

# Constitution of the Independent Neighborhood Democrats

*As Amended October 17, 2024*

## **Article I: Name**

The name of this organization shall be the Independent Neighborhood Democrats, hereafter referred to as "IND."

## **Article II: Purpose**

The mission of IND shall be:

1. To bring the people of the 52<sup>nd</sup> Assembly District into active participation in the political process;
2. To develop coalitions of neighborhood organizations and groups in order to foster a greater civic and political voice for our community;
3. To translate civic activity into positive political activity;
4. To develop ongoing projects and programs that will involve and enrich the people of the 52<sup>nd</sup> Assembly District;
5. To encourage the participation of all Democrats in the affairs of their Party, to encourage enrollment in the Democratic Party, and to work toward the election of Democratic candidates who are responsible for the needs of the community; and
6. To seek and support candidates for party and public office with ability and integrity and to encourage the appointment of qualified public officials and employees.

## **Article III: Membership**

### **Section 1: Qualifications**

Any person of goodwill, who has reached voting age, and is dedicated to furthering the purposes as stated in Article II of this Constitution, shall be eligible for membership.

## **Section 2: Classes and Privileges**

There shall be the following classes of members:

### **A: Regular Members**

Shall enjoy all of the rights and privileges of membership subject to any limitations specified in this Constitution.

### **B: Honorary Members**

Honorary Members shall enjoy the right to participate in all the activities of IND, but shall have no vote and shall not be entitled to hold office or to be a member at large of the Executive Board. Honorary members shall be selected by the President of IND, by and with the consent of the Executive Board, and shall pay no dues.

## **Section 3: Dues**

Dues shall be established by the general membership and shall be payable upon admission to membership and received no later than the Annual Election Meeting. Any person first becoming a member after the first day of November of any year shall remain a member in good standing for the succeeding calendar year without the payment of additional dues. Following the Annual Election Meeting, members in good standing for the year previous may reinstate their good standing status, if the loss of such was due only to the failure to pay dues, by payment of dues at any time during the current year.

## **Section 4: Committee Membership and Membership Activities**

Each member will be encouraged to participate in the activities of the Committees and political action of IND.

## **Section 5: Expulsion**

The expulsion of any member for conduct contrary to the best interests of IND, or contrary to the purposes of IND as set forth in Article II of this Constitution, may be proposed by a petition stating the reasons, therefore, signed by at least 5 members of the Executive Board or ten (10) members of IND, and submitted to the Recording Secretary. The Recording Secretary shall present the petition at the next meeting of the Executive Board. At that meeting, the petition may be dismissed by a majority vote of the full Executive Board. If the petition is not so dismissed, the proposal shall be tabled until a subsequent meeting of the Executive Board is held not less than two (2) weeks thereafter. The Recording Secretary shall give the member in question at least 10 days' notice, by email and registered mail, of the time and place of such meeting, the charges against said member, and the member's right to present a statement in person, or in writing, to such a meeting. A vote of at least two-thirds (2/3) of the full membership of the

Executive Board shall be required for expulsion. If the Executive Board votes to expel a member, the decision may be appealed by the said member or by any other member at the next general meeting of IND, provided that such expelled or another member notifies the Recording Secretary or the President by email and registered mail of the intention to make said appeal. If such an appeal is taken, the determination of the Executive Board shall be inoperative unless and until ratified by a vote of two-thirds (2/3) of the members present and voting at the next general meeting and shall be the first item on the agenda of said meeting.

## **Section 6: Members Entitled to Vote**

All new members shall be entitled to vote provided that they have attended at least three (3) general membership meetings within twelve (12) months and within such twelve (12) months, paid membership dues. All other members in good standing who have paid dues and attended at least two (2) general membership meetings within twelve (12) months prior to any such votes shall be entitled to vote.

All persons who shall have been members in good standing at any time during the preceding year but who have not yet paid dues of the current year prior , shall be entitled to vote provided that dues are paid prior to the vote being called.

