

# JAIN SOCIETY OF HOUSTON, INC.

## CONSTITUTION

### ARTICLE I - NAME AND ADDRESS OF THE ORGANIZATION:

The organization will be known as the "Jain Society of Houston, Inc." a non-profit, religious organization, in compliance with Section 501(C)(3) of Internal Revenue Code, hereafter referred to as JSH. The official address is:

Jain Society of Houston Inc.  
3905 Arc Street  
Houston, Texas 77063

### ARTICLE II - AIMS OF THE ORGANIZATION:

- A. To promote the philosophy and teachings of Jain religion.
- B. To establish a platform for worship, discussion and teaching of Jain rituals, ideals, and principles of Jain religion.
- C. To celebrate auspicious Jain events and festivals.

### ARTICLE III - MEMBERSHIP:

- A. Membership shall be open to all believers in the philosophy of Jain religion.
- B. A one time membership registration non-refundable fee will be payable to become a life member. Registration fees will be determined by the Executive Committee. The membership is not transferable.
- C. Membership shall be of the following categories:
  1. Membership includes member and spouse (if married), their children, dependent parents, and members of the sub-units of the member's extended family living in one home. All such dependents shall be entitled to all privileges of membership except they may not hold office or vote. Right to hold office and voting rights are only for member and the spouse (if married).
  2. Honorary membership - Any distinguished person who has contributed to the Jain cause may be bestowed Honorary Membership by two-thirds (2/3) vote of the Executive Committee and the Board of Trustees each separately. An honorary member shall be entitled to all privileges of Individual membership except that he/she may not hold office or vote.
- D. Membership shall be obtained by completing an application form for membership, signed recommendation of two(2) JSH members, payment of dues and upon majority approval of the Executive Committee. The President or Secretary shall notify denial without cause to the applicant in writing within thirty (30) days of the date of application along with the refund of dues.
- E. In order to vote, members must be a JSH member by 31st December of the previous year.

**ARTICLE IV - MANAGEMENT OF THE JSH:**

- A. All activities of the JSH shall be managed as follows:
  1. Executive Committee (hereafter referred to as EC)
  2. Board of Trustees (hereafter referred to as BT)
  3. Joint Committee consisting of Executive Committee and the Board of Trustees (hereafter referred to as JC).
  
- B. Executive Committee:
  1. The EC shall comprise of eight (8) elected members and one Ex-Officio member including following Office Bearers elected by EC members: (1) President (2) Vice President (3) Secretary (4) Joint Secretary (5) Treasurer (6) Joint Treasurer.
  
  2. Qualification for EC Member:
    - a. Must be a voting member of JSH for at least 12 months as of December 31st of the preceding year; or
    - b. Must be a JSH voting member of the current year or Jain Fellowship of Houston office bearer for at least one (1) of the two (2) preceding years.
    - c. Must not hold office in any other religious, social or cultural organization in USA except JAINA during the EC term.
  
  3. Each elected EC member will have a two (2) year staggered term with four (4) positions to be filled by election every year.
  
  4. The elected members of the EC shall elect the office bearers. If there is a tie in the voting, the outgoing Chief Trustee will break the tie by drawing of the name.
  
  5. The President is authorized to make decisions on routine matters for smooth operation of the JSH. The President along with EC shall be responsible for the day to day operations of the JSH, including maintenance of the membership records and accounts, membership dues, payment of dues to various organizations, and organizing all programs and activities. The President shall preside over the EC meetings.
  
  6. In the absence of the President, the Vice-President will carry out the functions of the President. In absence of both the President and the Vice President one of the EC members elected by the EC shall carry out the functions of the President.
  
  7. The Secretary shall keep the minutes of all the EC and JC meetings. Secretary shall present such minutes in the following meeting of the EC for approval and shall forward approved minutes to the Chief Trustee and shall display meeting minutes for thirty (30) days on the JSH bulletin board within 10 days of approval.
  
