

# **American Telugu Association**

**P.O. Box 4496, Naperville, IL 60567**



# **Constitution**

**Revisions Ratified by the Membership on: November 30, 2003**



# American Telugu Association

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## ACKNOWLEDGMENTS

We would like to thank all the board of trustees and members of the Constitution and Bylaws Committee, namely Mohan Mallam, Amulya Reddy, Hanmanth Reddy, and Rajeshwar Rao Tekmal for their valuable input in preparing the drafts for the amendments.

We would also like to thank Rajeshwar Rao Tekmal for his assistance in preparation of final Constitution document for publication.

*G.L.N. Reddy*

Chairperson, Constitution & Bylaws Committee

*A.V.N. Reddy*

President, ATA

### Committee Chairpersons

Chitten Raju Vanguri (*America Bharathi*), Sudhakar G. Reddy (*America Bharathi Trust Fund*), Madhava B. Reddy (*Archives*), Pratap Reddy (*ATA Foundation*), Jithender M. Reddy (*Business*), Rajeshwar G. Reddy (*Community Service*), G.L.N. Reddy (*Constitution & By Laws*), Sanjeeva T. Reddy (*Continuing Education*), Shyam Sundar Yellamraju (*Cultural*), P. Ananth Reddy (*Finance & Fund Raising*), Ravi Kondabolu (*Hospitality*), Amarnath Gowda (*Legal Council*), Bhushan Tadepalli (*Long Range Planning*), Madhan Mohan Sunkari (*Membership & Directory*), Sandhya R. Gavva (*Nomination*), Damoder Reddy Donur (*NRI*), Damoder Veerareddy (*Youth Link*), Pratap R. Ganti (*Public Relations*), Sreekantham Vangipuram (*Web*).

# CONTENTS

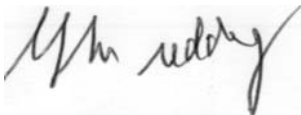
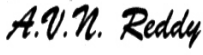
## 1. Amendments

## 2. Constitution

<b>Article I:</b>	<b><i>Name</i></b>
<b>Article II:</b>	<b><i>Objectives and Purposes</i></b>
<b>Article III:</b>	<b><i>Members</i></b>
<b>Article IV:</b>	<b><i>Board of Trustees</i></b>
<b>Article V:</b>	<b><i>Officers</i></b>
<b>Article VI:</b>	<b><i>Committees</i></b>
<b>Article VII:</b>	<b><i>Amendments to the Constitution</i></b>
<b>Article VIII:</b>	<b><i>Indemnification</i></b>
<b>Article IX:</b>	<b><i>Contributions</i></b>
<b>Article X:</b>	<b><i>Roberts Rules of Order</i></b>
<b>Article XI:</b>	<b><i>Nomination Committee</i></b>
<b>Article XII:</b>	<b><i>Election Committee</i></b>
<b>Article XIII:</b>	<b><i>Audit Committee</i></b>
<b>Article XIV:</b>	<b><i>Regional Coordinators</i></b>
<b>Article XV:</b>	<b><i>Executive Director</i></b>
<b>Article XVI:</b>	<b><i>Office Coordinator</i></b>
<b>Article XVII:</b>	<b><i>Dissolution</i></b>

# Amendments

Amendments and Date of Approval	Amended Items	Prepared by/ Reviewed by
Original Constitution July 1991	<b>Original</b>	B. Madhava Reddy and Susarla Viswanatham  Krishna P. Reddy
Amendments to Constitution November 1993	Article III: Section 1 Article V: Section 1	Chalma Reddy and Durisala Desiah  Kashinadhuni Prasad
Amendments to Constitution May 1996	Article III: Section 1& 3 Article IV: Section 1&2 Article V: Section 1,2 & 5 Article VII: Section 2	G.L.N. Reddy and Mohan Mallam  Hanmanth D. Reddy
Amendments to Constitution submitted to General Membership on: November 10, 2003  Amendments ratified by the General Membership on: November 30, 2003	Article III: Section 1,2,3,5,6,7,8,9 &10 Article IV: Section 2,3,4,5&6 Article V: Section 1,2,4,5,6,7&8 Article VI: Section A&B Article VII: Section 1&2 Article VIII, XI,XII,XIII Article XIV: Section 1&2 Articles XV,XVI&XVII	G.L.N. Reddy and Members of the committee  A.V.N. Reddy

<p><b>Prepared By:</b> Constitution &amp; Bylaws Committee</p>  <p>Members: G.L.N.Reddy (Chairperson), Amulya Reddy, Hanmanth D. Reddy, Mohan Mallam, Rajeshwar Rao Tekmal</p>	<p><b>Approved By:</b></p>  <p>A.V.N. Reddy President</p>
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# CONSTITUTION

## Article I: NAME

The name and Title of this organization shall be the ***American Telugu Association, hereinafter called ATA***. It shall be a not-for-profit organization registered under the laws of the State of Illinois and shall exist in perpetuity. The functioning of ATA shall be on a calendar year basis.

