

NAME OF PRIVATE ORGANIZATIONS
at
MISAWA AIR BASE, JAPAN

The following sample contains all basic provisions for establishing a private organization constitution. Items in bold print are mandatory statements which must be included verbatim in each private organization's constitution as shown below. Other items are statements which an organization may choose to include as shown below or change to fit their own particular objectives and desires. All articles and sections addressed in the example below must be addressed in private organization's constitution. The word "organization" may be replaced with the name of the private organization where appropriate.

ARTICLE I
NAME AND AUTHORITY

Section 1. The name of this organization will be _____¹ and is established pursuant to the provisions of AFI 34-123, and in accordance with all applicable civil and military laws and regulations. Operation is contingent on compliance with the requirements and conditions of all applicable Air Force regulations.

Section 2. This is a Type _____² organization and operates on Misawa Air Base only with the written consent of the Commander, 35th Mission Support Group.

ARTICLE II
PURPOSE

The purpose of this organization shall be to _____³. This organization will conduct itself in a manner which is free of racial discrimination and provide equal opportunity and treatment for all members and prospective members regardless of their race, color, religion, sex, handicap, age, or national origin.

¹ "Misawa Air Base" cannot be part of the organization's name without prior approval of the Commander, 35th Mission Support Group

² Refer to Paragraph 1.2.1 of the 35 FSS PO Guide for the definition of each type of organization.

³ This section is very important to the constitution as a whole. You should be as thorough as possible because your constitution will be approved or disapproved based on this one section as will subsequent requests to raise funds consistent with the purpose. The standard for approval, set forth in AFI 34-223, paragraph 6, is whether or not the installation commander "determines it will make a positive contribution to the lives of base personnel." Therefore, you must ensure that you show, in detail, how your private organization will benefit the community.

ARTICLE III
MEMBERSHIP⁴

- Section 1. Active members:
- Section 2. Associate members:
- Section 3. Affiliate members:
- Section 4. Honorary members:
- Section 5. Any person wishing to join this organization will make an application at a regular membership meeting.⁵
- Section 6⁶. Membership in this organization will be terminated:
- a. **Upon request or PCS of the member concerned.**
 - b. If the member fails to meet financial responsibilities, such as dues _____ months in arrears.
 - c. Upon recommendation of the board of governors after a complete review of the circumstances and approval of the general membership.
 - d. Failure to meet participation requirements and recommendation of the board of governors and approved by the general membership.
 - e. For any other valid reason when recommended by the board of governors and approved by the general membership.

⁴ If there are different classes of membership, they must be specified separately; if not, membership eligibility itself must be addressed.

⁵ Although the rules for application are up to the PO, a member must take an application because of the Joint and Several provisions they undertake in Article 6. Members must be advised of this requirement.

⁶ You must list sources of income.

ARTICLE IV
DUES AND FINANCES⁶

Section 1. Dues shall be paid by active and affiliate members.

Section 2. The dues shall be established by the bylaws of this constitution.

Section 3. Sources of Income

a. **Internal fund-raisers, as approved by the membership.**

b. **Community wide fund-raisers, as approved by the general membership and the Commander, 35th Force Support Commander.**

Section 4. Money collected will be used for operation of this organization and _____.⁷

ARTICLE V
OFFICERS AND ADMINISTRATION

Section 1. The administration of this organization shall be conducted by a Board of Governors, constituted as follows: a president, vice-president, secretary, and treasurer. These officers shall perform the duties herein specifically provided for and also those specified by the bylaws and other such duties as are usually incident to their office.

Section 2. Each term of office shall be of _____. (6 months/ one year, etc.)

a. Officers' terms may be terminated prior to 30 June or 31 December for the following reasons:

(1) Permanent change of station.

(2) Resignation, if accepted by a majority vote of the board of governors.

b. The term of office will begin _____.

⁷ Be specific here. Some examples include purchasing trophies, club parties, donations, etc.

Section 3. Elections

a. All members of the board of governors shall be elected at the second meeting in June and December from a slate submitted by a nominating committee at the first meeting in June and December. Nominations may be made from the floor. Elections require a majority vote of the votes cast; and in case a majority is not received by a candidate, then a run-off vote shall be held for the top two (2) candidates. Votes will be cast by secret ballot. Proxy votes will not be permitted.

b. Members eligible for holding office must have at least six (6) months remaining on station at the beginning of their term and must have been an active member for at least three (3) months.

c. A majority vote of the members present shall be needed before any proposed action becomes valid. A majority shall be 1/2 plus 1 of the members present. The president shall vote only in the event of a tie.

Section 4. Vacancies occurring in the office of the president shall be filled by special election. Other offices will be filled from the board of governors by appointment by the president for the remainder of the term. Should two (2) or more board members vacate from the board, a special election will be held to fill the vacancies.