Any member who is a voting member of any other political club which operates exclusively or primarily within the 52<sup>nd</sup> Assembly District is ineligible to vote in IND. This restriction remains operative until sixty (60) days after they clearly affirm in writing to the Executive Board that they will vote only in IND.

## **Section 7: Non-Discrimination**

IND shall not discriminate on the basis of race, ethnicity, religion, citizenship, national origin, age, disability or disability status, sex, sexual orientation, gender identity or expression, employment status, pregnancy, marital status, place of residence, homeless status, family or parental status, or veteran status.

# **Article IV: Executive Board**

## **Section 1: Function**

The Executive Board shall be the governing body of IND. It shall direct and supervise the policies, management, and procedures of IND, shall authorize the expenditure of funds in the interest of IND, and in pursuance of these functions may make such rules and regulations not inconsistent with this Constitution as it shall deem necessary and proper. The Executive Board shall also study questions involving political action and make

recommendations to the general membership. However, the Executive Board shall not make recommendations to the general membership regarding the endorsement of candidates or nominees in primary or general elections.

## **Section 2: Membership of the Executive Board**

The Executive Board shall consist of all officers of IND, the immediate past-President, and at-large board members that shall consist of no fewer than fifteen (15) members and no more than twenty (20) members . all of whom shall be voting members. The two (2) Democratic State Committee members for the 52<sup>nd</sup> Assembly District and the Assemblymember for the 52<sup>nd</sup> Assembly District, if a registered voter in the Democratic Party, shall serve as ex officio, non-voting members of the Executive Board. No person may hold more than one (1) position of any kind on the Executive Board.

## **Section 3: Eligibility for the Executive Board**

Any regular voting member in good standing who has been an active member of IND for at least one (1) year and who is not an officer or member of the executive board of another political club in Kings County shall be eligible for election to the Executive Board providing they have attended at least three (3) general membership meetings in the preceding twelve (12) months, excluding candidate endorsement meetings.

## **Section 4: Chairperson**

The Chairperson of the Executive Board shall be elected at the first meeting of the Executive Board following the election of the Executive Board. The Chairperson shall preside over meetings of the Board and ensure that its policies and decisions are implemented.

## **Section 5: Meetings**

The Executive Board shall meet on the call of the President within twenty (20) days following the annual meeting and thereafter shall meet once every month and/or on such dates as the Executive Board may determine. Special meetings may be called at any time upon at least twenty-four (24) hours' notice by the Chairperson or in their temporary absence, by the Recording Secretary, and shall be called by the Chairperson upon the written petition of five (5) or more members of the Executive Board. All IND members in good standing may be entitled to observe meetings of the Executive Board provided they would not be subject to recusal as defined by Article IX, Section 3 of this Consitution.

## **Section 6: Quorum and Voting**

A majority of all voting members of the Executive Board shall constitute a quorum for the transaction of business. Every member of the Executive Board shall be entitled to one (1) vote on all questions, which must be cast in person and not by proxy, and except as elsewhere provided in this Constitution, all questions shall be decided by a majority of those present and voting.

## **Section 7: Absences**

Members of the Executive Board that are unable to attend an Executive Board Meeting shall be expected to request an excused absence from the Chair of the Executive Board. At the commencement of all Executive Board Meetings, the Chair shall inform the membership of all excused absences.

## **Section 7: Removal Due to Absences**

In addition to removal under Article III, Section 5 of this Constitution, if any member of the Executive Board shall miss three (3) successive Board meetings, the matter of the removal of such member shall automatically appear on the agenda of the first Board meeting following the third such absence. The member in question shall be given notice by email and registered mail of such meeting by the Recording Secretary and shall be given an opportunity to show cause why such absences should be excused. Unless the Executive Board shall by majority vote to accept the reasons given for such absences, the member in question shall be removed.

