

27Article VIII *PRIVATE ORGANIZATION'S NAME*

CONSTITUTION AND BY-LAWS

CONSTITUTION

Article I Name and Purpose

The name of the organization will be **PO Name**, previously known as FORMER **PO Name**, and is created under the authority of AFI 34-106, Private Organization Program. This private organization is classified as an independent organization.

The purpose of this private organization is to increase morale and esprit-de-corps among squadron members.

The objectives of this private organization are to support the private organization squadron in non-mission related morale building activities. The **PO Name** will conduct activities in a manner which is free from racial discrimination and provides equal opportunity and treatment for all members, irrespective of race, color, religion, sex or national origin.

Article II General Provisions

The **PO Name** operates on a military base only with the consent of the Installation Commander or delegee. Operation is contingent on compliance with requirements and conditions of all applicable Air Force Instructions and policies.

The **PO Name** has established a bank account with **Name of Bank** under the name of **Name of Account**.

The **PO Name** members must be aware that, generally, members are jointly and severally liable for the obligations of the private organization. The absence of liability insurance places their personal assets immediately at risk in the event of Private Organization liability. The commander may still require liability insurance for specific events that involve a greater risk of injury or damage.

The **PO Name** membership is liable under the laws of New Mexico for organizational debts in the event organizational assets are insufficient to discharge liabilities.

Article III Officers and Governing Body

The officers shall be the President, Vice-President, Secretary, Treasurer, Sergeant-At-Arms, and Public Relations.

Section 1. Duties of the President:

- A. Call the meeting of general membership to order and will commence the meeting with the following statement: “This is a private organization. It is not a part of the Department of Defense (DoD) or any of its components and it has no government status.” This statement will also be provided in public announcements, electronic media and print related to activities.
- B. Preside over all meetings and elections.
- C. Establish and solicit members to serve on such committees as deemed necessary.
- D. Sign, along with the Secretary, minutes of all general membership and executive council meetings.
- E. Conduct routine business of the Council.
- F. Ensure the Council’s Constitution and By-laws are reviewed annually, or when there are changes to the intent of the Council’s primary purpose.
- G. Submit Constitution and By-laws to the 27th Special Operations Force Support Squadron/Force Support Resources (27 SOFSS/FSR) Private Organization Monitor every two years or as needed.
- H. Evaluate insurance waivers annually.

Section 2. Duties of the Vice President:

- A. Assist the President in all Council business.
- B. Act as parliamentarian using *Robert’s Rules of Order* as a guide.
- C. Act as President in the absence of the President.

Section 3. Duties of the Secretary:

- A. Record and maintain minutes of all general membership meetings. Keep account of members present at meetings.
- B. Maintain all records for the Council. This includes, but is not limited to, fundraising minutes/flyers, morale building activities, and financial reports.
- C. Draft the agenda for upcoming meetings. Forward the agenda along with notification of meetings to general membership.
- D. Sign, along with the President, minutes of all general membership and executive council meetings.
- E. Forward meeting minutes and monthly financial reports to the 27 SOFSS/FSR Private

Organization Monitor.

F. Prepare termination letters as required by this Constitution.

G. Act as President in the absence of the President and Vice President.

Section 4. Duties of the Treasurer:

- A. Establish an annual budget financial plan for the Council. The plan will include projected activities including income and expenses, and capital purchases such as equipment and property. The budget will establish the financial objectives to generate the income to cover planned expenses.
- B. Maintain records of all financial transactions and the financial status of the Council.
- C. Prepare income and expense statements monthly, either on an accrual or cash basis. The income and expense statements will reflect monetary events that have occurred during each period (i.e. any fundraisers that have occurred during a specific quarter).
- D. Prepare and update a balance sheet accounting for total assets, liabilities and net worth of the Council.
- E. Establish and maintain all necessary bank accounts, withdraw funds and make all disbursements for payments authorized by the membership or appointed officers and when approved by the President.
- F. Advise the President and membership on all financial matters.

Section 5. Duties of the Sergeant-At-Arms:

- A. Maintain order and discipline during meetings. Ensure the safety and security of organization members.
- B. Reserve the right, at the discretion of the officers or Executive Board, to remind unruly members to keep order and discipline. If an unruly member continues to disregard customs and courtesies, the Sergeant-At-Arms will escort the member out of the meeting and bar the member's return for the remainder of the meeting.
- C. Is responsible to ensure maximum participation of members. May request that each flight send at a minimum, one representative, to attend meetings.

