

**GERMAN AMERICAN WOMENS GAWC of
STUTTGART CONSTITUTION
for USE on USAG STUTTGART**

**ARTICLE I NAME, LOCATION AND
AUTHORITY**

SECTION 1: The German American Women's GAWC (hereinafter, "GAWC"), located in Stuttgart, Germany shall operate under the jurisdiction of the Commander, U.S. Army Garrison Stuttgart, Unit 30401, APO AE 09107-0401, hereinafter referred to as the approval authority.

**ARTICLE II MANDATORY
STATEMENTS**

SECTION 1: The GAWC is established in accordance with Army Reg (AR) 210-22 and Army in Europe Regulation (AE Reg) 210-22, Private Organization and Fundraising Policy, as mandated by IMCOM-Europe. The GAWC is not an instrumentality of the United States, will be self-sustaining, and may not receive financial assistance from the U.S. Army, appropriated (APF) or non-appropriated funds (NAF).

SECTION 2: The GAWC operates and exists on a military installation only with the consent of the approval authority. This consent is contingent upon the organization's compliance with the requirements and conditions of AR 210-22 and AER 210-22. Failure to comply with cited policies will result in dissolution of the Private Organization (PO). The Approval Authority can revoke the PO's operating authority at any time.

SECTION 3: In no event will the Department of the Army, IMCOM-Europe, or any NAFI assume any liability for the organization's actions and/or debts.

SECTION 4: In accordance with host nation laws, all members may be personally liable to creditors if the assets of the PO are insufficient to discharge liabilities.

SECTION 5: The organization will not discriminate in membership on the basis of race, color, creed, religion, national origin, sex, or mental or physical handicap, and will not seek to deprive individuals of their civil rights.

SECTION 6: The organization will neither propagate extremist activities nor advocate violence against others or the violent overthrow of the U.S. government.

SECTION 7: The organization agrees to reimburse the Army for utility expenses and other expenses if incurred, unless use is incidental (would cost more to bill and collect than it cost to provide the utility).

ARTICLE III PURPOSE

SECTION 1: The GAWC is an association of German, American and people of other nationalities who work together to achieve mutual understanding and respect for the cultures of other people and countries.

The objective of the GAWC is to support charitable and non-profit purposes within the meaning of Section 52ff AO (German Tax Code), youth work, the creation and promotion of international understanding and cultural tolerance.

The purpose stipulated in the Constitution is realized specifically by procuring funds in the form of membership dues and donations. These funds are passed on to other corporations to be used directly for the tax- privileged purposes specified herein. In this connection, the GAWC is a registered non-profit association ("Förderverein") within the meaning of Section 58 No. 1 AO (German Tax Code).

Procuring funds for a corporation with unlimited tax liability under private law presupposes that this corporation also is tax-privileged pursuant to Section 58 No. 1 AO (German Tax Code).

a. The GAWC pursues the following objectives:

- (1) create an atmosphere of understanding and friendship among people of different nationalities;
- (2) promote social interaction between the members of the GAWC in addition to the regular monthly meetings;
- (3) give as much financial assistance to people in need, irrespective of creed, race, or nationality, as is possible within the capabilities of the GAWC;
- (4) support international student exchange, international youth work and international cultural exchange activities.

SECTION 2: The GAWC will not engage in activities that compete with those of any appropriated or non-appropriated fund activities.

ARTICLE IV ACTIVITIES AND FUNDRAISING EVENTS

SECTION 1: The GAWC will sponsor and support activities to foster friendship and community among members. These activities may be educational, recreational, or social in nature. These activities are based on the General Membership's interest, with GAWC Governing Board approval. The charitable activities supported by the GAWC may include charitable organizations, private organizations and other special activities.

SECTION 2: The GAWC will operate an annual Pfennigbasar thrift sale primarily to raise charitable funds. The organization will also conduct other smaller fund raising efforts in the Stuttgart community.

SECTION 3: The PO is aware of the U.S. Army Garrison Stuttgart Command Policy Letter #32, Private Organizations, and AER 210-22, 13 August 2010, and will conduct all fundraisers accordingly.

SECTION 4: The GAWC's activities are directed toward supporting quality of life within the community and raising funds for charitable purposes.

SECTION 5: The GAWC's activities are primarily conducted off-post.

ARTICLE V MEMBERSHIP

SECTION 1: The GAWC will strive for at least 51% of the membership to be members of the U.S. Forces, the DoD civilian component, family members, retirees, and U.S. Forces contract employees or employees of organizations granted status under Article 71, 72 or 73 of the supplementary Agreement to the NATO Status of Forces Agreement (SOFA) (collectively referred to as members with SOFA status).

