

# THE CONSTITUTION OF NCKO.

## ARTICLE 1: MISSION

The mission of NCKO as a Non-Profit Organization is to bring together Kenyans living in North Carolina and improve their social-economic wellbeing while availing assistance to all NCKO members at their time of need.

## ARTICLE 2: DEFINITIONS

In this Constitution and the Organization by-laws, unless the context otherwise requires, the following word shall have the following meaning:

**Organization:** It shall refer to NCKO as duly registered.

**Committee:** It shall refer to the elected officials of NCKO.

**Leadership:** It shall refer to the elected officials of NCKO

**Community:** Refers to the people living within the State of North Carolina and anyone who has links with North Carolina by previously being a resident of State of North Carolina and a member of NCKO during the time he was a resident of the State of North Carolina.

**Kenyans:** By birth, marriage, parents

**Member:** Any person who has applied for membership and has been accepted as a member of the NCKO.

**Gender:** Reference to any gender in this Constitution and the by-laws shall be interpreted to refer to either gender.

**Siblings:** Brothers and sisters sharing the same blood mother. (Any paid member who will be renewing the membership immediately following this resolution will be allowed to retain current family composition.)

**Child:** Means either a biological child or a legally adopted child.

**Adopted:** Applies in the position of a child with final legal adoption as per the laws of Kenya or the United States.

## ARTICLE 3: OBJECTIVES

Bringing Kenyans together for the purposes of:

- i) Supporting each other during certain occurrences like death of a protected family member in a manner set out in the by-laws and subject to availability of funds.
- ii) Organizing Kenyans in case of a tragedy affecting large population in general.

- iii) Networking for personal and career advancement.
- iv) Maintenance of contacts of Kenyans in North Carolina.
- v) Enlightening members on various topics relevant to their welfare.
- vi) Fostering peace and unity amongst Kenyans of different walks and faith.
- vii) Initiating Charitable projects to assist Kenyans in the United States and in Kenya.
- viii) Mentoring and counseling new arrivals in the United States for easier settlement within the society.
- ix) Disseminating any important information affecting Kenyans in the United States.
- x) Any other purpose that is lawful and charitable in nature.

#### **ARTICLE 4: MEMBERSHIP**

- i) Any individual within the Kenyan community in the State of North Carolina is entitled to apply for membership to the organization through a designated application form together with an application fee in accordance with procedures set out in the by-laws. This fee can be refunded if membership is declined.
- ii) The organization through its leadership has the sole discretion to accept or decline membership with or without reason.
- iii) Membership is voluntary and a membership may only cease as per laid down procedures in the by-laws. Cessation of membership does not impugn on any contractual agreement the ceasing member may have with the organization.
- iv) Annual membership shall run from January 1<sup>st</sup> to the December 31<sup>st</sup> of the same year.
- v) Membership is renewable every year for a fee.

#### **ARTICLE 5: RIGHTS OF MEMBERS**

- i) Right to avail candidature for election to any position in accordance with this Constitution.
- ii) Right to vote during any of the organization's members meeting.
- iii) Each member has one equal vote.
- iv) Right to demand inspection of the books of accounts in a reasonable manner and in accordance to the by-laws.
- v) Right to receive communication from the Organization on important issues which the Organization is communicating to members.
- vi) The rights of members cannot be limited in any discriminatory manner save as when the member has not fully paid his obligation which is due.

#### **ARTICLE 6: VOTING**

- i) Every member has the right to vote.
- ii) The right to vote may be suspended where a member has not fully paid up his or her dues.
- iii) Voting will be done by show of hand with a simple majority deciding the winner.

## **ARTICLE: MEMBERS RESPONSIBILITY**

- i) Every member shall at all times advocate for the best interests of the organization.
- ii) Every member shall comply with all payment obligations.
- iii) Every member shall be required to attend at least two general meetings during the year.
- iv) Every member shall keep the organization updated on his contact information at all times.
- v) Every member shall comply and accomplish any assignment or obligation given.
- vi) Members shall be expected to do outreach and attract new applicants for membership, at no cost to the organization.

## **ARTICLE 8: STRUCTURE OF THE ORGANIZATION**

- i) The organization is owned by members who elect a management committee for day to day running of the organization.
- ii) The Management Committee shall consist of five members
  - a) Chairman
  - b) Vice-Chairman
  - c) Secretary
  - d) Vice-Secretary
  - e) Treasurer
- iii) The term of the committee members shall be three years, with a two consecutive term limit subject to the limitations provided in article 8 section V of this constitution.-
- iv) An official can run for office again after being out of office for two three year terms.
- v) For purposes of smooth running of the management committee and continuity, the initial term of different management committee members after the adoption of this Constitution shall be varied.
- vi) The organization may from time to time appoint an ad-hoc committee with a specific mandate and duration.

## **ARTICLE 9: CONTRIBUTIONS AND ASSISTANCE**

- i) The organization shall from time to time determine the amount to be contributed by its members in case of a covered occurrence and the amount payable to the affected member or members.
- ii) There is no durational or numerical limitations a fully paid member can receive assistance in accordance with the by-laws.

## **ARTICLE 10: LIFE INSURANCE**

Members would be encouraged to purchase life insurance and the communication would be clear that this would not be in place of the assistance provided by the organization.

## **ARTICLE 11: WEBSITE**

- i) The organization shall maintain a website that members can access for updated information on Organization matters.
- ii) Once the website is operational, it shall be the responsibility of the member to regularly check for updates on the website.
- iii) Any information or notice posted in the website shall be deemed duly communicated within 30 days of the posting of the information, with the exception of any notice for payment of any monies.
- iv) The Website should have a member's portal with the capacity to log in to a created member's account.

## **ARTICLE 12. DISSOLUTION**

Upon the dissolution of the Organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction 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 purposes.