  8. The Treasurer will be responsible for the receipts, collections, disbursements, recording and safekeeping of all JSH operating funds except provided in Article IV-C-5a. The Treasurer must deposit all funds in JSH bank accounts within two(2) weeks of receiving them. The treasurer will present:
    - a. A year to date financial report of receipts, payments and outstanding pledges each quarter to the JC within sixty (60) days of

- the end of the quarter.
- b. A year to date report for nine (9) months will be presented to the General Body Meeting during the month of March/April on Mahavir Jayanti Celebration Day.
  - c. Year-end financial statements (Receipts/Payments) to the JC duly reviewed by the Financial Review Committee by July 31<sup>st</sup>. The final accounts will be presented to the General Body for approval during the month of September/October on Swamivatsalya Celebration Day for the year ending preceding April 30<sup>th</sup>.
9. The joint treasurer will assist the treasurer in carrying out his duties.
  10. The joint secretary will be responsible for processing the applications of new members and maintaining an up to date listing of members and their family data.
  11. The outgoing EC and BT will transfer all the financial and other records to the election coordinator no later than seven (7) days of the expiration of their term. The election coordinator shall hand over all the records to the new EC and BT. The Treasurer shall keep all financial records and the Secretary shall keep all other records of the JSH for the current year. The President shall be the custodian of all records for past years, which shall be stored at the JSH facility.
  12. All expenses shall be approved as follows:
    - a. President at his discretion is authorized to spend any expenditure of up to five hundred dollars (\$500) for items requiring immediate attention. President shall present any such expenses in the next EC meeting.
    - b. The President and any one(1) office bearer together in agreement with each other are authorized to approve any expenditure or disposition of asset of JSH up to five hundred dollars (\$500) or up to one thousand dollars (\$1000) for items requiring immediate attention or a donation up to two hundred dollars (\$200).
    - c. Any expenditure or disposition of assets over five hundred dollars (\$500) to three thousand dollars (\$3000) or donation of over two hundred dollars (\$200) up to Five hundred dollars(\$500) by JSH shall be approved by the EC.
    - d. Any expenditure or disposition of assets over three thousand dollars (\$3000) up to fifteen thousand dollars (\$15000) or donations of over five hundred dollars and up to Five thousand dollars (\$5000) shall be approved by both the EC and the BT separately.
    - e. Any expenditure or disposition of assets over fifteen thousand dollars (\$15000) and donations over five thousand dollars (\$5000) shall be approved by the General Body.
    - f. Recurring items of operating expenditure will require approval only once.
    - g. The BT is authorized to approve up to two thousand dollars (\$2000) of expenses to carry out their duties.
    - h. The Charity Committee shall review the fund raising for donations to third parties irrespective of the collected amount and make its recommendation to the President and Chief Trustee.
  13. The signing of checks shall be done as follows:

All checks up to three thousand dollars (\$3000) shall be jointly

signed by two office bearers of the EC. At least one of the office bearers shall be the president or the Treasurer. All checks over three thousand dollars (\$3000) will in addition shall be initialed by one (1) of the Trustees of the BT.

14. The EC shall vote to terminate any EC member by majority, for failure to attend three (3) consecutive meetings, unless The EC member has obtained prior approval due to special circumstances. Such meetings should either be regularly scheduled meetings or otherwise special meetings for which a seven (7) days notice of such special meeting was given to all the EC members.
15. Ex-officio Member: The immediate past President shall serve as an Ex-Officio EC member for a term of one year. If the past president is not available, the position shall be offered to the immediate past Vice President, Treasurer or Secretary in that order. Ex-officio member shall be a non-voting member of EC and shall function in the advisory capacity to EC.
16. EC along with BT shall carry Property and Liability Coverage for JSH and its Office Bearers.

C. Board of Trustees:

1. The BT shall comprise of six (6) elected trustees.
2. Qualifications for Trustees:
  - a. Must have served as an EC member for at least one (1) year OR must be a member of JSH for at least five (5) years.
  - b. Must not hold office in any other religious, social or cultural organization in USA except JAINA during the BT term.
3. Each elected trustee shall have a three (3) year staggered term with two (2) positions to be filled by election every year.
4. The six (6) elected Trustees shall elect the Chief Trustee. In the event of a tie vote, the meeting will be rescheduled after 30 minutes and if the deadlock persists the outgoing President will break the tie by drawing of the name.
5. Role of the BT:
  - a. Authorize the EC to open and/or close JSH bank accounts. Two (2) designated trustees shall be signatory on all JSH financial accounts. BT shall be the custodian of all bank CD's, investment accounts and investment documents which will be kept in a safe deposit box.
  - b. The BT shall appoint JSH members to serve as JSH representatives to any other organizations as required. The nomination shall be approved for a maximum term of two (2) years.
  - c. Participate in long term planning and policy matters related to JSH and property management of JSH along with the EC.
  - d. The BT shall take necessary measures to preserve unity and integrity of the JSH.
6. The BT shall vote to terminate any Trustee, by majority, for failure to attend three (3) consecutive meetings unless the Trustee has obtained prior approval of the chair due to special circumstances. Such meetings should either be regularly scheduled meetings or

