

NCUDA-USA

***CONSTITUTION
AND BY-LAWS***

APRIL 2021

NCUDA-USA Constitution

Article I - NAME AND LOCATION:

- A. The Association shall be known and called, Ntenako Cultural and Development Association of United States of America, hereinafter referred to as NCUDA-USA.
- B. The principal office for transaction of business of the Association is located at the address of current President, and, therefore, changes with the tenure of the presidency.
- C. The Association shall maintain a list serve: ncudausa@yahoo.com, NCUDA-USA WhatsApp, facebook.com/ncudausa used to exchange information and to make announcements.

Article II - MISSION STATEMENT:

This mission of the Association is to unite Ntenako elements in North America, to foster a spirit of community development and fraternity, as well as provide the opportunity and environment for members to socialize and maintain the culture through various activities.

Article III - OBJECTIVES:

The objectives of this Association shall be:

- A.** To unite Ntenako men, women and children living in North America and to discuss issues important to their community and to Ntenako.
- B.** To be a forum to foster economic development; and the preservation and restoration of Ntenako culture.
- C.** To impart into the younger generations of Ntenako the importance, pride, and sense of belonging to the rich cultural heritage of Manyu.
- D.** To exchange information and services between NCUDA-USA and NCUDA, Ntenako Council and Ntenako Quarter Heads.
- E.** To provide various forms of assistance to NCUDA-USA members, as stipulated elsewhere in the constitution and by-laws.

Article IV - POLICIES:

A. The Association shall be a non-profit entity, organized and existing pursuant to the laws of the United States of America.

B. Neither the name nor the activities of this organization shall be associated with any organization or political activity not in the best interest of the Association.

C. The function of this Association shall be directed exclusively to plans and projects promoting the best interests of NCUDA-USA.

D. The Association's members shall conduct NCUDA-USA activities with high moral standards and in a manner not to discredit themselves, their fellow members and/or the Association. Interests of NCUDA-USA members shall be protected to the degree that those interests are honest, fair and are in harmony with the ideals of this Association.

Article V - MEMBERSHIP:

Section 1: Membership shall be open to all Boh Ntenako residents in North America, who are related to the land of Ntenako by birth or through marriage to Boh- Ntenako, and who are over 18 years of age. Membership is individual, not jointly.

Section 2: This Association reserves the right either to accept or reject membership of any person whose presence is deemed a hazard to its mission and objectives.

Section 3: The association reserves the right to terminate membership of a non-conforming member by a vote of at least 60 percent of the registered members present when the item is on the agenda in advance of the meeting.

Section 4: Membership shall be open to honorary members.

Section 5: Active member means fully paid-up registration fee, sinking fund and development fee by June 30th. Associate / Honorary member means paid-up \$30 registration fee and exempt from sinking fund and development funds payment.

Article VI - ACCEPTANCE OF POLICIES AND COMPLIANCE WITH CONSTITUTION AND BY-LAWS:

A member, by registering for membership, thereby accepts the principles of the NCUDA-USA as expressed in its mission and policies, and submits himself/herself to, and agrees to comply with, and be bound by the Constitution and By-Laws of this Association, and on these conditions alone is entitled to the privileges of this Association. No member shall be absolved from the observance of this Constitution and By-Laws.

Article VII - OFFICERS AND ELECTIONS:

Section 1: Any member in good standing for a period of at least one year and who has passed his or her 25th birthday is eligible to hold office in this Association, subject to the conditions of proper nomination and eligibility requirements spelled out in the By-laws.

Section 2: The officers of the Association shall be: President, Vice-President, General Secretary, Social Secretary, Financial Secretary, Chief Whip and Treasurer. Officers shall serve a period of two years, or until their successors are elected and installed, and shall be selected from the membership as specified in the By-Laws.

Section 3: A general election shall be held once every two years. This election will be for all offices of the Association. Special elections for situations due to resignation, expulsion, or death, shall be held at any regular meeting.

Section 4: Members in good standing, as provided in the By-Laws, may present nominations for all officers. Nominations and self-nominations may be made as described in the By-Laws.

Section 5: Election shall be made by secret ballot during the election period specified in the By-Laws. No officer shall hold the same office for more than two consecutive terms unless there are no other candidates for this office. No officer shall run for two offices at the same time.

Section 6: Newly elected officers shall take office within thirty days after being elected. The election shall be conducted during NCUDA-USA live general meeting or Zoom meeting of the election year.

Article VIII - STANDING COMMITTEES:

The president shall call for, or form committees as necessary to tackle individual projects and situations that may arise.

