

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Preamble

Whereas, We the members of Nepalese community residing in Colorado state of The United States of America, realize the importance and need to protect our identity and practice while preserving and following our culture and tradition; and

Whereas, we realize the need of a community home as an inspiring physical existence among us, where we all can gather, celebrate and share different occasions, and develop solidarity; and

Whereas, we strongly believe in a commendable exercise of community development by surmounting the difference of age, race, color, origin, sexual orientation, religion, belief, disability and nationalities; and

Whereas, we strongly believe in the spirit of fraternity and the bond of unity on the basis of liberty and equality; and

Whereas, we value the importance of peaceful co-existence and socio-cultural exchange among different communities as one of the measures to improve unity among the communities;

Therefore, keeping in view the aspiration of all well-wishers of our community, people of different communities, people from Nepal and Nepalese American citizens, we have established this Constitution to govern the matters within this non-profit organization “Nepalese Association of Colorado Springs”, “NACS” constituting an alternate documented name for the same.

Section I: Name and prospect

Article 1: The name of the organization will be Nepalese Association of Colorado Springs (NACS).

Article 2: This shall be a non-profit independent organization without any affiliation to any political group or parties. This will function as per the rules and regulation set under Section 501(c) (3) of Internal Revenue Code.

Section II: Purposes

Article 1: The purposes of the organization are as follows;

1. To facilitate networking among the Nepalese to promote and exchange Nepali culture and language.
2. To be organized solely for non- profit purposes.
3. To unite and improve the relationship among Nepali, other local communities and organizations.
4. To preserve, nurture and exchange sociocultural values and practices within the communities whose faith is dedicated to enhance noble thoughts for community

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development eventually promoting core humanitarian values.

5. To strengthen social and cultural status of Nepali and Nepali American by promoting sense of co-existence within and among other communities.
6. To promote educational, social, cultural, and charitable activities.
7. To work with other associations and corporations collaboratively in order to achieve its purposes.
8. To build a community home and develop the establishment as a center for community related activities and to carry out the activities to meet purposes.

Section III: Logo of the Organization and interpretation



Article 1: Nepalese Association of Colorado Springs “NACS” has adopted a specific logo. The logo will hold the sole capacity to represent the organization. The logo consists of three primary colors – red, white, blue and yellow -that present state of Colorado and Nepal Flag. The logo also includes the organization’s acronym NACS and its establishment date i.e. 2023. The logo also present sun and star from the Nepal’s flag in its border line. The logo also represents Pikes Peak Mountain which is located to the west side of Colorado Springs, Colorado.

Section IV: Membership

Article 1: NACS shall have the members as follows:

1. Individual member
2. Family member
3. Student member
4. Life member

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Article 2: Rules and Criteria for membership:

1. Minimum age for membership eligibility is 18 years of age.
2. Membership will be provided without any discrimination based on race, color, belief, religion, sexual orientation, disability and nationalities.
3. General member or Life member of NACS shall be those who makes a written request by filing Membership application form and agrees to abide by the rules and the policies of NSACS, and is accepted by a designated person for membership drive campaign or the board.
4. Fees for membership are as follows:
 - a. Individual, family and student membership \$20.00, \$30.00, \$10.00 respectively (Renewal after every two years)
 - b. Lifetime membership: \$100.00 (single)
 - c. Lifetime membership: \$ 150 (Couple)
 - d. Members from the military community will be provided with 50% discount with the proper Identity verification.
5. Membership is non-transferable.

Article 3: Exercise of voting right:

Members meeting fundamental requirements of active membership as mentioned in Article1 and 2 of this section will be granted voting privileges.

Article 4: Termination of General Membership:

The membership will terminate or will be terminated in the following condition(s)

1. If a member fails to renew his/her membership by paying the required membership renewal fee.
2. If a member's activity is found and proved against the basic policies and rules or any set of program or campaign of NACS. In such context, concerned member will be given due time and chance to give clarification as to prove why his/her act(s) should not be the subject of termination of membership. Decision of the two third (2/3) majority of board will be considered as final.
3. If the moral character of a member is found undeserving for the membership.
4. If a member desires and submits in written to abandon the membership and the Board approves consequently.