## Article II: OBJECTIVES AND PURPOSES

**Section 1:** To promote exchange programs for students, scientists, and professionals of Telugu origin between the United States of America, Canada and India as well as other countries.

**Section 2:** To perpetuate, preserve, and maintain the heritage of the people of Telugu origin.

**Section 3:** To assist and promote literary, cultural, educational, religious, social, economic, health and community activities of the people of Telugu origin.

**Section 4:** To invite distinguished Telugu scholars, artists, artisans, and statesmen to America for lectures, seminars, and congregations.

**Section 5:** To solicit, raise, and disburse funds for charitable purposes, cultural, religious and educational activities directly or in cooperation with other not-for-profit organizations of America to meet the aforementioned.

**Section 6:** To assist people of Telugu origin in need and aid newly arrived Telugu's to settle in America.

**Section 7:** To organize periodic Telugu literary, educational, youth, and cultural conferences, either independently or in cooperation with the Telugu or other associations.

**Section 8:** The ATA shall also have such powers as are now or may hereafter be granted by the General Not-For Profit Corporation Act of the State of Illinois.

**Section 9:** To serve Telugu communities across the nation, addressing mainly the issues faced by them in the mainstream society.

## Article III: MEMBERS

**Section 1:** The ATA shall have three (3) categories of members who constitute the general body. The designation of such category and the qualification of the members of such category shall be as follows:

**A. GRAND PATRON MEMBER:** Any person who qualifies as per the section 2 of this article and pay the prescribed membership dues becomes a Grand patron member.

**B. PATRON MEMBER:** Any person who qualifies as per the section 2 of this article and pays the prescribed membership dues becomes a Patron Member.

**C. LIFE MEMBER:** Any person who qualifies as per the section 2 of this article and pay the prescribed membership dues becomes a Life Member

## **Section 2: MEMBERSHIP DEFINITION AND QUALIFICATIONS**

**Definition:** Grand patrons, patrons and life members are entitled to family membership. Any person becoming a member of ATA shall:

- A. Fill out the membership application form.
- B. Pay the appropriate membership dues.
- C. Abide by the objectives and purposes of ATA as defined in Article II
- D. Be at least 18 years of age.

## **Section 3: MEMBERSHIP DUES**

**A.** The Board of Trustees may revise the membership dues from time to time with the approval of 2/3<sup>rd</sup> majority of the full board. Any revision in the membership dues shall be made only once in a calendar year and shall be implemented from the beginning of next calendar year.

**B.** Funds received from Corporations, Charitable Trust Funds, Associations or any entities shall not be considered towards membership dues. Funds received from any individuals on behalf of the third party, shall not be considered towards membership dues. Third party is the one who is not a member (husband or wife or children) of family.

**C.** Donations received for any other causes other than for specific membership dues shall not be considered towards membership dues.

**D.** Any member can upgrade his/her membership status to higher level of his/her choice by paying the difference in membership dues with in the same calendar year. Membership status shall be effective from the date of the receipt of the payment.

## **Section 4: WITHDRAWALS**

Any member may request withdrawal in writing at any time to the Board of Trustees. Upon approval of such request by the Board of Trustees the Secretary shall strike his or her name from the rolls. Any member requesting withdrawal will not have claim to any dues contributed to the organization.

## **Section 5: DISQUALIFICATION OF MEMBERSHIP RIGHTS**

Documented activities against the purposes of the organization as defined in Article II shall constitute grounds for disqualification from membership. These allegations shall be communicated to the member by the Board of Trustees through registered mail. The alleged member shall then be entitled to a hearing before the Board of Trustees on such charges and shall be entitled to a full opportunity to be heard. In order to be eligible for the aforementioned, the alleged member should request in writing by certified mail such hearing within sixty (60) days from the receipt of the above notification. Any member may be disqualified on the grounds of anti-organization activity, defamation of the office bearers of the organization, incompetence, corruption, favoritism, extortion, or oppression in office, or gross misconduct in a board meeting called for such purpose. Approval of two-third of the full board shall be required for such disqualification of membership rights after the due process.