## **Section 9: Conflicts of Interest**

No member of the Executive Board shall vote on any question where such a vote would constitute a conflict of interest or have the appearance of a conflict of interest.

## **Section 10: Internal Policies**

The Executive Board may adopt, by majority vote, additional internal procedures, including votes via email, if it deems necessary to perform its function as defined by Section 1 of this Article provided that they do not run contrary to this Constitution.

# **Article V: Officers**

## **Section 1: President**

The President shall preside over all general and special meetings. The President shall conduct the day-to-day affairs of the organization as the chief administrative officer of IND, and perform such other duties as the Executive Board may designate from time to

time. They shall submit an annual State of IND Report to the membership. The president shall be an ex officio member of all committees.

## **Section 2: First Vice President**

The First Vice President shall perform such special duties of the President in their absence. Subject to the direction of the President and the Executive Board shall supervise the activities of the standing and special committees and shall also perform such special duties as assigned by the President or the Executive Board.

## **Section 3: Second Vice President**

The Second Vice President shall perform such special duties as assigned by the President of the Executive Board and serve as the Parliamentarian for IND. The Second Vice President shall recuse themselves from all votes wherein their parliamentary ruling is questioned.

## **Section 4: Treasurer**

The Treasurer shall collect dues; record the date on which dues are received; maintain records sufficient to establish eligibility to vote pursuant to Article III, Section 6 of this Constitution; disburse funds only pursuant to the policies set by the Executive Board; submit records to all necessary regulatory agencies as required by law; maintain complete records of all financial transactions of IND; and maintain a list of all IND members in consultation with the Recording Secretary. All organization funds must be kept in a local bank and all records shall be open to inspection by the Executive Board on reasonable notice. The Treasurer shall be prepared to deliver a financial report at any general membership and/or Executive Board meeting.

## **Section 4: Recording Secretary**

The Recording Secretary shall be responsible for the preparation and safekeeping of all minutes of all proceedings of IND and such additional functions as the President or Executive Board may direct.

## **Section 5: Corresponding Secretary**

The Corresponding Secretary shall be responsible for the preparation and mailing of all notices to the membership of IND; maintaining a mailing list of members; management of all promotional and marketing materials of IND; and shall conduct IND's correspondence pursuant to and in accordance with directions of the President and/or Executive Board.

## **Section 6: Eligibility**

Any regular voting member in good standing who has been a member of IND for at least two (2) years shall be eligible to be nominated for and to hold an officer position, provided, however, that no member shall be eligible to hold more than one (1) position on the Executive Board at the same time.

## **Section 7: Vacancies**

If the office of President shall become vacant, the First Vice President shall immediately succeed to such office and the Second Vice President shall immediately succeed to the office of First Vice President; both shall serve as such for the remainder of the unexpired term. If any other office shall become vacant, the Executive Board, at its next meeting, shall appoint from the eligible membership of IND an officer who shall serve for the remainder of the unexpired term.

## **Section 8: Terms of Office**

All Executive Board members shall be directly elected by a vote of the membership pursuant to the procedures set forth in Article VII of this Constitution for a term of one (1) year commencing at the time of their election and shall serve until their successors have been elected at the next annual election meeting and shall have been qualified. The President may be elected to no more than two (2) consecutive terms of one (1) year each.

## **Section 9: Removal**

The removal of any officer or member of the Executive Board from office for conduct inimical to the best interests of IND or contrary to the purposes of IND, as set forth in Article II of this Constitution, may be proposed by a petition enumerating the reasons, signed by at least five (5) members of the Executive Board or fifteen (15) members of IND and submitted to the Recording Secretary. The Recording Secretary shall present the petition at the next meeting of the Executive Board. At that meeting, the petition may be dismissed by a majority vote of the full membership of the Executive Board. If the petition is not dismissed, the proposal shall be tabled until a subsequent meeting of the Executive Board, to be held not less than two (2) weeks thereafter. The Corresponding Secretary shall give the officer in question at least ten (10) days' notice by email and registered mail of the time and place of such meeting, the charges against them, and their right to make a statement in person or in writing to such meeting. A vote of at least two-thirds (2/3) of the full membership of the Executive Board shall be required for removal. If the Executive Board votes to remove an officer, the decision may be appealed by said officer, provided that such officer notifies the Recording Secretary or the President of their intention to make such an appeal within one (1) week of the decision. If