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Article 5: Reinstate of General Membership:

1. Upon written request filed by the former terminated member, the board by an affirmative vote of two third (2/3) of the members present, may reinstate such former member.
2. The decision of the board will be considered as final.

Article 6: Membership drive:

Board can form a committee for NACS membership drive campaign. This will function as per the policies set by the board.

Section V: Government

Article 1: **Governance:**

The governance of NACS shall be vested in the Executive Committee, with sole responsibility to report to the Board. Nine (9) designated officials in the Executives will be elected as per the electoral system set by the concerned bylaws of NACS.

Article 2: **Executive committee:**

The President of NACS will be ex officio Executive Chairman of the Executive committee. The Executive Committee shall consist of:

- a. President
- b. Vice president
- c. General Secretary
- d. Treasurer
- e. Public Relation Officer
- f. General Members (Four)

Article 2.1: **Term of office of the Executive committee:**

The term of office of Executive Committee will be two (2) years. However, any situation beyond control or special requirement, if realized by two third majorities of the board members presented in the meeting could extend the term for at least another three to six months. Term extension in this manner will be only for a single time.

Article 2.2: **Restriction on the term of office of Executive committee member(s):**

No Board Member will be considered eligible to hold the same position or office for more than two terms. This provision will not be an obstruction to apply the Article 2.1 of this section.

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Article 3: Board of Directors:

The Board of Directors shall help to manage, review, control, suggest and instruct the Executive Committee to maintain the overall core policies of NACS. The board shall consist of:

- a. All members of Executive Committee.
- b. Immediate past Chairman of the Executive Committee.
- c. Elected representative from Nepali students.
- d. Elected representative from Nepali women.

Article 3.1: Term of office of the Board:

The term of office of Board will be two (2) years.

Article 3.2: The affirmative two third majority of the board will simultaneously extend the term of office of board for three to six months for a single time, when the term of Executive Committee is extended as per the Article 2.1 of this Section.

Section VI: Committees

Article.1: At any time, the Board can form an additional temporary sub-committee(s) comprising minimum three or more members and assign special task to assist and improve the goal and mission of NACS.

Article.1.2: The temporary sub-committee will be headed by a Coordinator or Sub-committee Head appointed by the Board, who will be responsible for a set of tasks and will be reporting to the Board.

Article.1.3: The terms and conditions of the committee formed under Article.1 of this section will be set by Board.

Article 1.4: The period of the committee will be from one month to six months and could be extended by the approval of Board, if needed.

Section VII: Responsibilities

Article 1: The **Board of directors** shall have the responsibilities as follows:

- Performing and accepting the duties as per the main goal of NACS.
- Act to achieve and promote the goal of NACS.
- Other duties as set by the Board or the General assembly meeting.

Article 2: President shall have the responsibilities as follows:

- Preside over and conduct the meeting of General Assembly meeting, Executive committee meeting, and Board of Directors' meeting.
- Perform all management affairs and protect the image of NACS.

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- Be responsible for all direction and resolutions of NACS.
- Direct and lead all the affairs of NACS.
- Represent NACS in external dealings, perform the responsibilities and achieve the goal of NACS.
- To advice, supervise and control the executive member or board member to maintain the core policies of NACS.
- Be proactive and exploring.
- Other duties as set by the Board or the General assembly meeting.

Article 3: Vice President shall have the responsibilities as follows:

- In the absent or disability or in a situation of vacant position of the President, the Vice President shall perform all the duties of President.
- Other duties as set by the Board or the General assembly meeting.

Article 4: Secretary shall have the responsibilities as follows:

- Keeping all minutes of meetings and circulating to the concerned as needed.
- Maintaining and keeping safe all official documents.
- Preparing and managing the meeting and other related issues.
- Helping President or the vice president in their works.
- Other duties set by the decisions of Board or General assembly meeting.

