

**CONSTITUTION AND BY-LAWS OF THE HINDU ASSOCIATION OF NORTHWEST ARKANSAS
TAX ID #71-0839884**

The Constitution and the by-laws of the Hindu Association of Northwest Arkansas (HANWA) shall govern the running of the Association.

ARTICLE I: NAME

The name of the non-profit corporation shall be The Hindu Association of Northwest Arkansas (HANWA). It is also referred to as the Association in this document.

ARTICLE II: PURPOSE AND OBJECTIVES

This Association is organized exclusively for religious, charitable, cultural, social and educational purposes. Its objectives are:

- To promote an understanding of the Hindu way of life in the community of Northwest Arkansas.
- To establish and operate a permanent place of worship to meet the religious, spiritual, charitable, cultural, and social needs of the Hindu community.
- To organize and conduct religious, charitable, cultural, social and educational activities.

ARTICLE III: MEMBERSHIP

Section 1:

All persons interested in the objectives, as stated in Article II, are eligible to become members of the Association.

Section 2:

The Board of Directors shall recommend the annual dues to the general body for approval. Membership in the Association shall be on a rolling 12 months basis.

Section 3:

Membership shall be available to individuals and families (family consists of husband, wife, and dependent children). A person wishing to become a regular member shall do so by filling a membership form and paying the annual membership dues of \$101 at this time. Annual members who has a good standing for consecutive three years or more will be eligible for voting rights and standing for office positions

A full time student may become an Associate Member, gratis, by filling a membership form and providing a current, valid student identification. Associate members shall have no voting rights.

Section 4:

There shall be special membership categories of Life Member, Patron and Trustees to recognize those who make substantial monetary contributions to the Association.

Life Member: Members who contribute \$2,000 or more, in, at most, 2 consecutive calendar years, shall become Life Members of the Association. This status includes contribution made as temple sponsorship and or payments made as life membership dues in the past.

Patron: Members who contribute \$3,500 or more, in, at most, 2 consecutive calendar years, shall become

Patrons of the Association. This status includes contribution made as temple sponsorship and or payments made as life membership dues in the past.

Trustees: Top donor category consists of top 10 donor families considering the cumulative donations made to the HANWA from inception.

Upgrading to the next level of membership type would be done, contingent upon meeting the applicable rules of that membership type.

Consistent with the objectives of the Association, Life Members, Patrons and Trustees shall have the privilege to direct their contributions to support a particular cause or activity.

Details on 'Recognition of Sponsors':

Temple Project Sponsors will be recognized by having their names listed on the plaque that would be displayed in the main lobby of the temple. A separate handout with complete details on this is available with the Treasurer (Annexure 1).

Section 5:

Voting rights, which may not be exercised in absentia, shall be extended to regular members with minimum consecutive three year standing or life member or patron member or trustees and eighteen years or older, and whose membership dues have been received.

Any member who did not attend 3 consecutive general body meetings with out substantial cause or prior notification will automatically become silent member. To become an active voting member the individual should activate their active membership by sending a letter or email to the President or Secretary before two weeks of the general body meeting. This class helps to conduct meetings according to the by-law.

ARTICLE IV: BOARD OF DIRECTORS AND EXECUTIVE COMMITTEE

Section 1:

The management of the Association, and its affairs, shall be vested in the Board of Directors. The Board shall consist of 5 members and executive committee consisting of President, Vice President, Secretary and Treasurer elected for 2 years by the general membership. Members of the Board of Directors may not be reelected to serve more than 2 consecutive terms.

Both Board of Directors and Executive Committee members will be elected from the general body. For all purposes, the working year of the Association shall be the calendar year.

