

Please remove all areas that have parenthesis with the word “insert”, bold letters, and italics before signing and forwarding document to Private Org Office.

**CONSTITUTION
OF**

(Insert the name of the private organization)

(With the exception of the items shown in bold faced italics, the wording of this template is mandatory and may only be changed with the concurrence of the responsible Private Organization Program Manager. Additional provisions to any articles are permitted.)

ARTICLE 1 - NAME AND PURPOSE

The name of this private organization will be _____ (insert the name of the private organization), hereinafter referred to as “the PO.” It is established, this ____ day of ____, 20__, pursuant to the provisions of AFI 34-223, *Private Organizations Program*, and must comply with all applicable laws governing like civilian activities. The purpose of this organization is to ***bring together those individuals who are interested in activities designed to promote good community relations, to engage in and support worthwhile charitable projects and provide recreation and entertainment for the members not otherwise prohibited by military directives, and to enhance and promote good working relationships. Specifically, the PO will*** (include any purpose specific to this PO)

ARTICLE 2 – GENERAL PROVISIONS

Section I

The PO operates on Aviano Air Base, Italy, only with the consent of the Installation Commander or his/her delegee. The operation of this organization is contingent on compliance with the requirements and conditions of all applicable Air Force regulations. The PO officers’ and members’ actions must not prejudice or discredit the United States Government or conflict with governmental activities. The Installation Commander or his/her delegee may withdraw the authorization if the PO prejudices or discredits the United States Government, conflicts with Government activities, or for any other reason or just cause.

Section II

The membership is liable under the laws of Aviano AB, Italy for organizational debts in the event the organization’s assets are insufficient to discharge liabilities.

Section III

The PO is not a nonappropriated fund instrumentality, nor is it entitled to the sovereign immunities and privileges given to NAFIs or the Air Force. It must furnish its own equipment, supplies and other materials and will reimburse for services (to include utilities) when it uses a

facility or space on an other-than-occasional basis unless a separate directive or instruction authorizes non-reimbursable support.

Section IV

The PO will submit this constitution to the Private Organization Program Manager, 31FSS/FSR, whenever there is a change to the constitution or after two years for coordination and approval.

ARTICLE 3 – OFFICERS AND GOVERNING BODY

Section I – Executive Board

An Executive Board, consisting of the following members, will lead, manage and administer this PO:

- a. President*
- b. Vice-president*
- c. Secretary*
- d. Treasurer*

The PO's officers will perform the duties specifically mentioned in this constitution and other duties incident to their office. They are responsible for asset accountability, liability satisfaction, and sound financial and operational management.

Section II – President

The president is responsible for the management of the organization, including the accountability for assets, satisfaction of liabilities, disposition of any residual assets upon dissolution (see Article 9, Dissolution), and otherwise assuring responsible financial and operational management. The president presides over all meetings of the Executive Board and the organization according to Robert's Rules of Order. He/she calls special meetings of the membership, supervises elections, appoints committees as deemed necessary, and prescribes the respective functions of chairpersons for said committees. The president will forward the quarterly treasurer's report to the installation Private Organization Program Manager, 31FSS/FSR, (insert appropriate organizational symbol) NLT 15 calendar days following the end of each quarter.

Section III - Vice President

The Vice-president assumes the duties of the president in his/her absence.

Section IV - Secretary

The secretary maintains written minutes of all meetings and makes them available for review to any member. The secretary provides copies of all organization minutes approved by the members to the president for forwarding to 31FSS/FSR, (insert appropriate organizational symbol for the commander of base services). The secretary will notify the, 31FSS/FSR, (insert appropriate organizational symbol for the Force Support Squadron Commander/Civilian Leader) of key officer changes. If the activities of the PO are such that risk of liability is negligible, the

secretary will forward a Request for Insurance Waiver to the Installation Commander or his/her delegee.