Article 5: Treasurer shall have the responsibilities as follows:

- Controlling and maintaining funds of NACS as per the established financial bylaw.
- Preparing and submitting budget for approval.
- Keeping and preparing the account of all income and expenses.
- Preparing financial statement of NACS
- Maintain the inventory of assets of NACS
- Cooperating with the yearly audit works and finalizing the yearly statement for Board and General assembly meeting.
- Other duties set by the decisions of Board or General assembly meeting

Article 6: Public Relation Officer shall have the responsibilities as follows:

- Maintaining public relation to keep up the image of NACS and its management.
- Developing relation with other local and out of state communities, organizations and authorities that can be helpful in achieving the goal of NACS
- Other duties set by the decisions of Board or General assembly meeting

Section VIII: Advisory Council

Article 1: The Board in its capacity can request and designate one or more than one individual as advisor and form an Advisory Committee, to seek advice or recommendation for action for the cause of the organizational goals of NACS.

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Article 1.2: The members of the Advisory Committee are free to express their verbal or written advice or remarks when requested by the Executive Committee of NACS.

Article 1.3: Executive Committee of NACS will not be in any condition under legal or moral restraint to follow the advice(s) of the advisory committee in group or individual.

Article 1.4: The principal duty of the advisory board is to provide necessary advice and guidelines to the executive committee for the development and advancement of the corporation. The advisory board member is entitled to participate in the executive committee meeting, but he or she shall not have voting rights.

Section IX: General Assembly

Article 1: A general assembly meeting of NACS shall be held once a year.

Article 1.2: The Executive Committee, as per the counsel of board, will announce the date, venue and the detail of program of general assembly meeting prior to at least thirty days of the scheduled date.

Article 1.3: If one third number of general members show the genuine reason and ask to call the General assembly meeting, the Executive Committee will have to call the meeting citing the reasons within a comfortable time frame.

Article 1.4: Guidelines and rules for conducting the General Assembly meeting will be as per the established Bylaw for the General Assembly.

Section X: Election Committee and Voting

Article.1: Voting eligibility: As mentioned in Section IV: Article.3

Article 2: Forming Election Committee:

The Board shall appoint an Election Committee comprising three or more members to conduct the electoral process to elect the Board members and Executive members of NACS.

Article 2.1: Potential candidate for the upcoming election cannot be nominated as Election Committee member.

Article 2.2: The election committee will be formed at least three months prior to the regular election time.

Article 3: Electoral procedure will be applied as per the Bylaw recommended by the Board and duly approved or amended by the General meeting of NACS..

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Section XI: Amendment and Interpretation of Constitution and Bylaw

Article 1: A proposal to amend or repeal any Section or Article of this Constitution, without prejudicing the spirit of the Preamble of this Constitution, may be submitted in the General assembly meeting.

Article 1.2: A proposal for amending or repealing any existing Section or Article of this constitution must be discussed in the board earlier to submission to the general assembly meeting.

Article 1.3: Any active member with a support of at least five board members of NACS can forward the proposal to General assembly through Executive Committee for amending or repealing any section or article of the constitution.

Article 1.4: The minimum required majority of the members to amend or repeal any section or article of the constitution is two third (2/3) of the presented members in a general assembly meeting.

Article 2: The Board of Directors of NACS deserves full right or will be liable for interpreting the Constitution and Bylaw without hampering the core values of NACS and the existing concerned rules and regulation.

Section XII Operation

Article 1: Meetings: Regular meetings shall be held at least every three months unless there is any emergency to call a meeting.

Article 1.2: The Executive chairman or the Vice executive chairman (vice president) or the appointed person by the approval of board will lead the Executive Committee or preside over the regular meeting.

Article 1.3: Secretary, as per the instruction of the President or Vice president or the person holding sole responsibility for governing the Executive committee, will notify the concerned members and other person of the meeting at least one week earlier to the date set for meeting.