The Board of Directors shall

- Submit financial and other reports for review to the committee consists of past President and Treasurers. This document will be stored for future reference.
- Appoint an auditor for the Association.
- In the election year, form a three or more member Election Committee before at least one and half months of the scheduled election date from the general body. One member of the Committee, elected or otherwise selected, shall act as the Chair of the Election Committee.
- Appoint standing and ad-hoc committees to carry out the activities of the Association.
- Appoint a member in good standing to the Board or the Executive Committee to fill a vacancy caused by resignation, or any other circumstance, for the remainder of the term.
- Review and approve the annual budget prepared and submitted by the Executive Committee.
- Conduct all business with more than 50% (majority) approval of the general body present.
- Only for amendment of the by-law two-thirds majority is needed.
- Transact all Association business, and use Association property and resources to realize the objectives of the Association in accordance with the law and ethical norms of the society at large.

Section 2:

A member of the Board of Directors shall automatically cease to be the member of the Board, if

- He/she is not an active member of the Association. Or,
- He/she misses 50% of the Board meetings held in a calendar year. Or,
- He/she misses 3 consecutive meetings of the Board of Directors without substantial cause and prior notification.

Section 3:

The Executive Committee shall execute the policies set forth by the Board of Directors.

The term of the Executive Committee shall run concurrently with the term of the Board of Directors.

Every year, by end March, the Executive Committee shall prepare a yearly programs and activities calendar.

Every year, by end March, the Executive Committee shall prepare the budget, and present it to the Board of Directors for review and approval.

ARTICLE V: OFFICERS

Section 1:

The officers of the Association shall be Board of Directors and the President, Vice President, Treasurer, and Secretary from the Executive Committee.

Section 2:

The President and, in his absence, the Vice President, shall preside over Executive Committee, and General Body meetings.

At the behest of the Board, the President shall sign all written contracts for the Association.

The President shall be the official spokesperson of the Association.

In case, the position of the President falls vacant, the Vice President will succeed him for the remainder of the term.

Section 3:

The Secretary shall record minutes of the meetings and present them in the following Board of Directors or Executive Committee meeting for approval.

The Secretary of the Executive Committee shall provide information concerning the programs and activities of the Association to the general membership.

Section 4:

The Treasurer shall be responsible for setting up the accounting books; keeping all accounts, collecting revenue, and paying the bills of the Association as approved by the Board of Directors.

The Treasurer shall deposit funds of the Association in such depository as may be authorized by the Board.

The Treasurer shall prepare the annual financial report at the end of each year.

The Treasurer shall get the accounts of the Association audited annually by the end of the calendar year.

The Treasurer shall be responsible for all tax-related matters.

Withdrawal of funds would require joint signatures of the President and the Treasurer. In case the President and the Treasurer belong to the same family, the Vice President shall sign instead of the President.

ARTICLE VI: ELECTIONS

Section 1:

The Election Committee, as provided in Article IV Section 1, shall be responsible for conducting elections of the Board of Directors as well as Executive officers (President, Vice President, Secretary and Treasurer) among the Board of Directors.

The Election Committee shall solicit nomination of members in good standing as defined in Article-III, secure acceptance of nominated individuals, and present it to the general membership of the Association before November. Nominations may also be made in that meeting. Conduct election in the same general body meeting.

Section 2:

Election to the Board or Executive Committee shall be by secret ballot.

In case of a tie, the Election Committee shall have a run-off election at the same meeting.

ARTICLE VII: MEETINGS

Section 1:

The President shall call a general body meeting at least once in a calendar year. The general membership shall be informed of the meeting at least 30 days before the date of the meeting.

The President may convene special meetings of the general body to discuss urgent or important business of the Association.

One -fourth of the general membership shall constitute a quorum at these meetings. Five members of the Board and 3 members of the Executive committee constitute a quorum for their respectively meetings.

Agenda for the general body meeting, apart from other items, shall include:

- Election to the Board of Directors (Only in the Election year)
- Financial report by the Treasurer
- Other committee reports (if any)
- President's report
- Items submitted to the President or Secretary of the Association not less than 14 days before the date of the general body meeting and endorsed by five members.

Section 2:

The Board of Directors and Executive committee shall meet periodically to conduct its business as provided in Article IV, Section 1.

The Chairman and the President may convene special meetings of the Board or Executive committee to discuss urgent or important business of the Association.

Three members of the Board of Directors, by submitting a written request to the President, can convene a special meeting of the Board.

