

Bylaws of JFKS Berlin Alumni e.V.

§ 1 Name, Seat, Fiscal Year

1. The Association's name is "JFKS Berlin Alumni e.V." (former name: *Verein ehemaliger Schüler und Lehrer der John-F.-Kennedy-Schule – Alumni Association e.V.*).
2. The seat of the Association is Berlin (Germany).
3. The Association's fiscal year is the calendar year.

§ 2 Purpose and Goal of the Association

1. The Association aims to foster public education pursuant to § 52 of the German Fiscal Code [*Abgabenordnung*] and to further the German-American relations.
2. The Association's purpose is in particular fulfilled by offering and carrying out cost-free
 - I. study and career guidance for students provided by JFK alumni
 - II. pedagogical support of students who need assistance and
 - III. organizing of events with German and American speakers and guests.

§ 3 Charitable Status

1. The Association directly and exclusively pursues non-profit goals according to the section "Tax-privileged Purposes" [*Steuerbegünstigte Zwecke*] of the German Fiscal Code.
2. The activities of the Association are of an altruistic nature and the Association does not have any economic purposes of its own.
3. Any funds of the Association shall be used for the purposes as stipulated in its bylaws. The Association finances itself through membership fees, donations and other income. No person may benefit from expenditures that are not related to the purpose of the Association or through inappropriately high allowances. The members do not receive any contributions from the Association's funds.
4. The bodies of the Association may receive adequate remuneration. If needed and if the Association has sufficient resources, certain functions may receive remuneration [*Aufwandsentschädigung*] in accordance with § 3 Nr. 26 a German Income Tax Law (*EStG*). The decision on such remuneration is made by the annual membership meeting.

§ 4 Membership

1. Any former student who is at least 18 years old and/or any former teacher of the John F. Kennedy school (Berlin) who supports the goals and purposes of this Association may become member of the Association.
2. Membership shall be acquired by application in writing to the board. The application must be signed. The application shall be considered accepted if the board has not rejected it within two weeks after receipt. The board is not required to substantiate a rejection.
3. The board may propose to the membership meeting to have suitable individuals be appointed as honorary members who are exempt from paying membership fees.
4. Membership expires:
 - a) by declaration of withdrawal, directed in writing to the board at the latest three months before the calendar year's end. Membership can only be terminated at year end.
 - b) by decision of the board if a member is more than one year in arrears with its annual membership fee.
 - c) by expulsion. If a member seriously and purposely violates the bylaws or severely damages the reputation of the Association, the board may expulse this member who will be informed of this by the board in writing. The expelled member may protest against this decision within one month by addressing the board in writing. The next annual membership meeting takes final decision on the expulsion of the member concerned. Until this date, his/her rights and duties as a member are suspended.

- d) in case of the member's death.
5. In case the membership ends, the member has no claim to any pro rata refund of membership fees already paid.

§ 5 Bodies of the Association

The bodies of the Association are:

- 1) the membership meeting
- 2) the board.

§ 6 Membership Meeting

1. The supreme body is the annual membership meeting.
 - a. At the latest two weeks prior to the meeting, the board shall invite the members to the annual membership meeting, either by e-mail or via regular mail. The invitation shall contain the meeting's agenda.
 - b. Motions regarding the agenda must be submitted to the board by e-mail or by regular mail at least one week before the meeting date.
 - c. An extraordinary membership meeting shall be convened if the board decides so or if at least 20% of the members request such a meeting in writing.
2. The annual membership meeting shall be chaired by the Association's chair. If the chair is unable to attend, then the deputy shall act as chair. Should the deputy also be unable to attend, then the members shall elect a chair from among the members present.
 - a. Each properly convened membership meeting has a quorum. It decides on motions by simple majority of the members present provided that the motions do not concern changes to the bylaws or the dissolution of the Association.
 - b. Resolutions are passed by open vote. Should one member request a secret vote, the resolution shall be made by secret ballot. Block voting is admissible provided that the simple majority of the members present are in favor of this.
 - c. Each member has one vote. This vote may be exercised in person or via written power of attorney. The signed power of attorney must be presented to the board in writing prior to the membership meeting.
 - d. Should a request for urgent procedure ["*Dringlichkeitsantrag*"] be made during a membership meeting, the members shall decide with a 2/3 majority on its urgency. If urgency is confirmed, the resolution shall be passed by simple majority of the votes.
3. The tasks of the membership meeting are the following:
 - a. receipt of the reports of the board and of the auditors
 - b. discharge of the board
 - c. election of new board members
 - d. election of two auditors
 - e. confirmation of the honorary members proposed by the board
 - f. determination of the annual membership fees due until June 30th of each year
 - g. discussion of the planned use of the Association's funds
 - h. passing of resolutions on submitted motions/requests
 - i. amendments to the bylaws (exception: § 9, section 3)
 - j. dissolution of the Association.
4. The secretary shall take minutes of the membership meeting and the resolutions taken. The minutes must be signed by both the chair of the meeting and the secretary.