special meetings for which a seven (7) days notice was given to all the Trustees.

D. ACTIVITY COMMITTEES:

1. The JC shall appoint, provide operating guidelines and dissolve various Activity Committees to perform the tasks necessary to facilitate smooth operation of the JSH and further the objectives of the JSH. The members of these committees can be appointed from the BT, the EC or general membership. These Committees shall consist of minimum three (3) members. The term of membership in these committees is indefinite but JC reserves the right to replace any member. They will report to President and EC on a regular basis and shall attend the JC meetings every three months. A person may not serve on more than two committees as appointed member.

The JC shall appoint the following committees:

- a. Policy Committee to formulate and monitor policies, prepare a manual of procedures and guidelines for various activities of JSH for smooth operation of the JSH keeping in mind the religious principles, JSH Constitution and ethics for approval of JC. This Committee shall also receive the non-compliance complaints and recommend resolutions including disciplinary actions pursuant to Article VI-D-3 to JC.
- b. Property Management Committee (PMC) for the management of the JSH property. The duties of the PMC committee shall include regular (routine) maintenance and upkeep as well as major maintenance of the JSH property. The PMC committee will report monthly to the EC and to the JC on a quarterly basis.
- c. Temple Committee to manage the temple. The duties of the temple committee shall include upkeep of the temple, temple schedule, provide guidelines to temple caretaker, temple events, day to day operations of the temple etc.
- d. Pathshala Committee to organize and offer religious educational classes for the young Jains. The Pathshala Committee shall decide the policy, schedule and curriculum for the classes and arrange special events.
- e. Food Management Committee to plan and organize meals for special events including monthly bhavanas.
- f. Guest Co-ordination Committee to research and recommend guest speakers, plan itinerary, transportation and hospitality of guests.
- g. Jai-Jinendra Committee to publish a magazine of the JSH maintaining the traditions and religious standards of the JSH.
- h. Library Committee to manage and expand the JSH collection of literary resources to include books, articles, manuscripts etc., audio and video cassettes for the use of the members and for archiving purposes.
- i. Charity Committee to streamline the JSH policy and activity towards third-party charitable donations.

- j. Financial Review Committee to review the financial records of the JSH. The BT shall appoint a Financial Review Committee of up to 3 members to review the financial records of the JSH. One of the committee members shall serve as chairman of the committee. The members of the Financial Review Committee shall be appointed from among the members at large of the JSH except the current members of the EC and the BT and their spouses. The Financial Review Committee will issue a report on the financial statements (Income/Expense, Assets/Liabilities), Financial Records, Internal Controls and Investments, any comments that they may have on the compliance with the JSH policies and financial condition of the society to the BT. The BT at their option shall appoint outside Certified Public Accountant(CPA) to compile and/or review the accounts of the JSH.
- k. Jain Youth Co-ordination Committee to encourage, promote and co-ordinate the activities of the JSH Youths to enhance religious awareness and experience.
- l. The Jain Fellowship shall be organized as follows:
  - 1. Membership in Jain Fellowship is limited to Jain youths of the JSH members or JSH members from thirteen (13) to twenty-four (24) years of age.
  - 2. Jain Fellowship shall elect President, Vice-President and Secretary as its Office Bearers on the same day the JSH elections are held.
  - 3. President of Jain Fellowship will coordinate all programs and activities with approval from the Jain Youth Coordination Committee.
- m. JC may appoint other Committees for any other specific purpose.
  - 2. Annual itemized budget of all the committees will be approved by the JC and will constitute as authorization to spend the funds within the budget by the respective committee. Any non budgeted spending will be approved by the EC and BT as appropriate according to their approval limits. Any spending over fifteen thousand dollars (\$15,000) of non-recurring nature will require General Body approval.