Section 3:

The Executive Committee shall meet at least once in three months or more as required.

Two members of the Executive Committee, by submitting a written request to the President, can convene a special meeting of the Executive Committee.

Section 4:

The Election Committee shall meet as required before the election date.

Two thirds of the Election Committee, by submitting a written request to the Chair of the Election Committee, can convene a special meeting of the Election Committee.

Two thirds of the Election Committee shall constitute a quorum at an Election Committee meeting.

Section 5:

Chair of a standing committee or an ad-hoc committee, depending on the nature of the assignment and charge, shall determine the frequency of the meetings.

Section 6:

Modern Edition of the Robert's Rules of Order shall govern the conduct of all meetings.

ARTICLE VIII: AMENDMENTS

Any proposed amendments to the constitution and by-laws shall be made available to the membership one-week before the meeting.

For amendment purposes, 51% of the membership shall constitute a quorum. Two-thirds majority is needed to pass the amendments.

Since many members are residents of other states, it may not be possible for them to attend the meetings to form the quorum (required two-thirds of the members).

ARTICLE IX: REMOVAL OF OFFICERS

The removal of officers of the Association may be initiated by submitting a written grievance, signed by at least 1/3 of the general membership, to the President of the Association. Within three weeks of receiving the grievance, the President or the Vice President, as the case may be, shall call a meeting. The Board of Directors shall constitute the Board of Hearing. If 5 or more members of the Board of Director vote for the removal of the officer, the officer would be deemed removed.

The Board of Directors shall recommend legal action, if any, to be taken against the officer removed.

ARTICLE X: SCOPE OF BY-LAWS

The by-laws of the Association shall always be subordinate to the constitution and laws of the State of Arkansas, and the United States of America.

ARTICLE XI: FINANCIAL TRANSACTIONS

The Association shall be allowed to transfer property and/or mortgage or encumber property for the purpose of security payments of debts of the Association, and the President shall be allowed to sign for the said Association and the Secretary of the Association shall attest.

ARTICLE XII: DISSOLUTION

Upon the dissolution of the Association, the Board of Directors shall, after paying or making provision for the payment of all the liabilities of the Association, dispose of all of the assets of the Association exclusively for the purpose of the organization or the organizations organized and operated exclusively for charitable, educational, religious, literary, or scientific purposes as shall at the time qualify as an exempt organization or organization under section 501 (c) 3 of the Internal Revenue code of 1954, as amended, or the corresponding provision of any future United States Internal Revenue Law, as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by the District court of the county in which the principal office of the organization 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 said purposes.

ARTICLE XIII: LIMITATIONS

No part of the net earnings of the organization shall inure to the benefit of, or be distributed to its members, or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof. No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Association shall not participate, in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on (a) by an Association exempt from federal income tax under section 501 (c) (3) of the Internal Revenue code, or corresponding section of any future federal tax code, or (b) under section 170 (c) (2) of the Internal Revenue code.

ARTICLE XIV: CONSTRUCTION OF THE TEMPLE

Section 1:

The construction of the permanent place of worship in Article II of the Constitution and By-laws, also known as the temple, shall be done in accordance with Agama Shastra, the traditional Vedic system of temple design, as far as reasonably possible. The Board of Directors shall have the authority to appoint an advisor with established credentials in executing Agama Shastra. Board of Directors shall have the authority to approve any deviations from Agama Shastra.

Section 2:

Understanding and respecting the diversity of beliefs of members of HANWA, the temple shall be constructed with permanent shrines only for the following deities: Sree Krishna (the main deity), Sree Venkateshwara, Sree Shiva, Sree Ganesha, Sree Lakshmi, and Sree Durga. In accordance with traditional temple customs, permanent shrines for Garuda and Nandi shall also be constructed at the temple entrance, as they are complementary to the shrines of Sree Krishna and Sree Shiva. Other deities may be brought into the temple on a temporary basis for special sponsored events, upon approval by the Board of Directors. Any changes to the permanent shrines in the temple shall require an amendment to the constitution and by-laws.

