

# **CONSTITUTION FOR THE KENYA COMMUNITY IN COLORADO**

KCC website: [www.kenyacomunityincolorado.org](http://www.kenyacomunityincolorado.org)

## **Chapter One**

### **Article 1: Preamble**

*The Kenya Community in Colorado is a diverse group and a need has been identified to establish a network that will partner with some of the already established persuasions in the community. Whereas we respect the sanctity of tribes and affiliations, the existing structures in the community have fallen short of emerging as an all encompassing outfit. KCC is an opportunity to establish partnerships among affiliated and non affiliated Kenyans.*

*From the head of a Kenyan family in Denver, working spouse, to the Kenyan child born and raised in the United States without the benefit of tribal identity, the high school graduate trying to identify a career path, the dependent relative who cannot work because of the US immigration bureaucracy, KCC has one message for you, we have the same heritage, Kenya!!*

### **Mission Statement:**

*“To serve, unite and work to fulfill the overall attribute of goodwill to all members of the Kenya Community in Colorado”*

### **Article 2: Title and Commencement**

*This document shall be cited as the "Constitution of the Kenya Community in Community" and shall come into force upon approval by the General Assembly of the Kenya Community in Colorado at a regularly scheduled meeting.*

### **Article 3: Definition of Terms Used**

*3.1: Kenya Community in Colorado shall here in thereafter be referred to as KCC throughout this document.*

*3.2: Constitution shall mean the Constitution of the Kenya Community in Colorado.*

*3.3: A member is a member of KCC who qualifies under the provisions of this Constitution as stipulated in Article 5.1.*

## **Chapter Two**

### **Article 4: Aims and Objectives**

*4.1: To bring all KCC members together to help each other in times of bereavement of a family member as defined in Chapter 7 Article 7.5.*

*4.2: To communicate information of importance to members.*

*4.3: To promote friendship, mutual understanding, and cooperation among members, with other institutions, bodies, organizations, and associations.*

*4.4: To create awareness about Kenya among the KCC members.*

*4.5: To co-operate and work closely with other Kenyan and African bodies in North America, and around the globe.*

4.6: To give information and services to members that can help them prepare for and engage in gainful participation in all aspects of life in the member's country of residence.

4.7: To safeguard, promote and expose the rich cultural heritage of Kenyan people.

4.8: To establish and maintain the Kenya Community in Colorado fund.

4.9: The KCC fund shall be used primarily to provide financial assistance to benefit its members.

4.10: The Kenya Community in Colorado fund shall be used for the operating expenses of KCC.

4.11: To accommodate discussions and questions from all KCC members.

4.12: We are in deep consultation to provide help for members siblings within and out of the USA. (with members contributions and suggestions, it is a short term goal expected to be done by the end of the fiscal year 2009)

### **Chapter Three**

#### **Article 5: Membership**

<http://www.kenyacommunityincolorado.org/Membership.html>

##### **5.1: Eligibility**

An individual shall be eligible for membership in Kenya Community in Community if he/she:

5.1.1: Is of Kenyan descent, spouse of a Kenyan by descent or sponsored by a member who is of Kenyan descent.

5.1.2 Has attained the age of 18 and independent or is 25 years and is single and dependent of a parent member and is of sound mind.

5.1.3 Believes, accepts and supports the principles, objectives and programs of KCC

5.1.4 Has paid membership registration fee in the amount determined by the management committee.

5.1.5 Membership fee for single member will be \$50 per year, \$60 for single parents and \$75 for married family.

5.1.6 There will be a monthly contribution of \$20 for the single member, \$25 for single parent and \$30 dollars for a family.

5.1.7 Members will be assisted by the organization when their dues are current.

5.1.8 Member will be provided with a bank account where they can deposit only by check their annual membership fees and monthly contributions which also can be deposited quarterly if so desired by the member.

#### **Article 6: Equal Opportunities**

The group will not discriminate on the grounds of gender, race, color, tribe, ethnicity, sexuality, disability, religious or political belief, marital status or age.

#### **Article 7: Duties and obligations of members**

A member of KCC has the following duties and obligations:

6.1: To uphold and abide by the objectives and aims of KCC.

6.2: To combat tribalism, religious intolerance, and other forms of discrimination in Kenyan communities.

6.3: To attend Kenya Community in Colorado Organization meetings as much as possible.

6.4: To protect the interests of KCC.

6.5: To pay monthly membership dues in the amount determined by the organization.

6.6: To comply with decisions made by the management Committee in the absence of a General Assembly meeting.

6.7: To participate in the decision-making process of KCC.