Section V – Treasurer

*The treasurer shall account for all funds of the PO. In accounting for these funds, the treasurer uses budgets and financial statements as financial management tools and prepares an income-and-expense statement, either on an accrual or cash basis. The treasurer also prepares a balance sheet that accounts for total assets, liabilities and net worth (equity) of the PO's financial condition on a given date. Should the gross annual revenues of the PO reach the levels set forth in AFI 34-223, para. 10.7, the treasure will ensure that the PO undergoes audits or financial reviews, as set forth in para. 10.7, at the PO's own expense. **The treasurer will submit a Treasurer's Report to the president on a quarterly basis. Any active member at the membership meetings may demand a financial review. A disinterested third party appointed by the president will audit the treasurer's books at least three weeks prior to the termination of the treasurer's term of office or the treasurer's vacating the office. The result of the audit and statements of cash assets will also be furnished to the Private Organization Program Manager, 31FSS/FSR, (insert appropriate organizational symbol).***

Section VI – Term of Office

Each officer's term of office shall be one (1) year.

a. The term of office shall run from 1 January to 31 December each year.

b. An officer's term of office may be terminated prior to its expiration for the following reasons:

(1) Permanent Change of Station

(2) Resignation

(3) For cause, such as failure to meet participation requirements when recommended by the Executive Board and approved by a majority of the membership.

Section VII - Elections

A nominating committee shall submit a slate of prospective officers to the members at the December meeting. Nominations may be made from the floor. The president or presiding official supervises elections and determines the method of voting.

ARTICLE 4 – MEMBERSHIP or PATRONAGE

Section I – Membership Policies

The PO will not discriminate in its membership policies on the basis of age, race, religion, color, national origin, disability, ethnic group, or gender, nor will it haze or harass (either physically or mentally) as part of its initiation rites.

Section II – Membership Eligibility

Any person wishing to join this organization will make an application at a regular meeting. Membership is entirely voluntary without appointed members. Membership is limited primarily to members of the Department of Defense (DOD) family. The DOD family consists of active duty or retired US military personnel, members of US reserve components, civilian employees, or dependents of any of the above.

Section III – Types of Membership

a. Active members: Individuals who pay dues, vote and are jointly and severally liable for the obligations of the PO. The president will annually notify the active members of this liability and the secretary will document the membership's understanding of their liability in the meeting minutes. Active members must report signs of fraud or other improprieties to 31FSS/CD, (insert appropriate organizational symbol for the Force Support Squadron Commander/ Civilian Leader)

b. Honorary *members: Individuals who act as advisors to the PO if so requested by the membership. This type of member does not vote, does not pay dues, and is not liable for the obligations of the PO.*

Section IV – Membership Termination

Membership in this organization will be terminated:

a. Upon request of the member concerned.

b. If the member fails to meet his/her financial responsibilities, such as failing to pay dues.

c. Upon recommendation of the executive board, after a complete review of the circumstances by the board and upon approval of a majority of the general membership.

d. If the member fails to meet participation requirements and at the recommendation of the executive board and with approval of a majority of the general membership.

e. For any other valid reason, when recommended by the executive board and approved by a majority of the general membership.

ARTICLE 5 – METHOD OF FINANCING

Section I – Financial Policy

The PO is financially self-sustaining and there shall be no financial assistance to it from a nonappropriated fund instrumentality in the form of contributions, repairs, services, dividends, or other donations of money or other assets. Income raised by the organization will not accrue to individual members except through wages and salaries for PO employees, if any, or as payment for services rendered to the PO or military community. The PO cannot solicit funds on any DoD base or installation.

Section II – Sources of Income

Membership dues shall be paid either monthly (\$4.00) or on an annual basis (\$40.00). Other sources of income will be obtained from fund-raising activities and donations. All fundraisers must receive prior approval from the Installation Commander or his/her delegee. No fundraisers will duplicate or compete with activities of AAFES or Force Support NAFIs. Fundraisers will include, **bake sales, car washes or similar type activities as voted on by the membership.** The PO will not operate amusement machines, slot machines or any other games of chance, nor will it engage in frequent or continuous resale activities. The PO will not sell or serve alcoholic beverages. It will not conduct games of chance, lotteries, raffles, or other gambling-type activities except as provided in AFI 34-223, paragraph 10.9.