## **Section 6: VOTING RIGHTS OF MEMBERS**

Except as hereinafter provided in Article IV for the election of the Board of Trustees, each family member (single- 1 member; married- 2 members) shall be entitled to one vote on each matter submitted to voting in respective categories of memberships, provided he or she has been a member as of last day of the month, 3 months prior to the date of voting, and has completed, signed, and filed with the Secretary a membership form. Any changes in marital status and change of address shall be notified in writing to the Secretary by the member by the above date

## **Section 7: NOTICE OF MEETINGS**

Written or printed notice stating the place, day, and time of any General Body meeting of members and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered either personally, by electronic media or by mail, to each member entitled to vote at such meeting, not less than twenty-one (21) and not more than forty (40) days prior to the date of such meeting, by the Secretary. If mailed such notice shall be deemed to be delivered when deposited in the United States Mail, addressed to the member at his or her address as it appears, as of last day of the month, 3 months prior to the date of voting, on the records of the organization.

## **Section 8: QUORUM**

The quorum for any meeting shall be 10% of each category of the members entitled to vote at any meeting, present in person, shall constitute a quorum. All proposals, except amendments to constitution, are considered approved if voted by simple majority in each category of the members present at the meeting. No proxies shall be permitted for purpose of quorum.

## **Section 9: NO PRIVATE INTERESTS:**

The organization shall be operated exclusively for the purposes set forth in Article II and none of its net earnings shall inure, in whole or in part, in the benefit of any person or organization having a personal or private interest in the activities of the ATA.

# **Article IV: BOARD OF TRUSTEES**

## **Section 1: GENERAL POWERS**

*The affairs of the ATA shall be managed by its Board of Trustees.*

## **Section 2: NUMBER, TENURE, AND QUALIFICATION**

**A.** The total number of Board of Trustees shall be twenty-seven (27) plus one (1) Honorary Trustee, all of whom shall be members in good standing with voting rights of the organization. All the trustees, except the Honorary Trustee, shall be elected by the members of General Body by mail ballot

**B.** To qualify for election to the Board of Trustees, a member shall be member in good standing for 90 days prior to the next election in the Category he/she is seeking the nomination, member for two full calendar years in any Membership Category.

**C.** The grand patron members, as defined in Article III, shall have the right to elect six (6) of the Board of Trustees. The patron members as defined in Article III shall have the right to elect six (6) of the Board of Trustees. The life members as defined in Article III shall have the right to elect fifteen (15) of the Board

of Trustees. The voting rights are not transferable. Every two(2) years, either fourteen(14) or thirteen(13) new trustees shall be elected alternatively for a term of four(4) years by respective category of membership as aforementioned (Grand Patrons:3, Patrons:3, and Life Membership: 8/7 alternatively,) with their term lasting for four (4) years.

**D.** Any sitting board of trustee shall have the right to seek the nomination for the new term of trustee election and, if elected, he/she shall resign from the un-expired term prior to accepting the new term.

**E.** The sitting board of trustees shall continue till the new board of trustees assumes the responsibility. The sitting board of trustees shall meet either at the first scheduled meeting of the new board of trustees meeting or sooner to receive and accept the election of the new board of trustees. The outgoing President shall convene the first regular meeting of the new Board of Trustees. The first order of the business shall be the official recognition of the outgoing President to become past President and the outgoing President - Elect to become President.

### **Section 3: REGULAR MEETINGS**

The Board of Trustees shall meet periodically, but not less than twice a year. A simple majority of the full Board of Trustees present in person shall constitute a quorum for the transaction of the business at any meeting of the Board of Trustees. All regular meetings shall require minimum of fourteen (14) days of written notice by either US mail or by electronic media.

### **Section 4: SPECIAL MEETINGS**

The President may call for a special meeting of Board of Trustees for specific agenda with a minimum of three (3) days notice through teleconferencing. Any fourteen (14) trustees may also request in writing for a special meeting of Board of Trustees along with specific agenda to the President and the President shall call for special meeting with a minimum of three (3) days of notice through teleconferencing.