**ARTICLE V - FUND MANAGEMENT:**

The EC shall establish and maintain the following fund accounts or any other fund accounts they deem to be necessary for accounting purposes:

- A. Dev-Dravya (Temple) Fund:
  - 1. Donations received from Tirthankar's Bhandar, Puja Income, Aarti/Mangal Divo, five percent (5%) of Sapana Boli income and any other specific donations received for Dev-Dravya and interest income received on Accumulated Dev-Dravya Fund will be credited to Dev-Dravya Account.
  - 2. Expenses of temple articles, remuneration of temple care taker, improvements and renovation of the temple or any expenditure incurred for the addition or any major repairs of the temple or related facilities and donations for building of any other Jain temple will be charged against the Dev-Dravya Account. Thirty percent (30%) of the following operating expenses will also be

charged to the Dev-Dravya account: Electricity, Water & Sewer, Telephone, Property Tax, Property Insurance, Security, Building repairs & Maintenance expenses.

3. Surplus funds of the Dev-Dravya Fund will be separately managed. At the end of the year the accounts will be adjusted by adding to or by withdrawing from this account reflecting the current year's surplus or deficit in this account.
4. Dev-Dravya donations are specific donations and can be used only for the intended purpose.

B. Building Fund:

1. Donations received for the Building Fund and interest received on the accumulated Building Fund amount will be credited to the Building Fund. Any Purchase of land, construction /improvement of parking facility, addition to the building, renovation, major repairs or alterations will be charged against this account.
2. Surplus funds of the Building Fund will be separately managed. At the end of the year the investments will be adjusted by adding to or by withdrawing from reflecting the current year's surplus or deficit in this account.
3. Building Fund donations are specific donations and can be used only for the intended purpose.

C. General Fund:

1. Donations received from The Dev Devi's Bhandar, Dev Devi Puja, ninty five percent (95%) of Sapana Boli income, Advertisement Income, Membership fees and any other specific donations received and interest income received on Accumulated General Fund will be credited to General Fund Account.
2. Operating expenses of the society including utilities, taxes, security and maintenance (after charging thirty percent (30%) of the expenses to the Dev Dravya account as defined in article V.A.2), pathshala expense, library expense, building repairs, dues, magazine publication, visitor's expense and other activity expenses will be charged against the General Fund Account.

D. Swamivatsalya Fund:

1. Donations received for Swamivatsalya, picnic, banquet etc. will be credited to Swamivatsalya Fund Account.
2. Expenses for Swamivatsalya, picnic, banquet and activity of this nature will be charged against the Swamivatsalya Fund Account.

E. Jain Fellowship Fund:

This fund shall be maintained for funding the activities of Jain Fellowship. All donations received for and income generated by Jain Fellowship shall be deposited in this fund.

- F. Any investments of funds shall be made in the form of Certificate of Deposits (CD) in a federally insured institution or U. S. Government securities.

## **ARTICLE VI - MEETINGS:**

### A. EC Meetings and Quorum:

The regular meeting of the EC shall be held at least once a month and the quorum of the meeting shall consist of five (5) members. In the event the quorum is not attained, the meeting shall be postponed for fifteen (15) minutes, and thereafter, the meeting shall continue on items of agenda only without quorum if at least four (4) members are present. Otherwise the meeting shall be rescheduled. All resolutions must be passed by majority except specified otherwise.

### B. BT Meetings and Quorum:

The meetings of the BT shall be held once every three (3) months. The quorum of the meeting shall consist of four (4) Trustees. In the event the quorum is not attained, the meeting shall be postponed and rescheduled at a later date. Chief Trustee will forward a copy of the minutes of the Board's meeting to the President within 30 days of the meeting. All resolutions must be passed by majority except specified otherwise.

### C. JC Meetings and Quorum:

The BT and the EC will hold joint meetings at least once every three-(3) months. The quorum for the meeting shall consist of five (5) EC members and four (4) BT members. In the event the quorum is not attained after waiting for thirty (30) minutes the meeting may be rescheduled. The President in consultation with the Chief Trustee will decide the schedule and agenda of the meeting. Scheduled JC meeting shall be presided by the President whereas any Special JC meeting shall be presided by the Chief Trustee. All resolutions must be passed by majority of EC and BT separately except specified otherwise.