6.8: To ensure democratic representation of members by participation in voting on policies, procedures, and other decisions that are made by the General Assembly.

### **Article 8: Rights of Members**

A member of KCC has the following rights:

7.1: To elect and be elected to a position of leadership at all levels of KCC when applicable.

7.2: To be treated with equality and respect.

7.3: To participate in discussion and decision-making at all levels of KCC.

7.4: To participate in all activities of KCC.

7.5 Each member is entitled to a contribution of \$50 from each member of KCC in case of death a family member defined as a member, spouse, children, immediate parent and partner. These amounts shall be deducted from each member's monthly contributions. In case of death of a family member in Kenya a member will be entitled to a contribution of \$25 from each member. All the contributions are subject to change depending on the membership and suggestions from members.

A member of KCC shall:

7.6: Have freedom of speech and conscience, and shall not be persecuted for statements made during meetings of KCC.

7.7: Receive information about policies and activities of KCC.

7.8: Receive financial reports and statements as determined by the management committee.

7.9: Receive reasonable and timely answers to his/her questions or queries.

### **Chapter Four**

#### **Article 8: Organizational Structure of KCC**

[http://www.kenyacommunityincolorado.org/Committee\\_Members.html](http://www.kenyacommunityincolorado.org/Committee_Members.html)

##### **a. Board of directors**

The board of directors will comprise five members:

1. Chairman Person
2. Secretary
3. Treasurer
4. And one member

They are to hold office for one year.

They are elected by members in accordance with a criteria laid out by the management committee.

##### **b. management Committee**

- i. President
- ii. Vice president

- iii. Secretary
- iv. Assistant secretary
- v. Membership coordinator
- vi. Event Coordinator
- vii. Accountant
- viii. IT Administrator
- ix. Publicist
- x. Publicist 2

### **Article 9: Definition and Functions of Board of Directors**

9.1: The Board of directors is defined as the group of members who gather together for regular or emergency meetings for KCC.

9.2: The functions of the Board of directors are:

9.2.1: To be the supreme authority of KCC

9.2.2: To remove a member of the management committee from office if necessary and temporarily appoint a replacement.

9.2.3 To adopt or amend the constitution in conjunction with the management committee.

9.2.4: To oversee the management committee

9.2.5: To attend special meetings

### **Article 10: Definition and Functions of Management Committee**

10.1: The Management Committee is the central administrative organ of KCC.

10.2: The functions of the Management Committee are:

10.2.1: To determine the orientation and programs of KCC

10.2.2: To monitor and review the work of each member of the Management Committee.

10.2.3: To ensure the timely implementation of KCC programs.

10.2.4: To attend special meetings

### **Article 11: Duties of the Members of the Management Committee**

11.1: The duties of the **President** are:

11.1.1: To be the head of KCC.

11.1.2: To convene and preside over Management Committee and General Assembly meetings

11.1.3: To ensure that the programs and policies of KCC are implemented

11.1.4: To supervise and give guidance to KCC.

11.1.5: To actively participate in the preparation of the agenda of any Executive Committee or General Assembly meeting

11.1.6: To perform any other duties necessary for the proper implementation of the principles, policies, and procedures of KCC as directed by a decision of the General Assembly.

11.1.6: The duties of the **Vice President** are:

11.1.7: To assist the President on all his/her duties and head the sub - committees

11.2: The duties of the **Secretary / Assistant secretary** are:

11.2.1: To ensure the implementation of the resolutions, decisions and directives of the management

*Committee and the General Assembly.*

11.2.2: *To assist the Chairperson in the preparation of the agenda for General Assembly or management Committee meetings*

11.2.3: *To co-ordinate and supervise the activities of the Executive Committee*

11.2.4: *To liaise with the Chairperson to ensure that meetings of the General Assembly are convened as directed in the Constitution.*

11.2.5: *To provide all members with an agenda at all General Assembly meetings.*

11.3.6: *To ensure the documentation and safety of minutes of all meetings of the General Assembly and the Executive Committee.*

11.2.7: *To read and circulate the minutes of the previous meeting at all General Assembly or management Committee meetings.*

11.2.8: *To seek and promote friendship, mutual understanding and co-operation with other institutions, associations and organizations.*

11.2.9: *To endeavor to create and maintain design strategies for good working relations*

11.3: *The duties of the **Accountant** are:*

11.3.1: *To be responsible for financial plans, policies and regulations.*

11.3.2: *To keep up-to-date records of KCC financial activities.*

11.3.3: *To render a yearly financial report to the General Assembly.*

11.3.4: *To establish auditing procedures and methods for financial accountability in KCC through either internal or external auditors.*