Section III – Uses of Income

Any income will be derived primarily for offsetting expenses of operation and will be used for operation of the organization and to purchase necessary items based upon the annual budget approved by the organization membership. The budget details financial plans for annual operations and includes projected activities (income and expense) and capital purchases (equipment and property). The budget establishes financial objectives to generate sufficient income to offset planned expenses. Income may be used for competitive awards or charitable contributions.

a. All members of the Private Org Name will be recognized for their contribution to the PO upon PCS/PCA or Separation/Retirement. The standard recognition will consist of a plaque or similar memento not to exceed fifty dollars (\$50).

b. Expenditure of organization funds is authorized for births, weddings, and funerals of the members of the PO. For funerals, this authorization extends to individuals within the member's immediate family. Expenditure guidelines are:

(1) Births - \$50 for a savings bond (cost \$25)

(2) Weddings - \$50 for a gift certificate from the Base Exchange

(3) Funerals - \$50 for flowers and a card

ARTICLE 6 - ACTIVITIES

Under the direction and with consent of the Executive Committee, Ad-Hoc committees comprised of personnel from the general membership will be formed on an as needed basis to plan, organize and participate in fundraising, social and/or morale-building events.

ARTICLE 7 – MEETINGS and QUORUMS

Section I - Meetings

General membership meetings will be held at least **quarterly**. For the purpose of voting on issues presented at any meetings, **a simple majority of** the members present at a given meeting will be required to pass an issue at that meeting. Special membership meetings may be called at the discretion of the Executive Board or upon written petition by **a simple majority of** the membership of the organization. Announcements of special membership meetings must be sent at least **two weeks** prior to the date of the special meeting. The president or presiding official

will determine the method of voting. The secretary will record minutes of all membership meetings and, *within ten work days* of the meeting, provide them for approval by the president or presiding officer.

Section II - Quorums

For the purpose of establishing a quorum for general membership meetings, *a simple majority of* the PO must be present to officially transact any business. For the purpose of establishing a quorum for Executive Board meetings, at least *two* of the four Executive Board members must be present to officially transact any business.

ARTICLE 8 – ADOPTION AND AMENDMENTS

Amendments to the Constitution must be approved by *a two-thirds (2/3) majority of the PO's membership with the concurrence of three-fourths (3/4) of the Executive Board*. Approved amendments shall be coordinated through the Private Organization Program Manager, 31FSS/FSR, (insert appropriate organizational symbol), the Legal Office and are subject to review of the Installation Commander or his/her delegee.

ARTICLE 9 - DISSOLUTION

Section I

In case of dissolution, the PO will notify 31 FSS/CD (insert appropriate organizational symbol for the Force Support Squadron Commander/ Civilian Leader) of the intent to dissolve and prepare a time-phased action plan to do so. The PO will notify vendors of dissolution and cancel outside orders, and will limit expenditures to those required to liquidate liabilities or pay essential bills. The PO will forward a full financial statement to the Private Organization Program Manager, 31FSS/FSR, (insert appropriate organizational symbol). The funds in the treasury at the time will be used to satisfy any outstanding debts, liabilities and obligations. The balance of the assets will be disposed of as determined by the membership. Assets may not be split among members or sold exclusively to members at dissolution, but may be sold at a base-wide sale. For disposal of assets, the PO will use AFI 34-201, *Use of Nonappropriated Funds*, as a guide. If adequate funds are not available to cover all outstanding debts, liabilities and obligations of the PO, all members of the organization have the personal financial responsibility to pay such debts and liabilities on a pro rata basis. All members will be informed of these provisions iaw Article 4, Section III. All records and documentation will remain the property of the PO.

ARTICLE 10 - INSURANCE

The PO must have liability insurance coverage commensurate with the risk of its activities 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 participating in any activities of the PO. Such coverage must expressly provide that neither the US government nor any nonappropriated fund instrumentality will be liable for any claims or judgments against the organization or its members. Upon written request by the PO, the Installation Commander or his/her delegee may waive this insurance requirement if the activities of the PO are such that the risk of liability is negligible. If an insurance waiver is granted, it must be reviewed annually by 31FW/JA (insert office symbol of the responsible legal office). The PO members are aware that even though the

PO may have an insurance waiver, the PO members are jointly and severally liable for the obligations of the PO. Special events may arise which involve greater risk of injury or damage. For such events, the PO will obtain liability insurance commensurate with the risk of the special event.

(Insert printed name and sign)
President

Date

Recommend Approval/Disapproval

Staff Judge Advocate, 31 FW/JA

Date

Approve/Disapprove

MATTHEW R. BORAWSKI, Colonel, USAF
Commander, 31st Mission Support Group

Date