Article 1.4: Notice of meeting, as mentioned in Article 1.3 in this section, must have the detailed information of date, time and venue along with the agenda. Notice must be served by the most reliable media of communication i.e. electronic mail or by postal service if needed.

Article 1.5: A director shall automatically be removed from the office, should he/she fail to attend, without a convincing reason, three consecutive formal meetings.

Article 1.6: If one fourth or twenty five percent of the existing total Board members make a request with genuine reason for the call of meeting; Executive chairman will call the meeting

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within the comfortable time.

Article 2: Quorum: Fifty percent of the total members of the executive committee will be considered legally competent to transact the regular business of the meeting.

Article 3: Decisions: Any or all major decision(s), without prejudicing or hampering the norms and spirit of the Preamble of this Constitution, shall be taken by the General Assembly meeting of NACS.

Article 4: Board of directors, without prejudicing the norms and spirit of the Preamble of this Constitution, shall give the decision only on the issues that falls within their jurisdiction.

Article 5: Resignation: Any individual willing to resign from any of the post of NACS will have to submit the resignation at least two weeks earlier to the requested date of effect of resignation. In this situation Board, in receipt of the resignation, will give the decision within three weeks.

Article 6: Vacancy: Vacancy occurring due to the resignation as mentioned in Article 5 of this section will be announced along with the decision notice of the board within thirty days from the date of the decision. If required, the notice must be in detail for the further plan to fulfill the vacant position.

Article 6.1: Vacancy of any position due to death or inability or continuous unavailability or due to some other convincing reason(s) will be announced as realized and decided by the Board. The decision notice of the board will be announced within thirty days from the date of decision. If required, the notice must be in detail for the further plan to fulfill the vacant position.

Article 7: Removal: Any members of the board standing against or expressing the ideas opposite to the policies of NACS, if proved, will be removed from the position by 2/3 majority of the board. This article will not prohibit the practice of calling for explanation and clarification from the concerned individual.

Article 7.1: Decision in the situation or case as mentioned in article 7 in this section will be under the jurisdiction of the board.

Article 7.2: Removal process for any post holder of any temporary committee will be applied in the same manner as mentioned in article 7 and 7.1 of this section.

Article 8: Donor: Donor's physical or financial donation will be granted and handled as per the decision of the board. Unless any special terms or condition agreed upon between the donor and NACS all activities related with the donation will be transparent.

Article 9: Privacy: The entire position holders of the Executive Committee and the Board must maintain the privacy of the internal activities or decisions of NACS if realized in such

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manner and decided by the board. However, this clause will not stand against any of the norms and objectives as mentioned in the preamble section of this constitution or the state or the federal rules and regulations.

Section XIII: Cultural Activities

Article 1: Following are few of the main cultural activities of NACS:

- Nepali New Year
- Get together or Picnic (During summer season)
- Dasain and Tihar
- Falgun Purnima (Holi)
- Teej (festival of female)

Article 1.2: Date for celebrating the occasion is subject to set by the Board.

Article 2: Arranging any additional programs or participating in any local or out of the state programs that can help in promoting the Nepalese cultural activities will be decided by the board.

Section XIV: Dissolution

Article 1: In the event of dissolution of NACS, all the legal assets belonging to, will be handled to another non-profit 501 c (3) organization as per the existing rules and regulations of State and Federal Government.

Article 2: Only the General Assembly meeting of NACS in recommendation of Board can decide and declare the decision of dissolution.

Section XV: Transitional Provision:

Article 1: By accepting to apply the approved Constitution -2023 of Nepalese Association of Colorado Springs (NACS) from the 17th of October 2023 to carry out the objectives as underlined in the preamble section of this constitution, the existing "Ad-hoc Committee" will in its full capacity as governance body be responsible to process further in regard to all the development and structuring processes as well as day to day affairs of NACS.

Article 2: In accordance with the Article 1 of this section the existing Ad-hoc committee will use all the powers and perform all the duties as Executive Committee in the best interest of NACS.

Approved and signed on October 17, 2023.