such an appeal is taken, the determination of the Executive Board shall be inoperative unless and until ratified by a vote of a majority at a membership meeting to be held no more than fourteen (14) days from the date of such appeal.

## **Article VI: Meetings**

### **Section 1: Annual Nomination Meeting**

A meeting shall be called in November of each year at which nominations of officers and at-large members of the Executive Board will be made.

### **Section 2: Annual Election Meeting**

The Annual Election Meeting of IND shall be held during the month of January on a date to be fixed by the Executive Board. No officer nominations may be made at such meeting but vacant at-large Executive Board member nominations may be made provided that not all available at-large Executive Board positions received nominations following the close of nominations at the Annual Nomination Meeting.

### **Section 3: Other Meetings**

Other meetings of IND, other than the annual nomination and election meetings, may be called at any time by the President or on the written request of at least twenty (20) voting members. There shall be at least nine (9) other meetings during each year, excluding the nominating meeting in November.

### **Section 4: Notice**

All members shall be given at least fourteen (14) days of notice of the annual election meeting, and at least four (4) days of written notice of other meetings.

### **Section 5: Quorum**

One-quarter (1/4) of the voting membership, or fifteen (15) voting members, whichever is smaller, of the total voting membership shall constitute a quorum at meetings.

### **Section 6: Voting**

Except as elsewhere provided in this Constitution, every member shall be entitled to one (1) vote which may not be cast by proxy, and a majority shall be a majority of those present and voting.



## **Section 7: Agenda**

The Corresponding Secretary shall prepare an agenda for each meeting, which shall consist of all items of business directed to be placed thereon by the President or Executive Board. The Corresponding Secretary shall inform the membership of all such agenda items.

## **Article VII: Elections**

### **Section 1: Time**

Officers and members-at-large of the Executive Board shall be elected at the annual election meeting.

### **Section 2: Nominations**

Nominations shall be made from the floor at the November Nomination Meeting and can be made and seconded only by voting members in good standing. The Corresponding Secretary shall notify the members of IND of the names of any person nominated. Only members in good standing and entitled to vote may be nominated. No member may be nominated for more than one position.

#### **A: Nomination of Executive Board members at the Annual Election Meeting**

Nominations may be made from the floor at the Annual Election Meeting.

#### **B: Additional Nominations**

Additional nominations for Executive Board Members-at-Large may be made from the floor at the Annual Election Meeting. Nominations for officers may be made from the floor at the Annual Election Meeting only if no candidate has previously been nominated for that office.

### **Section 3: Voting Procedure**

Voting shall be by secret written ballot except in the case of uncontested elections, where voting may be by acclamation.

#### **A. Officers**

There shall be a separate vote for each office in the order listed in this Constitution. Each member entitled to vote shall have one (1) vote for each position to be filled. If a single

candidate does not receive a majority of the votes cast, there shall be a runoff between the two (2) candidates with the highest number of votes.

## **B. Members-at-Large**

After the officers have been elected, there shall be a single ballot for members-at-large of the Executive Board. Each member entitled to vote shall have as many votes as there are members-at-large to be elected. In the event of any tie which makes it impossible to determine which nominees are elected, the nominees who are among the group receiving the highest number of votes and who are not so tied shall be declared elected and additional ballots shall be taken among those so tied until the required number shall be elected.