Section 6. Duties of Public Relations:

- A. Manage all publicity for fundraising and morale-building activities.
- B. Draft and prepare media (i.e. print or electronic) of all upcoming events. Will coordinate media with the Executive Council before distributing to the general membership. Will ensure the name, seal or insignia of the DoD or any of its components does not appear on any media (print or electronic).

- C. Coordinate with the Treasurer, any purchase for the sake of advertisement. Advertisement will not reference or encourage use of any commercial business. Exception to this rule is when the Council conducts an approved fundraising event through a third-party.
- D. Will not advertise the sale or provision of alcoholic beverages (private organizations are prohibited from selling or serving alcoholic beverages).
- E. Will ensure fundraising does not exceed three events per quarter.
- F. Will not solicit gifts or donations on base. Off base solicitations must clearly indicate that they are for the **PO Name** and not for the base or Air Force.

Article IV Membership or Patronage

Membership into the **PO Name** is open to all personnel assigned to the private organization squadron and 27th Special Operations Wing, including DoD civilians, who desire to join and participate. Any member in good standing may run for and hold office in the association. All members will have the right to speak at meetings, make motions, and to vote. Membership in the organization shall terminate upon request of the member, transfer of the member, separation, or retirement of the member. Reprisal by members against those not wishing to participate in the **PO Name** will not be tolerated. All members must review and acknowledge the constitutions and bylaws prior to membership authorization

Article V Methods of Financing

There will be no fees or dues collected for membership.

Fundraising and donations made by members and other associations will be the primary source of income for the **PO Name**. Fundraising events shall include, but not limited to, burrito sales, bake sales, car washes, lunch plate sales, and auctions. Fundraising efforts will not compete or duplicate activities of the Army and Air Force Exchange Services or the 27 SOFSS Nonappropriated Fund Instrumentalities.

Article VI Fundraisers

All requests for special functions, resale activities to include charity drives and fundraising events will be typed and submitted on a fundraiser form at least 30 business days prior to the event being held and forwarded to the 27 SOFSS/FSR Private Organization Monitor and approved by the Installation Commander or delegee. Advertising for the aforementioned events will not occur without approval. All print and electronic media mentioning the private organization's name must prominently display the following disclaimer confirming the private organization is not a part of the DoD: "This is a private organization. It is not part of the DoD or any of its components and it has no governmental status." This disclaimer must also be

provided in verbal communication and public announcements.

Only internal fundraisers (i.e., those conducted mainly by DoD personnel for the benefit of DoD personnel) will be authorized during the Combined Federal Campaign or Air Force Assistance Fund drives. Additionally, the fundraiser must occur away from the workplace and not detract from these official campaigns. Approval for fundraisers during Combined Federal Campaign or Air Force Assistance Fund will be at the discretion of the Installation Commander or delegee.

Article VII

Meetings and Quorums

Minutes of each meeting will be signed by the President and Secretary. A copy of the financial report/statement will be forwarded with the minutes to the 27 SOFSS/FSR Private Organization Monitor within two weeks after the meeting.

The meeting minutes and financial report may be e-mailed to the 27 SOFSS/FSR Private Organization Monitor in lieu of being hand carried.

Article VIII

Adoption and Amendments

Constitution and By-laws must be approved by majority or 75% of present membership and become effective only upon the approval of the Installation Commander or delegee. All Constitutions and By-laws must be routed through the 27 SOFSS/FSR Private Organization Monitor before being submitted to the Installation Commander or delegee for approval.

Constitution and By-laws will be reviewed, changed, amended, revised or updated every two years, or when there is a change in the purpose, function, or membership eligibility. All proposed changes and reviews must be submitted in writing and forwarded to the 27 SOFSS/FSR Private Organization Monitor before being approved by the Installation Commander or delegee.

If the Constitution and By-laws are current and accurate, the Council must send a letter to the 27 SOFSS/FSR Private Organization Monitor stating the Council is current.

The majority or 75% of the present members may amend the Constitution and By-laws. Any amendment changing the operational purpose or procedures of the Constitution and/or By-laws will not become effective until approval is obtained by the Installation Commander or delegee. All proposed amendments will be forwarded to the 27 SOFSS/FSR Private Organization Monitor prior to submission to the Installation Commander or delegee.

Article IX

Dissolution

The 27 SOFSS Commander will be notified of the intent of the Council to dissolve and provided a time-phased plan of the Council to do so. Any outstanding debt will be satisfied with existing funds. The balance of these assets will be disposed of as determined by the membership with

approval from the Installation Commander or delegee. AFI 34-106, paragraph 4.3.4, provides guidance for private organization dissolution. The Installation Commander or delegee retains the right to initiate dissolution.