Article IX - BY-LAWS:

Section 1: This association shall adopt By-Laws not inconsistent with the constitution embodying additional provisions for the government of this Association. Such By-Laws may be amended as therein provided.

Article X - AMENDMENTS TO THE CONSTITUTION:

This Constitution, and any supplements or attachments, may be altered, amended, deleted, or replaced by an affirmative vote cast by the members. An amendment to this Constitution may be made only under the following conditions and procedures:

Section 1: Notice of proposed amendment has been submitted in writing, four weeks in advance to the executive, which shall circulate to the members at least two weeks before the live or Zoom annual meeting date.

Section 2: The proposed amendment(s) shall be debated and voted for, by at least a (1/2) of registered members present, indicating a quorum.

Section 3: An amendment becomes effective from the meeting day following the date of the final vote.

Section 4: Proposed amendments may be submitted to the Association no more than two times in any calendar year.

Section 5: Voting on other issues other than executive elections shall be conducted by simple voting, NOT by secret ballot.

Article I - CONSTITUTION AND BY-LAWS Section 1: Definitions The words and phrases in the Constitution and these By-Laws shall be interpreted according to their accepted dictionary definitions except as hereinafter specified:

A. Association - The Association of NCUDA-USA, a non- profit organization.

B. May - Discretionary, at will.

C. Principal Office - The main office and the location of the chief officer of the Association.

D. Shall - must, mandatory.

Section 2: The Constitution Committee shall serve as a Standing Committee to formulate and propose By-Laws governing Association activities. Proposals shall be enacted by the affirmative vote of the Association at any regular or special meeting. The Constitution Committee shall:

A. Constitute of four registered members who are nominated for a period of 2 years. Members shall be knowledgeable of the constitution and be ready to clarify constitutional matters during the general assembly meetings.

B. Be renewed to exactly 50% of its members every two years to insure proper continuation of the duties.

C. Gather all proposed constitutional amendments and put them in a suitable format for discussion at the general assembly.

D. Provide updated constitution and by-laws within one month after adoption of the initiative by the general assembly.

Article II - ORGANIZATION: Section 1: Officers:

The officers of the Association shall be President, Vice-President, General Secretary, Financial Secretary, Treasurer, Social Secretary and Chief Whip.

Section 2. Duties of the Executive:

The Executive shall further the mission as herein provided and shall strive to promote and maintain an efficient organization of the Association. The executive shall promote and uphold the integrity and prestige of this organization. The executive shall maintain the traditions and customs of this Association to guarantee seamless continuity and its survival into the future. All the executive members shall answer to the assembly not to each other.

Section 3. Duties of Officers:

A. President:

The President shall perform official functions and meet the following expectations:

- I. Shall preside over meetings of the Association and executive meetings.
- II. Shall maintain order, direct the affairs of the Association, and guard the interest of the Association.
- III. Shall provide utmost leadership with energy and enthusiasm, improving processes and procedures.
- IV. Shall strive to leave NCUDA-USA at least better than he/she met it, by the end of term.
- V. Call special meetings as deemed necessary.
- VI. Shall represent the Association at all events and in situations where the organization needs to be represented.
- VII. The President signs all checks along with the Treasurer, in payments of accounts.
- VIII. Shall uphold the Constitution of this Association without deviation and set the standard for unity.

B. Vice President:

The Vice-President shall assume all the duties and powers of the President if the President is absent or unable to act.

C. General Secretary:

The General Secretary shall assume all the powers of the President if the Vice-President was unable to act. It shall be the duties of the secretary to:

- I. Arrange for and attend all regular meetings of the Association and to keep exact minutes of their proceedings.
- II. Keep a registry of membership; including names, addresses, phone #'s and other means of contacts. Shall publish the membership directory annually, electronically and in hard copies.
- III. Notify all members of the date and address of the next meeting at least two weeks in advance and circulate the minutes of the prior meeting so members can refresh their memories of the issues.
- IV. Present at each meeting the minutes of the previous meeting.
- V. Maintain a file of all correspondence of the Association.
- VI. Distribute to all members the constitution and by-laws and a membership directory.
- VII. Shall also prepare an agenda to every meeting in consultation with the executive and publish with the meeting announcement.

D. Financial Secretary:

It shall be the duties of the Financial Secretary to:

- I. Have custody of the books of accounts of the association. Shall maintain records in a ledger supplied by the Association.
- II. Maintain a record of attendance at every meeting, assisted by the Chief Whip.
- III. Keep clear income and expenditure records of the Association. Collect all association monies from members and non-members and hand it to the treasurer and keep the association current of all financial issues.
- IV. always Have the books of account available for inspection by members and/or auditors.
- V. Present an annual balance sheet or statement of account of the Association for the previous year during the first meeting of every new financial year.
- VI. Publish all financial statements to members electronically two weeks prior to the scheduled meeting date, and present hard copies to members at the meeting.