SECTION 2: The GAWC membership shall consist of active, associate, and honorary members.

a. Active members

- (1) Those members who are interested in the objectives and purpose of the GAWC and willing to contribute actively to such and who have attended at least one (1) meeting as a guest of a member may apply for membership.
- (2) Application for membership shall be presented to the board of directors in writing and signed by two members. An applicant may be approved for membership by a majority of the board of directors present at a regular board meeting. The confirmation together with a roster of the members and a copy of the Constitution shall be sent to the new member in writing by the appropriate Membership Chairperson.
- (3) Obligations of active members shall be to contribute to the objectives and activities of the GAWC, and to pay annual dues.
- (4) The active membership shall consist of approximately even numbers of German, American, and International members.

b. Associate members

- (1) An associate member is defined as having previously been an active member for at least five (5) years and/or has moved out of the greater Stuttgart region. They must request a change from active to associate membership in writing. The request shall be subject to the approval of the board of directors.
- (2) Associate members are not obligated to attend meetings, but their participation in GAWC activities is highly desired. Associate members do pay annual dues; however, they may not make motions, nor vote or hold office.

c. Honorary members

- (1) The board of directors of the GAWC may grant Honorary Membership to those who have contributed with merit to the fulfillment of the objectives of the GAWC.
- (2) Honorary members are not obligated to attend meetings or pay dues. They may not make motions, nor vote or hold office.

d. Termination of membership

Membership in the GAWC shall be terminated:

- (1) by death;
- (2) by written resignation to the board of directors;
- (3) by action of the board of directors with a two-thirds (2/3) vote:
 - when a member, despite admonition, does not fulfill their obligations such as payment of the dues and regular attendance of GAWC activities, and/or
 - when a member has seriously jeopardized the interests of the GAWC by their actions.
- (4) If a member has been expelled from the GAWC by a board decision, he/she can make appeal within a month to an appeal committee and ask for a revision of the decision. The appeal committee shall consist of three (3) members of the general membership chosen by the advisors to the Board. They cannot be members of the elected board. The decision of the appeal committee shall be final.

Section 3: Membership in the GAWC is required for participation in all members only events or activities and to serve on the GAWC Governing Board or any of its committees.

- a. Application for membership will be made by completing the Membership Application and the payment of dues.
- b. Persons eligible for membership may attend maximum two events or other programs at the discretion of the host of said event before joining.

ARTICLE VI COMPOSITION OF THE GOVERNING BODY

SECTION 1: The Governing Board of the GAWC will consist of the elected officers, the chairpersons the Parliamentarian, and the Advisors.

- a. The elected officers shall be:
 - one German or International and one American President;
 - one German or International and one American Vice-President;
 - one Secretary;
 - one Treasurer

Two persons, from the Presidents and Vice Presidents, represent the GAWC together.

- b. The Presidents shall appoint with the approval of the elected officers the chairpersons:
- Chairperson(s) for Publicity, Newsletter and/or Modern Media
 - one German and/or International and one American Membership Chairperson;
 - one Student Exchange Chairperson;
 - one Special Interest Groups Chairperson;
 - one Fundraising Chairperson;
 - one German or one international and one American Welfare Chairperson;
 - a Parliamentarian;
 - Advisor(s).
- c. The German and international members of the board of directors should be fluent in written and spoken English and German.

ARTICLE VII ELECTION OF OFFICERS

1. SECTION 1: Election of the Elected Officers will be held annually in the Spring. On written notice of the board of directors, by regular mail or email, members will be notified of the place and date at least four (4) weeks in advance, and shall include the agenda. The annual General Membership Meeting may be held virtually at the discretion of the Board under extenuating circumstances.

SECTION 2: Irrespective of numbers, a quorum shall consist of those active members present, as long as the meeting was properly announced.

SECTION 3: The annual general membership meeting shall act by a simple majority vote, except for amendment of the constitution, which requires a 2/3 majority vote.

SECTION 4: If the place of a member of the board of directors becomes vacant, the president(s), with the approval of the elected board members, shall appoint a successor to serve until the next annual general membership meeting.

ARTICLE VIII DISSOLUTION

SECTION 1: Dissolution of the organization may be accomplished by a majority vote of the general membership present at a regular or special meeting or by order of the approval authority.

SECTION 2: Upon dissolution of the organization, all material and real assets remaining after payment of all liabilities will be donated. In the event of the dissolution of the GAWC or cessation of its objectives, all assets of the GAWC, after payment of all debts,

shall be transferred in equal amounts to the “Christliches Jugenddorfwerk Deutschlands gemeinnütziger e. V. (CJD) and to Anna Haag Mehrgenerationenhaus e.V. namely for international youth and multigenerational work as specified in Article II, no. 2.4 herein.

SECTION 3: The Garrison PO Coordinator will be notified of the dissolution. Notice will include:

- a. A statement of dissolution dated and signed by the PO President.
- b. A copy of the complete terminal audit.
- c. A copy of the receipt(s) issued by the organization to which residual assets were transferred.
- d. A copy of the bank statement showing a zero balance.

ARTICLE IX AMENDMENTS

SECTION 1: This constitution can be amended by a two-third (2/3) vote of the voting members at the annual general membership meeting, provided the proposed amendments have been submitted in writing to the membership at least four (4) weeks prior to the voting. Members can be notified by mail or email.

A decision to amend the constitution shall be valid also without a membership meeting if two-thirds (2/3) of the members state their approval of the decision in writing.

SECTION 2: Amendments to the Constitution and Bylaws made throughout the year will be forwarded to the approval authority. The letter reporting amendments will be signed by the President and will indicate approval by the governing board or by vote of the general membership. New amendments will not conflict with AR 210-22 or AER 210-22.

ARTICLE X RATIFICATION

This Constitution has been approved by a majority vote on June 30, 2020.

Tracy Viana
GAWC American President

Teresa Schernikau
GAWC German President

Liz Anderson
GAWC Secretary