Article X

Insurance Coverage

Insurance requirements will be in accordance with AFI 34-106, paragraph 5.16 and in compliance with base legal office directives. On **DATE**, a request for insurance coverage was routed through the base legal office and was approved by the 27 SOFSS Commander or delegee. The waiver will be reviewed annually, and for any specific events the private organization or commander deems may be at greater risk of injury or damage, such as consumption of alcohol.

BY-LAWS

Article I

Duties of Officers

Section 1. Duties of the President:

As codified in the **PO Name** Constitution Article III Section 1.

Section 2. Duties of the Vice President:

As codified in the **PO Name** Constitution Article III Section 2.

Section 3. Duties of the Secretary:

As codified in the **PO Name** Constitution Article III Section 3.

Section 4. Duties of the Treasurer:

As codified in the **PO Name** Constitution Article III Section 4.

Section 5. Duties of the Sergeant-At-Arms:

As codified in the **PO Name** Constitution Article III Section 5.

Section 6. Duties of Public Relations:

As codified in the **PO Name** Constitution Article III Section 6.

Article II

Elections and Voting

Election of officers will be held every year, or when necessary due to permanent change of station, permanent change of assignment, retirement, or separation. Any member may volunteer to run for a specific office or be nominated by any other member for a specific office of the **PO Name**. The majority or 75% of members present must vote for a particular member in order for that individual to assume the office. In situations where a meeting cannot be held for the purposes of voting, then electronic voting may take place. In case of a tie, a re-vote will be cast. Term of office is one year unless reelected.

Article III

Dues or Fees

There will be no fees or dues collected for membership.

Fundraising and donations made by members and other associations will be the primary source of income for the **PO Name**.

Article IV Standing Committees

Committees will be created as needed by the Council and will not run as a full-time committee. The purpose of the committees will be for the planning of fundraising and morale building activities.

Article V Finances and Taxes

The organization with gross annual revenue of \$5,000 or more will submit an annual financial report/statement to the 27 SOFSS/FSR Private Organization Monitor. An annual audit will be performed by a Certified Public Accountant (CPA) when annual gross revenues (sales, income, dues, services, charges, etc.) are \$250,000 or more. This audit will be at the expense of the organization. Organizations with annual gross revenues of more than \$100,000 but less than \$250,000 must have an annual audit performed by a Public Accountant (CPA not required) at the expense of the organization. If there are signs of fraud or improprieties, regardless of the amount of revenues, the Installation Commander or delegee will ask the Air Force Audit Agency to do an audit to protect the Air Force's interest. A copy of any audit performed will be forwarded to the 27 SOFSS/FSR Private Organization Monitor.

Article VI Insurance Coverage

Insurance requirements will be in accordance with AFI 34-106, paragraph 5.16 and in compliance with base legal office directives. A request for a waiver will be routed through the base legal office prior to approval. The waiver authority is the Installation Commander or delegee. Once the waiver is approved, it will be reevaluated annually.

Article VII Awards and Gifts

Awards and gifts will be bestowed upon individuals that the **PO Name** feels should be recognized. The majority or 75% of the present membership must approve the worthiness of the individual in order for an award or gift to be bestowed. Worthiness is determined by the active participation of the individual in **PO Name** activities. The **PO Name** reserves the right to deny awards and gifts to an individual that has not actively participated in any activities. Any exceptions or grievances will be discussed and voted upon by the **PO Name** Council. Any award or gift will not exceed a monetary value of \$25.00 with the exceptions of retirements. Retirement gifts and awards will not exceed a monetary value of \$50.00.

Article VIII Distribution to Members

All members will receive an electronic copy of the Constitution and By-laws each time they are revised, updated, or corrected. All members and the 27 SOFSS/FSR Private Organization Monitor will receive an electronic copy of the meeting minutes and financial reports within two weeks of the meeting.

Article IX Adoption

This Constitution and By-laws become effective upon adoption by an affirmative vote of the majority of the active membership present at the meeting and approval by the **PO Name** President.

This Constitution and By-laws were approved by the membership on **DATE**.

NAME
President, **PO Name**

EVERETT P. HOPKINS, GS-12, DAF
Resource Management Flight Chief

MICHAEL A. ADAMS II, Lt. Col., USAF
Commander, 27 SOFSS

KATHERINE SAVAGE, GS-14, DAF
Deputy Director, 27 SOMSG