### **Section 5: IMPEACHMENT/ REMOVAL**

Any trustee, chairperson or member of the Executive Committee may be removed or impeached on the grounds of anti-organization activity, defamation of the office bearer of the organization, incompetence, corruption, favoritism, extortion, or oppression in office or gross misconduct in a board meeting called for such purpose. These allegations shall be communicated to the member by the Board of Trustees through registered mail. The alleged member shall then be entitled to a hearing before the Board of Trustees on such charges and shall be entitled to a full opportunity for hearing. In order to be eligible for the aforementioned, the alleged member should request in writing by certified mail such hearing within sixty (60) days from the receipt of the above notification. Approval of two-third of the full board shall be required for such disqualification of membership rights after the due process.

### **Section 6: VACANCIES**

Any vacancy of a Trustee shall be filled by the majority of the Board of Trustees from respective category of membership. If the Board of Trustees fails to fill up the vacancies by the election time, such vacancies for the Board of Trustees shall also be filled up by the respective category members through member electorate process. A Trustee elected to fill a vacancy shall be elected for the un-expired term of such person's predecessor in office.



## **Article V: OFFICERS**

### **Section 1: OFFICERS:**

The officers of the ATA shall be President, President-Elect, Secretary, Joint Secretary, Treasurer, and Joint Treasurer. The officers shall be members of the Board of Trustees. The sitting executive officers shall continue till the new executive officers are elected by the board of trustees. The immediate Past President shall be an ex-officio member of the board of trustees, with the privilege of attending any or all meetings, but with no voting rights.

### **Section 2: ELECTION, QUALIFICATION AND TERM OF OFFICE**

**A.** President-Elect, Secretary, Joint Secretary, Treasurer, and Joint Treasurer shall be elected by the New Board of Trustees every two (2) years for a term of two years, at the first regular meeting of the new Board of Trustees. President of the previous year become past President and President - Elect of previous year becomes President.

**B.** Vacancies shall be notified to all the Board of Trustees and a meeting will be convened for that purpose. A simple majority of the Board of Trustees in attendance shall elect the replacement. The meeting shall be held within 90 days from the time of vacancy. Each officer shall hold office for a term of two (2) years or until a successor shall have been duly elected. Any of the officers shall be eligible for re-election, but shall not hold the same office for more than one (1) term. Each officer shall transfer all his/her original and other relevant records, assets, of the organization to the respective successor no later than fifteen (15) days from the time of the election of the executive officers.

**C.** In the case of the trustee's term for president-elect expires before he/she assumes the office of the presidency, then he/she shall become as Honorary trustee with no voting rights except to break the tie vote in the board meetings. The honorary trustee shall be eligible to serve as the President for term he/she elected.

**D.** To qualify for election to the officer, a sitting trustee must have served as a four year-full-term of ATA Trustee, or as a member of prior executive committee or as a conference convener, or as a regional coordinator, or as a standing committee chairperson, or as an executive director.

### **Section 3: PRESIDENT**

The President shall be the principal executive officer of the organization, shall preside at all meetings of the Board of Trustees, and subject to supervision and direction of the Board of Trustees, shall have general responsibility for the policies, business, and affairs of the organization. The President shall make appropriate decisions for the maintenance and day-to-day administration of the organization within the policies prescribed by the Board of Trustees. The President may appoint individuals to render part or full-time paid services to the organization as may be required from time to time within the powers vested on the President by the Board of Trustees. The President shall perform all duties incident to the office of the principal executive officer, and such other duties as may be prescribed from time to time by the Board of Trustees.

### **Section 4: PRESIDENT-ELECT**

In the absence of the President, the President-Elect shall perform all the duties and shall exercise all of the powers of the President specified under Section 3 above. In the absence of the President and the President-Elect, Secretary, or one of the other officers designated by the Board of Trustees shall perform the duties and exercise the powers of the President.

## **Section 5: SECRETARY**

The Secretary shall be the custodian of the ATA seal, all current year's official records, and shall keep accurate minutes of all meetings. The Secretary shall maintain a list of active members and send notices of the meetings to the members. The Secretary shall communicate with the membership in writing to keep the members informed of all of the activities of the organization. The Secretary shall perform such additional duties as may be required from time to time by the Board of Trustees.

## **Section 6: JOINT SECRETARY**

The Joint Secretary shall assist the Secretary in performing all of the duties incidental to the office of the Secretary and such other duties required from time to time by the Board of Trustees. In the absence of the Secretary the Joint-Secretary shall function as the Secretary.