VII. Publish records of membership due payments monthly, as a constant reminder.

E. Social Secretary (SS):

It shall be the duties of the Social Secretary:

- I. To lead in organizing social events and all other gatherings.
- II. To make announcements on the internet or surface mail to inform the community of obituaries, births, weddings, graduations, arrivals, promotions, and all other good news, when such information has been passed on to him/her by the interested member. To solicit ideas or bring suggestions to the meeting floor about children's issues.
- III. Organize children's activities, talent shows, dance parties etc., as may be suggested by the children.
- IV. To collect membership levies at funerals as stipulated in the constitution and by-laws.

F. Treasurer:

It shall be the duties of the treasurer to:

- I. Collect all money payments during meetings.
- II. Present to the assembly monthly bank statements
- III. Keep original receipts of expenditure.
- IV. Publish all financial statements to members electronically two weeks prior to the scheduled meeting date, and present hard copies to members at the meeting.
- V. Countersign all checks along with the President in payments of accounts.

G. The Chief Whip:

It shall be the duties of the chief whip to:

- I. Maintain order during meeting sessions.
- II. Collect any levies and fines from members during meetings.
- III. Record attendance, monitor punctuality in collaboration with the Financial Secretary.

IV. Identify floor infraction, disruptions, and refer such matters to the assembly for instant action and penalties. A minimum of \$5 shall be charged to a member who disrespects the chief whip and would not adhere to order.

Article III - ELECTIONS AND TRANSITION OF POWER:

Section 1: Elections

- A. All members of the executive shall be voted by simple majority vote.
- B. Candidates must be present to be elected.
- C. Candidates for all positions will be elected as a team.
- D. Voting shall be conducted by secret ballot if there is more than one candidate.

Section 2: Eligibility to Vote

All members of the Association are eligible to vote on condition that:

- A. They have been members of the Association for at least six months.
- B. They are in good standing, as described elsewhere in this constitution.
- C. They are totally paid-up on all their financial obligations to NCUDA-USA.
- D. Honorary members are eligible to vote but not run for office.
- E. Elections shall be held during a live meeting or zoom general assembly meeting.

Section 3: Declaration of Candidacy and Election Campaigns

- A. Each member of the Association is eligible to be candidate for any office provided all the following conditions are met:
 - 1. Must be above 25 years old.
 - 2. Have high moral character and integrity.
 - 3. Have been continuously member of the Association for at least 12 months and was fully paid-up by mid-year (June 30th) of the election year.
 - 4. Have attended at least 60% of the meetings, condolences and other support events and activities in the community.
- B. The Letter of Candidacy shall address the following items: candidate's background including biography, experiences and vision for the Association and plans on how he/she will move the Association forward. The letter shall be one page in length and shall become property of the Association.
- C. No candidate shall run for more than one office during the same election.

D. During the campaign month eligible candidates may post campaign advertisements on NCUDA-USA forum or by direct surface mail to the members.

Section 4: Electoral Committee

A. Shall consist of three members elected or nominated by the general assembly in January of the election Year. Their mandate ends with the transition of power to the new executive.

B. Members of the electoral committee shall not be candidate for any open office.

C. Shall be responsible for validating candidacy, collecting, counting votes, and proclaiming the result. It shall deliver the final certified result to the General Secretary for the Association files.

D. Shall work with the outgoing executive ahead of the elections to identify member status for eligibility to vote.

E. Shall collect letters of candidacy from potential candidates and make available to the general assembly with other election information, in handouts, to kick off the campaign. The live or zoom general meetings of the election year shall give room for candidates to campaign.

F. Shall be responsible for printing voting ballots and shall organize itself to function effectively on Election Day. The outgoing executive shall not be involved in organizing the election.

Section 5: Transition of Power

A. The outgoing executive will continue to officially run all the business of the Association until the end of the live or Zoom general meeting following the election, when there will be an official hand- over.

B. The outgoing executive shall hand over all NCUDA-USA official documents and property to the Electoral Committee not later than the next day following the election.

Article IV - FINANCE:

Section 1. Membership Fees:

A. Every member shall pay \$30 non-refundable Registration fee every year.

B. Every active member shall pay \$60 Sinking fund contribution every year.

C. Every active member shall pay \$60 Development fee every year.

D. Membership fee:

Age 0-18 years = \$0; exempt from items A, B, and C above.