### D. General Body Meetings:

#### 1. Scheduled General Body Meetings:

There shall be two regularly scheduled Semi-Annual General Body Meetings of the members as follows:

#### a. First regularly scheduled Semi-Annual meeting will be held in the month of March/April (On Mahavir Jayanti Celebration Day) to transact the following business:

1. President and Chief trustee will present a report on the activities of the society.
2. Treasurer will present accounts for the period ending preceding January 31<sup>st</sup>.
3. Any other items of agenda as notified to the members.

#### b. Second regularly scheduled semi-Annual meeting shall be held in the month of August/September (on Swamivatsalya Celebration Day after Paryushan) to transact the following business:

1. President and Chief Trustee will present a report on the activities of the society.
2. Treasurer for the past year will present accounts for the year ending preceeding April 30th duly reviewed by the Financial Review Committee for the approval of the members.



3. Any other items of agenda notified to the members.
  - c. The EC shall decide the date, time and place of these Scheduled Semi-Annual General Body meetings and the President will preside over these meetings.
  - d. The members shall be given seven (7) day notifications of the Semi-Annual General Body Meetings by announcement on the JSH bulletin board.
  - e. The quorum for the scheduled General Body Meetings shall consist of fifty (50) members. In the event quorum is not attained the meeting shall be recessed for 30 minutes and thereafter the meeting shall continue with the members present. All resolutions passed in the absence of a quorum shall be published and sent to all members.
2. Special General Body Meetings:
    - a. A special General Body Meeting may be called by the President or Chief Trustee for issues that must be addressed. The members will be given at least five (5) working days' written notice sent by mail for such a special meeting. Any resolution to amend the constitution will require at least fourteen (14) days' notice. The meeting will be presided by the President or The Chief Trustee that has called the meeting.
    - b. JSH members can request a special General Body Meeting by submitting a written request to the Secretary signed by at least fifty (50) voting members. The Secretary after informing the President and Chief Trustee will hold such meeting within forty five (45) days of receipt of such request for the issue raised in member's requisition. The ex-officio member of the EC or the Secretary or a member appointed by the General Body in the meeting shall preside over the meeting in that order. The members will be given at least five (5) working days' written notice by mail of such meeting.
    - c. The quorum for all the Special General Body Meetings shall consist of fifty (50) members. In the event the quorum is not attained the meeting shall be cancelled.
    - d. The voting for Special General Body Meetings shall be secret ballots unless General Body waives this requirement in the meeting.
  3. All the General Body resolutions must be passed by more than 50% of the total number of cast valid votes. Any amendments to the constitution shall require 2/3 of the total number of cast valid votes. Removal and disqualification from holding office in EC or BT and removal from general membership shall be by 2/3 of the total number of cast valid votes.

#### **ARTICLE VII - ELECTIONS:**

- A. The election of four (4) positions of the EC shall be held every year at the General Body Meeting of the JSH in the month of March/April (on Mahavir Jayanti Celebration day).

Election Coordinator in the same General Body Meeting shall announce appointment of Ex-officio member pursuant to Article IV-B-15.

- B. The election of two (2) positions of the BT shall be held every year at the General Body Meeting of the JSH in the month of March/April (on Mahavir Jayanti Celebration day).
- C. The election of the above two (2) governing bodies shall be conducted under the supervision of the Election Coordinator appointed by the EC.
- D. Any vacancy in the EC or the BT shall be filled in from the general membership by the majority votes of that respective committee for the remainder of the outgoing EC Member or the Trustee's term. If there are not enough candidates for election, the newly constituted EC or the BT will fill in the remaining positions from among the general membership of the society by a majority vote of the respective body. Any person so appointed by the EC or the BT will have the same status as the elected members and will serve the full term.

**ARTICLE VIII - DISSOLUTION:**

Upon discontinuance of the JSH by dissolution or otherwise, the BT, after paying and making provision for paying off all the liabilities of the JSH, shall transfer all the remaining assets to a similar religious Jain organization that is qualified as a charitable organization under Section 501(C)(3), internal Revenue Service Code of 1954, as amended or to the State of Texas.