11.4: *The duties of the **Treasurers** are:*

11.4.1: *To issue checks as needed and as authorized.*

11.4.2: *To ensure safe custody of all monies in the KCC fund.*

11.4.3: *To protect and safeguard relevant material i.e. checkbooks statements et cetera*

11.5: *The duties of the **Publicists** are:*

11.5.1: *To communicate to the members BOD and the Management Committee of the time, place, and date of all meetings through e-mails, text messaging and other appropriate methods.*

11.5.2: *To maintain a current contact list of all the members*

11.5.3: *To maintain and safeguard KCC website and other databases*

11.5.4 *To send out appropriate emails for members as requested.*

**Article 12: Tenure of Office of the Board of directors**

12.1: *The board of directors' term of office shall be one-year with a chance for re-election up to three years.*

12.2: *Any member of the Board of Directors is eligible to serve an additional term if he/she is willing and elected by the General Assembly.*

**Article 13: Tenure of Office of the Management Committee**

13.1: *Management Committee members term of office shall be one-year.*

13.2: *Any member of the Management Committee is eligible to serve an additional term if he/she is elected by the General Assembly.*

**Article 14: Vacancy in the Management Committee**

14.1: *In the case of a vacancy in the Management Committee, the special sitting of Board of Directors and Management Committee shall nominate one or more of KCC member to fill the vacancy.*

1.4.2: A member is elected to fill the vacancy by receiving a simple majority of the votes from the members present at a meeting of the Special sitting.

### **Article 15: Removal of an Executive Member from Office**

15.1: A member of the Board of Directors or Management Committee shall be removed from office by a special sitting of Board of Directors' and Management Committee. Any half of the members in the special sitting will be deemed quorum to vote out the member.

15.2: A member of the Executive Committee may be removed from office for the following reasons:

15.2.1: Physical or mental incapacity

15.2.2: Abuse of office

15.2.3: Misconduct or misbehavior

15.2.4: Mismanagement or incompetence

15.2.5: fail to attend three consecutive meetings without notice to the secretary

## **Chapter five**

### **Article 16: Operating Procedures**

#### **16.1 Annual General meeting**

16.1.1: The General Assembly shall meet a minimum of three times each year.

16.1.2: The Chairperson shall convene all regular meetings of the General Assembly with advance notice to the members of at least 60 days

16.1.3: A meeting of the General Assembly is considered to have failed if fewer than 25 members, including members of the Management Committee are present.

16.1.4: The official languages to be spoken at all KCC meetings shall be English and Kiswahili

16.1.5: The Chairperson shall preside over all meetings of all KCC meetings.

16.1.6: In the event the Chairperson is unable to preside over any KCC meeting any member of Management Committee shall be appointed to preside.

#### **16.2: Committee Meetings**

16.2.1: The Management Committee shall meet every second Saturday of the month for regular meetings

16.2.2: The Chairperson shall convene all regular meetings of the Management Committee

16.2.3: A meeting of the management committee will be considered to have failed if less than five members are present.

#### **16.3: Special meeting**

16.3.1: A special meeting shall be called to deal with emergencies and to remove a member from the group.

16.3.2: Special Meetings will be held in tandem with any of the regular management committee meetings.

### **Article 17: Finances**

17.1 A bank account shall be maintained on behalf of the group at a bank agreed by the committee.

17.2 Signatories to the account shall be the officers of the association.

17.3 Each check shall require two signatures one from the treasurer and the other from assistant secretary.

17.4 Records of income and expenditure shall be maintained by the treasurer and a financial statement read at each meeting.

17.5: An annual statement of account shall be presented to the Annual general Meeting

17.6: all money raised by the Association shall be spent solely on the objects laid out in the constitution

**Article 18: Dissolution.**

18.1: Kenya Community in Colorado will be dissolved if:

18.1.1: The Board and the management team agree on a need for dissolution.

18.1.2: The membership falls below twenty five or as specified in the articles of association.

18.1.3: The end of its period of existence as specified in the articles of association.

18.1.4: It is mandated by an agency of the government.

18.1.5: In the event of dissolution: The organization's board must adopt a resolution that KCC be dissolved. This shall be accomplished either at a meeting of the board and management committee or by unanimous written consent of the board and management committee members.

18.1.6. All liabilities and obligations of the corporation must be paid and discharged, or adequate provisions should be made for their payment and discharge

18.1.7: All assets and funds shall be divided to members in accordance with the procedures laid out in the articles of association.

18.1.8: The Accountant shall maintain a ledger account for each member. During dissolution or dismember ship a member who will not have been assisted by the association will be entitled to 75% of the Yearly subscriptions and any outstanding monthly contributions.

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