

# CONSTITUTION AND BY-LAWS

OF THE

[ Name of Private Organization ]

## ARTICLE I NAME AND PURPOSE

**SECTION 1 – NAME:** The name of this organization shall be the [ Name of Private Organization ].

**SECTION 2 – PURPOSE:** The purpose of the [ Name of Private Organization ] is to [ State the Purpose ]. This is a private organization. It is not a part of the Department of Defense or any of its components and it has no governmental status.

## ARTICLE II GENERAL PROVISIONS

**SECTION 1 – AUTHORITY:** The [ Name of Private Organization ] is a private organization operating on Incirlik Air Base under the authority of AFI 34-223, *Private Organizations*. It is a self-sustaining interest group operated by people outside the scope of any official position they may have with the Federal government, and it operates only with the written permission of the installation commander or his/her designee.

**SECTION 2 – LIABILITIES:** The liabilities of the [ Name of Private Organization ] are as follows:

- a. **Obligation:** Obligations will be for the sole use and benefit of the [ Name of Private Organization ]. No individual may obligate the [ Name of Private Organization ] without approval from the executive committee. If an obligation is made without prior approval, the member will be held liable.
- b. **Insolvency:** Members of the [ Describe any additional limitations for membership. For instance, a Squadron Booster Club's membership might be limited to personnel and dependents assigned to the Squadron. ] may become financially liable for the obligations and debts of the [ Name of Private Organization ] if its assets fail to meet its obligations and debts. Members are joint and severally liable for the obligations and debts of the [ Name of Private Organization ].

## ARTICLE III MEMBERSHIP

**SECTION 1 – QUALIFICATIONS:** Membership in the [ Name of Private Organization ] is voluntary and open to all active duty, Department of Defense personnel and their dependents, without regard to race, creed, religion, ethnic origin, or sex. [ Name of Private Organization ]

**SECTION 2 – TYPES OF MEMBERSHIP:** The [ Name of Private Organization ] will have only one type of membership: full membership with all privileges, obligations, and voting rights.

**SECTION 3 – FEES AND DUES (if applicable):** Members of the [ Name of Private Organization ] shall pay annual dues in the amount of [ Number ] to be paid to the Treasurer.

#### **ARTICLE IV OFFICERS AND GOVERNING BODY**

**SECTION 1 – DESCRIPTION:** The [ Name of Private Organization ] will be governed by an executive committee consisting of four elected officers: President, Vice-President, Secretary, and Treasurer. Officers will ensure the [ Name of Private Organization ] complies with all requirements of this Constitution. New officers will also consult the 39th Force Support Squadron PO monitor for guidance and training on local base requirements, procedures, and information that supplements AFI 34-223, as needed.

**SECTION 2 – DUTIES OF THE PRESIDENT:** The President shall have the following duties and obligations: (included are some sample duties)

- a. Enforce the Constitution, and all other rules, regulations and conventions of the [ Name of Private Organization ].
- b. Preside over all meetings of the [ Name of Private Organization ].
- c. Represent the [ Name of Private Organization ] at all functions requiring an organizational representative.
- d. Act as Treasurer in his or her absence.
- e. Take responsibility for the disposition of any assets or discharge of any liabilities remaining in the event the [ Name of Private Organization ] is dissolved.

**SECTION 3 – DUTIES OF THE VICE-PRESIDENT:** The Vice-President shall have the following duties and obligations: (included are some sample duties)

- a. Perform the duties of the President in his or her absence.
- b. Assume the duties of the President in the event of resignation or removal of office.

**SECTION 4 – DUTIES OF THE TREASURER:** The Treasurer shall have the following duties and obligations: (included are some sample duties)

- a. Receive and disburse funds belonging to the [ Name of Private Organization ] as directed by the voting membership and/or the executive committee.
- b. Collect funds as required.
- c. Maintain the financial records of the [ Name of Private Organization ].
- d. Present a financial summary at each membership meeting or as requested by the executive committee. A quarterly financial statement will also be presented at each quarterly meeting.
- e. Maintain the checking account for the [ Name of Private Organization ].
- f. Act as Vice-President in his or her absence.

**SECTION 5 – DUTIES OF THE SECRETARY:** The Secretary shall have the following duties and obligations: (included are some sample duties)

- a. Record proceedings of general membership meetings, executive committee meetings, and special meetings called by the President.
- b. Maintain membership lists.
- c. Make available to the membership copies of the Constitution, by-laws, and minutes of all meetings.
- d. Distribute meeting minutes to all applicable members and the 39th Force Support Squadron PO monitor.
- e. Count the votes in each election and announce the results.

## **ARTICLE V ELECTIONS**

**SECTION 1 – ELIGIBILITY:** All members in good standing of the [ Name of Private Organization ] shall be eligible for election to any of the officer positions.

**SECTION 2 – NOMINATIONS:** Elections will be held annually in [ Month ]. Nominations will be made at the open membership meeting prior to the month of the elections. Nominees must give consent, in person or in writing, of willingness to serve if elected before elections may be held.

**SECTION 3 – PROCEDURE:** All officers will be elected by a majority vote, using secret ballots, of all members present at the election meeting. The Secretary will announce the results of the election.

**SECTION 4 – TERMS OF SERVICE:** The term of service is for one year beginning 1 [ *Month* ].

**SECTION 5 – SPECIAL ELECTIONS:** Except for a presidential vacancy, special elections will be held at the next possible meeting to fill the officer position(s). In the event of a presidential vacancy, the Vice-President will automatically assume the position until the next general election.