Age 18-25 years =\$30; exempt from item B and C above

Age 25–70 years = \$150; completely pays items A, B, and C above.
Honorary member/Above age 70 = \$30; exempt item B and C above.
Return member fee = \$150

Section 2: Association's financial year shall run from January 1st through December 31^{1st}.

Section 3: In addition to the yearly membership dues, the association may exploit other ways of raising funds for specific issues and projects.

Section 4: The treasurer shall always present bank account records to the Association and on notice to the auditors.

Section 5: Financial assistance to members shall depend on whether the person is meeting up with his/her financial responsibility.

Section 6: When disbursing a financial benefit to a member, what he/she owes to the organization shall be deducted first before being given the difference.

Section 7: All monetary levies such as fines and late fees shall be added up for each member and kept by the F.S. and will become the member's record of financial obligations, which must be paid to be in good standing with the Association.

Section 8: Members of the association shall condole with a member for the loss of a categorized dependent. Males shall bring drinks and females food.

Section 9: Late membership payment from July 1st through December 31st shall be subject to a \$2 per month payment.

Section 10: Expenditure

Expenditure of funds from NCUDA-USA accounts shall be approved by the Association if the amount exceeds \$200. Such approval is granted by a floor vote when the matter is presented to the Assembly. Expenditure that is less than or equal to \$200 may be made by the Executive and all receipts kept for records. Only one less-than-\$200 expenditure may be allowed without the permission of the Assembly, in a six-month period. Additional more than \$200 expenses must be brought to the Assembly for authorization.

Section 11: Audits

Financial and general audit shall be done yearly by an auditor or a committee.

Section 12: Bereavement Benefit

NCUDA-USA members shall condole with an active member in time of bereavement. All Members shall attend the funeral of a deceased active member (Category1) in North America when arranged by the Executive.

The qualifying bereavements are death of member, child, and parents.
Each active member shall receive a burial fee for qualifying death category.

A. Member Bereavement Contribution:

Category 1: Active Member= \$200 per member.

Category 2 in North America: Parent or child =\$75 per member.

Category 3 out of North America: Parent or child =\$35 per member.

Associate/Honorary member in North America = \$50 per member

Burial fee for qualifying death category:

Category 1: Active Member = \$5,000

Penalty for not attending **Category 1** bereavement =\$300

Category 2: Parent and Child in North America = \$2,000

Category 3: Parent and Child out of North America = \$1,000

B. Other Active Member Benefits:

Graduation = \$150

Birth of Child = \$150

Wedding = \$150

C. Associate/ Honorary member benefits:

Honorarium = \$2000

Article V - DURATION OF MEMBERSHIP:

- A. PERIOD: Membership shall continue during the existence of the Association unless terminated as herewith provided.
- B. TERMINATION OR SUSPENSION FOR OTHER CAUSES: The membership of any member may be terminated by a special committee established by the Association, for a reason that is detrimental to another member and/or to the ideals of the Association. Any said action shall be kept confidential until it can be determined if the member has violated any part of the Constitution and/or the By-Laws. No action of suspension for violation shall be concluded until the accused has the right to offer his defense against such action.
- C. RESIGNATION: The resignation of any member from this Association shall be made in writing, presented to the President or to the Secretary, and shall be presented to, and accepted by the Association. Until such a letter is written, a member continues to be responsible for the accumulation of his/her dues and duties.

Article VI - DISCIPLINE AND DISCIPLINARY COMMITTEE

- A. The Association shall nominate from among the members, a group of five persons to constitute a Disciplinary Committee, whose function shall be to control membership infractions by taking disciplinary or punitive action against such members. The Disciplinary Committee shall have the power to advise penalties or to expel members from this Association in part or whole.
- B. All members are subject to the authority of the Disciplinary Committee. Association officers are subject to review and action by the Disciplinary Committee but may only be removed from office by a two-thirds affirmative vote from the Association at any regular or special meeting.
- C. Officers who consistently violate the constitution and By-Laws of the association, lax in the performance of their duties or fail to perform or are invariably incompetent, to the detriment of the smooth functioning of the organization, shall be sanctioned by the assembly when the complaint is made by the members or the disciplinary committee, and may be removed from office and possibly from the organization.
- D. The advisers or any group of at least 10 members, who have a legitimate concern for verifiable wrongdoing by the executive, may summon an emergency meeting if the matter is not addressed in a regular general meeting session. A quorum of at least 50% of fully paid-up registered members to that time is required for binding decisions to be made.