§ 7 The Board

1. The Association's board consists of:

- a. the chair
 - b. the 1st deputy chair
 - c. the 2nd deputy chair
 - d. the treasurer
 - e. the secretary
 - f. the social media officer
 - g. up to two members-at-large.
2. The board in the meaning of § 26 of the German Civil Code [*“Bürgerliches Gesetzbuch”*] are the chair, the first deputy chair and the second deputy chair. The Association is represented in and out of court by the board defined pursuant to § 26 BGB. Each of the BGB board members may represent the Association alone.
 3. The individual members of the board are elected for a term of three years and they remain in office until new elections have taken place. In case of board members withdrawing from their elected post before the end of their term, a successor can be chosen by the board until the next membership meeting.
 4. The board’s tasks include the management of the current affairs of the Association including the making of decisions on how to use the Association’s funds. The board may define operational procedures [*“Geschäftsordnung”*] of which the membership meeting shall be informed. The board is bound by the resolutions taken in a membership meeting.
 5. The chair (and if he/she is unable to attend: the deputy chair) invites the board members to a board meeting by phone, e-mail or regular mail. The board has a quorum if at least 50% of the board members eligible to vote attend the meeting. Resolutions are taken with simple majority. In case of a tie, the chair’s vote is decisive. Written minutes are to be taken of the board meetings.

§ 8 Auditing

1. At least once a year, the Association’s financial accounts shall be reviewed by two members who were elected as auditors by the membership meeting for a one-year term. The auditors may not simultaneously be members of the board.
2. The auditors shall report to the annual membership meeting following the relevant fiscal year. Provided that the financial management was properly done, the auditors recommend to the membership meeting the discharge of the board.

§ 9 Amendments to the Bylaws

1. Amendments to the bylaws can only be decided on if they were announced as separate agenda items in the invitation to an annual membership meeting.
2. A two-third majority of the members present in a membership meeting is needed to change the bylaws.
3. The board shall be authorized to make editorial changes and/or additions to the bylaws demanded by the competent registry authority or tax office. Such changes do not need to be approved by the annual membership meeting but shall be reported on at the latest in the next annual membership meeting.

§ 10 Dissolution

1. Resolutions on the dissolution of the Association can be taken only in a membership meeting called expressly for this purpose. The resolution shall be valid only if at least three-fourth of the members present and eligible to vote approve of such dissolution.
2. In case of the dissolution of the Association or loss of its charitable status, its assets shall go to the “Verein der Eltern und Freunde der John-F.-Kennedy-Schule e.V.” which has to use them directly and exclusively for tax-advantaged purposes.

§ 11 Data Protection

1. The members of the Association allow the Association to have their personal data stored and forwarded to other members of the Association.
2. Each member shall be entitled to be informed of the personal data entered and have them corrected (if needed), notwithstanding its rights pursuant to § 4 of the German Data Protection Law [*"Bundesdatenschutzgesetz"*].
3. On request, the board may forward personal data of individual members to other members of the Association if it can credibly be proven that these data are only used for the goals stipulated in the Association's bylaws and if forwarding of the data is not contrary to the interests of the members which are worthy of protection.

Bylaws as approved by the Membership Meeting on September 26, 2014. The German version is the legally binding version.