**SECTION 6 – TERMINATION OF OFFICERS:** Officers may be removed from office for improperly discharging duties and responsibilities and for actions that discredit the [ *Name of Private Organization* ]. A two-thirds vote of the current membership shall be required to remove such an officer. Officers being considered for removal will be allowed the opportunity to address the general membership. Officers may also resign by submitting their resignation in writing to the executive committee. Removals are effective immediately while resignations are effective 30 days later.

## **ARTICLE VI MEETINGS**

The executive committee shall meet monthly or at the request of a simple majority of the membership, or at the request of any member of the executive committee, upon reasonable notice. A quorum shall exist if [ *Number* ] of the executive committee is present. The general membership shall meet quarterly or at the request of a simple majority of the membership, or at the request of any member of the executive committee. The Secretary, or designee, will record the minutes of each meeting.

## **ARTICLE VII VOTING**

**SECTION 1 – GENERAL PROVISIONS:** All members have full voting rights. The President may not vote except in a tie or during an election of officers. A simple majority of eligible members present is required for passage of any matter voted upon except as otherwise specified in this Constitution and by-laws.

**SECTION 2 – SPECIAL VOTING PROCEDURES:** A two-thirds majority vote of all members is required for the removal of an officer for cause and the approval of the Constitution and by-laws or any revision thereof.

## **ARTICLE VIII COMMITTEES**

**SECTION 1 – STANDING COMMITTEES:** The executive committee, with the advice and consent of the membership, shall establish and maintain standing committees as needed. The names and functions of the standing committees at the time of formal organization are: [ List the committees ].

**SECTION 2 – SPECIAL COMMITTEES:** Special committees will be appointed to plan, organize, and execute specific projects. The President will appoint the Chairperson of the committee and the remaining committee members will be volunteers.

## **ARTICLE IX ACCOUNTING**

### **SECTION 1 – RESPONSIBILITY:**

- a. The [ Name of Private Organization ] shall be responsible for asset accountability, liability satisfaction, and responsible financial management. Officers of the [ Name of Private Organization ] will be individually and collectively responsible for developing and maintaining policies to ensure asset accountability, liability satisfaction, and sound financial and operational management.
- b. The Treasurer shall be responsible for managing the funds of the [ Name of Private Organization ].
- c. The [ Name of Private Organization ] will be self-sustaining.

**SECTION 2 – SOURCES OF INCOME:** The [ Name of Private Organization ]'s primary sources of income will be [ describe sources of income ... for example: membership dues, donations, and proceeds from any fundraisers or similar activities ].

**SECTION 3 - FINANCIAL STATEMENTS:** The Treasurer will maintain a quarterly financial statement and present it for review at every quarterly meeting. The Treasurer will also provide the quarterly financial statement to the 39th Force Support Squadron PO monitor.

**SECTION 4 - AUDIT REQUIREMENTS:** The account of the [ Name of Private Organization ] will be audited prior to the installation of a new Treasurer or when the membership deems necessary by a simple majority of the vote. A disinterested party of two individuals will perform the audit. If the gross annual revenue is \$5,000 or more, an annual financial statement will be submitted to the 39th Force Support Squadron PO monitor. If the gross annual revenue is more than \$100,000, but less than \$250,000, an annual review by a public accountant is required.

**SECTION 5 - PROPRIETARY RIGHTS:** Members of the [ Name of Private Organization ] do not have proprietary rights in organization funds. Assets and income will also not accrue to

individual members except through wages and salaries for employees or other payment for services rendered.

**SECTION 6 – SIGNING CHECKS:** All checks will be co-signed by the Treasurer and one other elected officer.

## **ARTICLE X INSURANCE COVERAGE**

The [ Name of Private Organization ] shall, commensurate with the risk involved, secure and maintain adequate insurance for protection against bodily injury and property damage claims or other legal actions that may arise as a result of activities of the organization. The [ Name of Private Organization ] will submit a liability insurance waiver request to the installation commander. The coverage obtained shall be at least the minimum recommended.

## **ARTICLE XI ADOPTION AND AMENDMENTS**

Approval of the Constitution and by-laws will require a two-thirds majority vote of all members. Suggested revisions to the Constitution and by-laws may be submitted as new business at any scheduled meeting. Upon approval by a two-thirds majority of members, the Constitution and by-laws will be amended to reflect the approved change. This Constitution and by-laws is effective upon signature of the President of the [ Name of Private Organization ] and the approval of the installation commander or designee.

## **ARTICLE XII DISSOLUTION**

**SECTION 1 – GENERAL PROVISIONS:** In case of dissolution of the [ Name of Private Organization ], written notice will be given to the 39th Force Support Squadron PO monitor and dissolution will be carried out only with the final approval of the installation commander or designee. Whatever funds are contained in the Treasury at the time will be used to satisfy any outstanding debts, liabilities or obligations. Any funds remaining after satisfaction of debts, liabilities and obligations will be [describe how residual funds will be distributed ... for example: donated to a charity or organization to be determined by a majority vote of remaining members at the time of dissolution in a manner consistent with applicable regulations ].

**SECTION 2 – GROUNDS FOR DISSOLUTION:** The [ Name of Private Organization ] may be dissolved by an affirmative vote of the members or by the direction of the installation commander or designee. In the event of an emergency evacuation of dependents, if dependents have not been authorized return within one year, then the organization (if run by dependents) will dissolve automatically.

Dated this # day of *Month Year*

Name of Official  
President

Name of Official  
Vice President

Name of Official  
Treasurer

Name of Official  
Secretary