## **Section 7: TREASURER**

The Treasurer shall hold all the funds of ATA in appropriate accounts of the FDIC financial institutions, as approved by the BOT, which are located within 50 miles radius of ATA official address, disperse the funds according to the decisions made by the executive committee and the Board of Trustees. The Treasurer shall keep accurate accounts of all the receipts and expenses, submit a report at each meeting of the Board of Trustees and executive committee to keep informed of the financial status of the ATA and prepare an annual budget. The Treasurer shall prepare annual financial statement for an audit by an independent certified public accountant and perform all the duties incidental to the office of the Treasurer. The Treasurer shall sign all of the checks issued from all accounts, except conference account of ATA. The President/ Conference Convener/ Conference Treasurer shall be the only other authorized individuals besides ATA Treasurer to sign the checks issued from conference account. In addition one other officer shall counter sign the checks from all accounts, except conference account, for amounts exceeding \$2,500.00.

## **Section 8: JOINT TREASURER**

The Joint Treasurer shall assist the treasurer in performing all the duties incidental to the office of the Treasurer. In the absence of the Treasurer, the Joint Treasurer shall function as the Treasurer.

# **Article VI: COMMITTEES**

**Section 1:** The president with the approval of the Board of Trustees shall nominate the Chairpersons for all standing committees, for the term to coincide with the term of the officers of the organization. The president with the approval of the Board of Trustees may form appropriate additional committees to facilitate functioning of the ATA. All members of such committees shall implement the proposals approved by the Board of Trustees. The Chairman of each committee shall report to the board through the President of the organization.

## **Section 2: STANDING COMMITTEES**

1. Membership Committee
2. Bylaws Committee
3. Finance Committee
4. Planning Committee
5. Nominating Committee
6. Community Service Committee

7. Language and Cultural Committee
8. Trust Fund Committee
9. ATA Foundation Committee
10. America Bharathi Committee
11. Public Relations Committee
12. America Bharathi Trust Fund Committee

13. Youth Activities Committee
14. Continuing Education Committee
15. Archives and Records Committee
16. Election Committee
17. Audit Committee

## **Article VII: AMENDMENTS TO THE CONSTITUTION**

This constitution may be altered, amended or repealed by the general body pursuant to the procedure stated below.

**Section 1:** 10% from each category of the membership with voting rights as of the previous election date and/or by two-thirds the majority of the Board of Trustees can propose an amendment to the constitution. The proposed amendment shall be discussed at the next scheduled meeting of the Board of Trustees. A mail ballot highlighting the proposed change to the constitution shall be mailed to all the voting members within sixty (60) days from the above Board of Trustees meeting.

**Section 2:** A proposed amendment, alternating a repeal of the constitution shall be deemed approved if accepted in writing by two-thirds of the Grand Patron, two-thirds of Patron membership and two-thirds of the life membership from the ballots received in each category. The decision shall be notified to all the members either by publishing in America Bharathi or by mail. The amendment, alteration, or repeal of the constitution shall be implemented from the next calendar year.

## **Article VIII: INDEMNIFICATION**

The organization shall indemnify any and all of its, trustees or officers, or former, trustees or officers, or any person may have served at its request, against the expenses (including attorney's fees) actually or necessarily incurred by them in connection with the defense or settlement of any action, suit or proceeding in which they or any of them, are made parties or a party, by reason of being or having been a trustee, or officer, a former trustee or officer or person shall be adjudged in such action, suit, or proceeding to be liable for willful misconduct in the performance of duty, and to such matters as shall be settled by agreement.

## **Article IX: CONTRIBUTIONS**

The Board of Trustees may accept, on behalf of the organization, any contributions given for the general purposes or for any special purpose of the organization.

## **Article X: ROBERTS RULES OF ORDER**

Except as otherwise herein expressly provided, all matters of procedure shall be governed by Roberts Rules of Order, revised, as the same shall, from time to time, be revised and amended.

## **Article XI: NOMINATION COMMITTEE**

The President, with the approval of the Board of Trustees, shall appoint a Nominating Committee Members. The Nominating Committee shall consist of five (5) members in good standing out of which two (2) from the Board of Trustees and two (2) from general membership and the immediate Past-President will chair the committee. The Nominating Committee shall have the following responsibilities.