Annexure 1: Recognition of Members and Sponsors

Founding Members and Temple Project Sponsors will be recognized by having their names listed on the plaque that would be displayed in the main lobby of the temple. A separate handout with complete details on this is available with the Membership Committee members and coordinators.

Annexure 2: Accounting Procedures

Necessary and needed books will be used and maintained to keep track of all receipts and expenses of the association.

Procedures to be followed:

1. Any payment of \$50.00 and above to be made by the association has to be verified and approved by at least 2 office bearers and 3 directors.
2. Cash or Check received on behalf of the association has to be entered in the books and receipt has to be issued to the person making the contribution.
3. Cash collected by way of Bhajan - Aarathi, Fund Raiser events will be entered in the books.

ARTICLE XV: ADDITION OF NEW DEITY GUIDELINES

The following guidelines will govern the introduction of any additional permanent deities in the temple.

1. Deity must be from the Hindu Lineage that is commonly worshipped by people from various regions and languages in India. It is the BOD's responsibility to verify that it meets the requirement.
2. Additional Deity inclusion may be done based on the availability of the space in the back of the main platform. Main platform is the place where 6 Primary Deities were installed when the temple building was inaugurated. No additional Deities will be installed on the main platform or on the sides of the main temple hall, including the side of the front door.
3. In addition to the Primary Deities, up to 7 additional deities may be allowed in the back of the main platform. They will be placed symmetrically to the 7 pedestals on the main platform. (7 pedestals on the main platform were created to maintain the symmetry and have 2 forms of Krishna)
4. The local community group following Hindu faith that wants a specific Deity to be introduced in the temple must make a formal request to the BOD and General Body with a month's notice.
5. The community requesting the inclusion of the deity must demonstrate prior to making their request that they perform the puja for that deity on a regular basis. The definition of "regular basis" and the appropriate number of months will be determined by the BOD and will depend on the frequency with which the puja is typically performed.
6. The request will be tabled by BOD as an agenda item during the general body meeting that is being held on regular basis.
7. Based on the member discussion and voting, a decision will be made on the inclusion of the new Deity. An introduction of a new deity will constitute a by-law amendment and will follow those procedures.
8. All the additional deities will be kept behind glass cabinet. This is to maintain the sanctity and purity of the idols. The glass cabinet will also safeguard the deities and avoid anyone keeping unapproved idols/deities on the platform without prior knowledge of the BOD and the Priest.
9. A deity will be brought in the front of main platform whenever there is a ritual/puja to be performed.
10. The community requesting the inclusion of the deity must generate funds towards deity sponsorship once it is approved in the GBM prior to ordering of the new idol.

11. The amount of the funds to be raised includes a prorated share of the total temple construction and maintenance cost plus the cost of new idol, required training of priest to perform rituals for the new idol. Each new idol will be ordered once 75% of the calculated cost is collected/raised. The remaining amount must be raised before the first anniversary for the newly installed deity (Refer to Exhibit A). The actual total cost will be re-calculated by the BOD at the time the request is made.
12. It will be BOD's responsibility to bring in the new Idol with appropriate regulations such as size, material (e.g. Panch dhatu – 5 metals), placement, ritualistic process etc.
13. The BOD must determine if the current temple priest is able to perform all the rituals on the new deity.

Exhibit A

| | |
|---|--------------------|
| Total Construction cost | \$1,100,000 |
| % covered by primary deities | 75% |
| % covered by additional deities | 25% |
| total temple monthly operations | \$12,000 |
| Idol and actual cost | \$1,000 |
| priest cost | \$2,000 |
| operations | \$5,143 |
| share of original temple construction cost | \$39,286 |
| Total funds to be raised | \$47,429 |
| % to raise before ordering idol | 75% |
| total to raise prior ordering the idol | \$35,571.43 |