# **Article VIII: Endorsement of Candidates and Ballot Issues**

## **Section 1: Consideration of Elections**

IND shall endorse candidates for public and political office and adopt positions on ballot issues at meetings of the general membership. IND shall only consider candidates and/or ballot issues that registered Democrats within the 52<sup>nd</sup> Assembly District shall have the opportunity on which to vote in a primary, special, or general election. IND shall not endorse any candidate who is not running on the Democratic Party line. The general membership may delegate the actual right of endorsement of candidates for county committee posts and delegates and alternate delegates to judicial conventions to a special committee selected for that purpose.

In the case of judicial candidates, only candidates who have been deemed “qualified” or “highly qualified” by the judicial screening panel officially established by the Kings County Democratic County Committee may have their name listed on an IND endorsement ballot. No judicial candidate who has not been deemed “qualified” or “highly qualified” shall be eligible for endorsement by IND. This rule shall be suspended only in judicial races when the Kings County Democratic County Committee has not established such a screening panel for that election cycle.

## **Section 2: Races Outside the Assembly District**

The membership of IND may delegate the function of endorsing in primary elections candidates who run in districts including areas outside the 52<sup>nd</sup> Assembly District to a Convention of other bodies in which IND is represented. In such event, the constitution of such Convention or body shall supersede this Constitution to the extent inconsistent

herewith and the provisions of this Constitution concerning endorsements of candidates shall be read as requiring the endorsement of such Convention or body.

### **Section 3: Notice**

As to the endorsement of candidates for public office, the written notice required under Article VI, Section 4 of this Constitution shall apply.

### **Section 4: Eligibility**

Only members entitled to vote pursuant to Article III, Section 6 of this Constitution may vote to endorse candidates for public and political office.

### **Section 5: Endorsement Procedure**

In order to obtain IND's endorsement, a candidate or ballot issue must receive a majority of the total votes cast. Every ballot shall include the option of "No Endorsement." In the event that no candidate or ballot initiative receives a majority of the total votes cast, there shall be successive run-off elections in which the candidate receiving the least number of votes in the immediately preceding ballot shall be dropped until either a candidate or the option of "No Endorsement" receives a majority of votes cast. The Executive Board may choose, by majority vote, to conduct an endorsement vote done via instant run-off voting using a single paper ballot.

The Executive Board may also choose, by a majority vote, to use an electronic voting system to conduct an endorsement vote via instant runoff voting. However, in the procurement process, the Executive Board must make a good-faith effort to choose a software package that will have the capability to keep the option of "No Endorsement" available in successive voting rounds. If the Executive Board does not procure a software package allowing for "No Endorsement" to be kept over multiple rounds of voting, prior to the commencement of voting, the membership present at such endorsement meeting, may by a two-thirds (2/3) vote of those present, choose to use said software over multiple rounds with "No Endorsement" being a choice for each round.

### **Section 6: Endorsement Publication**

Following an endorsement vote, the President or their designee shall announce the endorsed candidate(s) to the membership and then to the candidate(s) in question. The number of votes each candidate or issue receives, their position in final tabulations, and/or voting rounds may not be released to anyone but the President.

## **Section 7: Endorsement Discussion**

Before the close of voting on any endorsement, the voting membership of IND shall have the opportunity to discuss internally whom/what IND should endorse. No voting member who is a candidate being considered by IND for endorsement may be present for discussions regarding their race. During the discussion, all voting members before speaking for or against a candidate or issue under consideration, before speaking, must disclose any potential conflicts of interest including but not limited to familial connections, business relationships, and/or work as defined in Article IX of this Constitution for the candidate or issue.

## **Article IX: Political Action**

### **Section 1: Promotion**

No member of IND shall use the name of IND in any way which may indicate support by IND of any candidate or issue, without prior authorization by the Executive Board in writing, or by the general membership.