Section 5. Duties and powers of the board of governors and organization officials⁸

a. The board of governors shall meet when deemed necessary by the organization or the president. The presence of a three-fourths 3/4 of the board members is required to constitute a quorum. The action of the board of governors requires a majority of vote before it is valid. Proxy votes will not be permitted.

b. The board of governors has the authority to authorize expenditures of amounts not greater than (\$50.00) dollars. Other expenditures require a majority vote of the voting members at any meeting. The board of governors shall oversee preparation of an annual budget and periodically review the budget with actual financial operations.

c. The board of governors will recommend policies, supervise programs, approve entertainment, rule on membership, except as specifically provided otherwise, enforce the constitution, and take action to resolve all grievances, complaints and suggestions and take action to resolve all grievances, complaints and suggestions submitted by members.

d. The president shall preside over all meetings of the board of governors and general/special meetings of the membership. The president shall call special meetings of the membership, supervise elections, appoint committees as deemed necessary, prescribe their function, and appoint the committee chairperson.

e. The vice-president shall assume the duties of the president in the president's absence.

f. The secretary shall maintain written minutes of all meetings. Minutes shall be made available for review to any member.

g. The treasurer shall receive, deposit, disburse, maintain a record and account for all funds of the organization and prepare the publication of all monthly statements of the financial status of the organization. A financial status report will be given to the membership at each general membership.

⁸ While most language for Article V is provided here only as an example, duties of your organization's officials must be specified in the bylaws.

h. The books of the treasurer will be reviewed at least two (2) weeks prior to termination of office. The results of this review will reflect the new treasurer's acceptance of said books. **A copy of the new treasurer's acceptance will be forwarded to the 35th Force Support Squadron Private Organizations Monitor within thirty (30) days of transfer of office.**

i. **Quarterly reports per AFI 34-223, para 10.6.1., shall be filed by the 15th of each ending quarter.**

Annual reports per AFI 34-223, para 10.6.1., shall be filed on a calendar year rotation. Annual reports shall be submitted to 35th Force Support Squadron Private Organizations Monitor on the 31st day of January each year.

j. **Cost of all financial reviews/audits are the responsibility of this organization. Copies of these audits will be provided to the 35th Force Support Squadron Private Organizations Monitor within 15 calendar days of the completion of the report.**

ARTICLE VI INSURANCE

Section 1. All members of the organization are jointly and severally liable for the obligations of the organization. *(This means that if the private organization incurs financial obligations that it cannot meet, each member could be personally liable in the member's individual capacity for the entire amount due).*

Section 2. The organization will maintain liability and property damage insurance coverage commensurate with risk to protect against any claims or lawsuits which might arise from the commission or omission of acts by its members when acting in any capacity for or in participating in any activities of the organization. Such coverage, when required, must expressly provide that neither the U.S. Government or any Non-appropriated Fund instrumentality will be liable for any claims or judgements against the organization to its members. A copy of the insurance policy and all renewal policies will be forwarded to the 35th Force Support Squadron Private Organizations Monitor. If insurance is not deemed necessary, submit a request for Waiver of Insurance requirement to the 35th Force Support Squadron Private Organizations Monitor for approval by the Commander, 35th Mission Support Group.⁹

ARTICLE VII MEETINGS

Section 1. General membership meetings will be held on the _____ month.

Section 2. Special membership meetings may be called at the discretion of the board of governors or must be called upon written of two-thirds (2/3) of the membership.

Section 3. Public notices of special membership meetings must be given.

Section 4. A majority vote of the members present is required for passing a resolution, except as otherwise provided.

⁹ Approved Waivers of Insurance must be kept on file with the Private Organization Monitor.

ARTICLE VIII
DISSOLUTION

Section 1. This organization will notify 35th Force Support Squadron Private Organizations Monitor of its intent to dissolve and prepare a time-phased action plan to do so.

Section 2. In case of dissolution of the organization, any funds in the treasury after satisfaction of any outstanding debts, liabilities or obligations will be donated to _____.¹⁰ Disposal of other assets shall be determined by the membership.¹¹ However, if upon dissolution, liabilities exceed assets, then the excess of liabilities over assets shall be paid by the membership on a pro rated basis. For the purpose of this article, a member is defined as one whose name is carried on the roll of the active and associate members as of the date of notification.

Section 3. In the event that a Non-appropriated Fund Instrumentality fills the need for which this private organization is established, this organization will be dissolved by direction of the Commander, 35th Mission Support Group. Under those circumstances, all financial transactions of dissolution would be concluded separately and apart from the operation of any activity established as a non-appropriated fund instrumentality.

Section 4. The Commander, 35th Mission Support Group, has the authority to dissolve this organization in the event that there are no members present or in the best interest of the United States Air Force.

ARTICLE IX
BYLAWS

Bylaws shall be established or changed by the membership of the organization. Individual bylaws may be initiated, changed or eliminated by two-thirds (2/3) vote of the voting members at any meeting with two (2) weeks notice.

ARTICLE X
AMENDMENTS

Section 1. The constitution may be amended at any scheduled meeting of the organization by two-thirds (2/3) vote of the membership present and eligible to vote, provided that a written, printed or public notice of the proposed amendment has been given to the membership at least two (2) weeks prior to the date of the meeting. Amendments to the constitution can be proposed by the board of governors or by written petition of two-thirds (2/3) of the membership at any meeting. **All amendments to this constitution are subject to final approval of 35th Mission Support Group Commander.**

Section 2. Conflicts of any provision of the constitution or bylaws with existing military directives will be changed administratively subject to the final review of the Commander, 35th Mission Support Group.

¹⁰ You must specify who will receive any funds left in the treasury after all debts are satisfied, ie. Base youth activities program, local charities, etc.

¹¹ Distribution of residual funds and other assets will not accrue to the benefit of any individual member of the membership as a whole.

I certify the information in this constitution is true to the best of my knowledge. _____
(Date)

NAME PRESIDENT

NAME VICE-PRESIDENT

NAME SECRETARY

NAME TREASURER