| | | % to raise before ordering the idol | | | | | | | | | | |
|--|--------|-------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|---|
| | | \$ 35,571 | 0.3 | 0.4 | 0.5 | 0.6 | 0.7 | 0.75 | 0.8 | 0.85 | 0.9 | 1 |
| %contri bution by primary idol | 0.5 | \$ 27,557 | \$ 36,743 | \$ 45,929 | \$ 55,114 | \$ 64,300 | \$ 68,893 | \$ 73,486 | \$ 78,079 | \$ 82,671 | 91857.14 | |
| | 0.55 | \$ 24,891 | \$ 33,189 | \$ 41,486 | \$ 49,783 | \$ 58,080 | \$ 62,229 | \$ 66,377 | \$ 70,526 | \$ 74,674 | 82971.43 | |
| | 0.6 | \$ 22,226 | \$ 29,634 | \$ 37,043 | \$ 44,451 | \$ 51,860 | \$ 55,564 | \$ 59,269 | \$ 62,973 | \$ 66,677 | 74085.71 | |
| | 0.65 | \$ 19,560 | \$ 26,080 | \$ 32,600 | \$ 39,120 | \$ 45,640 | \$ 48,900 | \$ 52,160 | \$ 55,420 | \$ 58,680 | 65200 | |
| | 0.7 | \$ 16,894 | \$ 22,526 | \$ 28,157 | \$ 33,789 | \$ 39,420 | \$ 42,236 | \$ 45,051 | \$ 47,867 | \$ 50,683 | 56314.29 | |
| | 0.75 | \$ 14,229 | \$ 18,971 | \$ 23,714 | \$ 28,457 | \$ 33,200 | \$ 35,571 | \$ 37,943 | \$ 40,314 | \$ 42,686 | 47428.57 | |
| | 0.8 | \$ 11,563 | \$ 15,417 | \$ 19,271 | \$ 23,126 | \$ 26,980 | \$ 28,907 | \$ 30,834 | \$ 32,761 | \$ 34,689 | 38542.86 | |
| | 0.85 | \$ 8,897 | \$ 11,863 | \$ 14,829 | \$ 17,794 | \$ 20,760 | \$ 22,243 | \$ 23,726 | \$ 25,209 | \$ 26,691 | 29657.14 | |
| | 0.9 | \$ 6,231 | \$ 8,309 | \$ 10,386 | \$ 12,463 | \$ 14,540 | \$ 15,579 | \$ 16,617 | \$ 17,656 | \$ 18,694 | 20771.43 | |
| | 0.95 | \$ 3,566 | \$ 4,754 | \$ 5,943 | \$ 7,131 | \$ 8,320 | \$ 8,914 | \$ 9,509 | \$ 10,103 | \$ 10,697 | 11885.71 | |
| 1 | \$ 900 | \$ 1,200 | \$ 1,500 | \$ 1,800 | \$ 2,100 | \$ 2,250 | \$ 2,400 | \$ 2,550 | \$ 2,700 | 3000 | | |

Disclaimer: Any of the costs above may vary based on the time. Priest cost will be the estimated cost of the required training. The actual total cost will be re-calculated by the BOD at the time the request is made.

ARTICLE XVI: INCLUSION OF ADDITIONAL DEITIES

Section 1:

Idols of the following deities will be installed on the back platform of the main temple. These idols were part of the temple and all the rituals were performed before the main temple building was constructed. Shree Ram Parivar, Shree Ayappa, Shree Muruga, Shree Saraswati. These idols will be brought in the front of the main platform of the temple whenever the puja on of these is to be performed at a time. These Deities shall be exempt from the policies outlined in ARTICLE XV: ADDITION OF NEW DEITY GUIDELINES due to their presence prior to the opening of the temple.

ARTICLE XVII: PUJA & RITUALS IN THE TEMPLE

Section 1:

On the days when the puja/rituals for two different deities fall on the same day, the puja/rituals for the primary deity will be given the priority. The BOD will decide when to perform puja/rituals on the non-primary deity to avoid the conflict.

ARTICLE XVIII: APPROVAL TO ADD IDOL OF SHREE SHIRDI SAIBABA

Section 1:

The idol of Shree Shirdi Saibaba will be added on the back platform of the main temple building once the required funds are raised and necessary formalities are complete, as outlined in ARTICLE XV: ADDITION OF NEW DEITY GUIDELINES.