1. Receive nominations for Trustees as submitted by a voting member of the organization.
2. Prepare a slate of candidates for Trustees to succeed those whose term expires.
3. Present the slate and other candidates to the board through the president. If election is required, the president shall promptly forward the slate and other candidates to Election Committee for conducting the election.
4. When the Nomination Committee fails to obtain enough number of nominations to fill the number of trustees on the board in any category of grand patrons, patrons, and life members, the Nomination Committee shall seek the nominations from categories of grand patrons, patrons, and life members in ascending or descending order as the case may be.

## **Article XII: ELECTION COMMITTEE**

The President with the approval of the Board of Trustees shall appoint five (5) members, Chairperson from executive committee , 2 from board of trustees, and 2 from general members, to the Election Committee, at least 90 days prior to the election of trustees. The primary function of this committee shall be to conduct the election for board of trustees. The committee shall be responsible for preparing, mailing, receiving, and counting the ballots. The committee shall promptly send the certified copy of the results to the President.

## **Article XIII: AUDIT COMMITTEE**

The Auditing Committee shall consist of two board members and one independent member with accounting background. The function of this committee is to audit the financial transactions and treasurer's reports periodically and not less than two times in a fiscal year and also submit the annual report for the end of the calendar year to the board of trustees.

## **Article XIV: COORDINATORS**

### **Section 1: Regional Coordinators**

The President with the approval of the Board of Trustees may form regions to facilitate functioning of the ATA. The president with the approval of the Board of Trustees shall nominate the Regional Coordinators for the term to coincide with the term of the officers of the organization. The candidate for the position should have been member of ATA in good standing for minimum of one year. All Regional Coordinators shall implement the proposals approved by the Board of Trustees. The Regional Coordinator shall report to the board through the President of the organization. The Regional Coordinators shall be responsible for all ATA activities in their respective regions, including, but not limited to solicit ATA membership,

organize and coordinate ATA programs with the regional Telugu Associations and executive committee of ATA. Send newsworthy items or articles from the respective regions for publication in the organization newsletter.

## **Section 2: Overseas Coordinators**

The president with the approval of the Board of Trustees shall nominate up to two Overseas Coordinators for the term to coincide with the term of the officers of the organization. All India Coordinators shall implement the proposals approved by the Board of Trustees. The India Coordinators shall report to the board through the President of the organization. The Overseas Coordinators shall be responsible for all ATA activities in India to monitor, organize and coordinate ATA programs. Send newsworthy items or articles for publication in the organization newsletter.

## **Article XV: EXECUTIVE DIRECTOR**

The President, with the approval of the Board of Trustees, shall appoint an executive Director for the initial term of two (2) years. The term may be extended for a period of two (2) years, unless replaced sooner by the board of trustees with 2/3<sup>rd</sup> majority of full board of trustees. The executive director should have been associated with ATA for long time, and who has deep commitment for the organization, and his position needs to compliment the secretary's duties and in addition should take a lead role in coming up with ideas to promote and expand the organization. He or she should be an adviser and a close associate to president to discuss and aid to implement the policies and goals of the president and the board. He or she shall be compensated at the discretion of the board of trustees.

## **Article XVI: OFFICE COORDINATOR**

The President, with the approval of the Board of Trustees, shall appoint ATA Home Office Coordinator for the initial term of two (2) years. The term may be extended for a period of two (2) years, unless replaced sooner by the board of trustees with 2/3<sup>rd</sup> majority of full board of trustees. He/she must reside within 50 miles radius of ATA official address. He/she has been associated with ATA for long time and who has deep commitment for the organization. His/ her functions are to oversee the day to day office functions, assist in transition of the office bearers and other functions that may from time to time approved by the board of trustees through the president. He or she shall be compensated at the discretion of the board of trustees.

## **Article XVII: DISSOLUTION**

President with the approval of 2/3<sup>rd</sup> majority of full board can propose to dissolve the corporation to the General Body for approval of the dissolution of the corporation. The dissolution shall be deemed approved if accepted in writing by 2/3<sup>rd</sup> majority in each category of ballots received from Grand Patron,

Patron, and Life members. Upon dissolution of the corporation, the Board of Trustees shall, after paying or making provisions for the payment of all the liabilities of the corporation, dispose of all the assets of the corporation exclusively for the purpose of such corporation in such manner, or to organization or

organizations organized and operated exclusively for charitable, education, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Trustees shall determine. And such assets not so disposed of shall be disposed of by the Court of Common Pleas of the County in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purpose. Functioning of this organization shall be in accordance with the Articles I through XVII of this constitution.

***The End***