### **Section 2: Violations**

Violation of Section 1 of this Article shall be cause for immediate suspension of the rights and privileges of such member by a majority vote of the Executive Board at a meeting of such Board at which the member in question shall have been invited and shall also automatically constitute grounds for expulsion under the procedures provided in Article III, Section 5 of this Constitution.

### **Section 3: Recusal Policy**

Any member of the Executive Board who desires to work for or publicly endorse a candidate opposing IND's endorsed candidate shall be given the opportunity to suspend their membership on the Executive Board for the duration of that campaign. If a member of the Executive Board does not exercise this option and is found to have violated this provision, he or she shall be deemed to have resigned their position on the Executive Board.

For purposes of this section "work" shall be broadly interpreted to include, but not be limited to, prohibiting the following actions by members of the Executive Board:

- Posting on social media comments that could be construed as public endorsements of any candidate opposing IND's endorsed candidate(s);
- Statements to the press that are intended to be a statement of endorsement for any candidate opposing IND's endorsed candidate(s);

- Providing information and/or resources proprietary to IND to any candidate opposing IND's endorsed candidate(s);
- Donations to any candidate opposing IND's endorsed candidate(s); and/or
- Volunteering or doing work for pay for any candidate opposing IND's endorsed candidate(s).

None of the above prohibitions shall be applied retroactively to any endorsement made by IND.

## **Section 4: Clean Campaigning**

No Executive Board member of IND shall use their office as a vehicle to aid the campaign of an opposition candidate, nor may any suggestion of affiliation with IND be used in oral or written material in connection with a campaign that has not received the endorsement of the general membership.

# **Article X: Committees**

## **Section 1: Standing Committees**

The Standing Committees of IND shall be as follows::

- A. Membership and Political Organizing
- B. Speakers and Community Organizing
- C. Finance and Fundraising

Each committee shall be entitled to develop its own mission, goals, and procedures provided that no policy runs contrary to this Constitution.

## **Section 2: Additional Committees**

The President, with the consent of the membership and the Executive Board, may create special committees as deemed necessary.

## **Section 3: Committee Membership**

Members of all committees shall volunteer or be appointed by the President. The Chairperson of any committee may be removed by the members with the consent of the President and a majority of the Executive Board.

# **Article XI: General Provisions**

## **Section 1: Parliamentary Procedure**

Procedure at membership, Executive Board, and committee meetings shall be governed by the most recent edition of Roberts Rules of Order in the absence of any contrary provision in this Constitution and unless such rules are suspended by a two-thirds (2/3) vote of members present and voting at any meeting.

## **Section 2: Publication**

This Constitution shall be made available for public viewing on the IND website and by request.

## **Section 3: Accessibility**

The Executive Board shall make a good faith effort for IND to be accessible to persons with disabilities in adherence with the Americans with Disabilities Act of 1990 and Sections 504 and 508 of the Rehabilitation Act of 1973 including, but not limited to, documents being published in accessible formats; choosing accessible meeting locations; and meetings being conducted in a virtual or a hybrid (virtual and online) format.

# **Article XII Amendments**

## **Section 1: Amendment Proposals**

Amendments to this constitution may be proposed to the Executive Board by written petition signed by twenty (20) general voting members or fifteen (15) percent of the general voting membership, whichever is greater. If an amendment is proposed by petition, the President, Recording Secretary, and Corresponding Secretary must be notified by email or registered mail or email fourteen (14) days prior to the next regularly scheduled meeting of the general membership so that the proposed amendment may appear on the agenda.

## **Section 2: Amendment Dissemination**

The Corresponding Secretary shall notify the IND membership of all proposed amendments and provide copies of said text at least ten (10) days before the meeting at which they would be voted.

### **Section 3: Consideration of Amendments**

Consideration of the proposed amendments shall have priority over all other agenda items with the exception of old business.

### **Section 4: Voting on Amendments**

To be effective, any proposed amendment must be approved and adopted by a two-thirds (2/3) vote of the members present and voting at such meeting.