

CONSTITUTION
of
THE SOCIETY OF PARENTS AND FRIENDS OF THE JOHN F.
KENNEDY SCHOOL BERLIN

as of March 27, 2014

§1 The Society of Parents and Friends of the John F. Kennedy School Berlin (registered society), shortened "JFKS-Verein-Berlin", is a charitable organization and pursues exclusively and directly charitable purposes in accordance with § 58 no. 1 of the German tax code (Abgabenordnung = AO).

Its obligation is the support of youth in accordance with § 52, section 2 no. 4 of the AO as well as the cultivation of public education in accordance with § 52, section 2 no. 7 of the AO. Foremost consideration is to the conveying of values in the spirit of German-American friendship.

It aims to foster the physical, intellectual and social development of the students of the John F. Kennedy School, cultivate their community spirit, and support the tasks of the school. Furthermore, it pursues charitable purposes in accordance with § 53 of the German tax code.

To achieve these goals, means shall be allocated and granted for school excursions and trips, for sports and school performances; for the purchase of teaching materials, books, and other items for supporting the school in its tasks; for subsidies for needy and deserving pupils as well as for the support of graduates for university studies.

§2 The Society is registered in the Register of Associations.

The Verein does not act to make a profit and it does not pursue primarily its own financial goals. Its funds must be used only for its constitutional purpose. Its members do not receive benefit from the society's resources. No person may benefit from expenditures that are not related to the purpose of the association or inappropriately high compensation.

Members can receive remuneration, especially the "Ehrenamtszuschale" in accordance with § 3 Nr. 26 a EStG. The decision is made by the board. If a board member is to receive any remuneration he/she is not eligible to vote. Any reimbursement for costs incurred shall be kept within reasonable limits.

§3 The seat of the Society is the location of the school. The fiscal year is the calendar year. The initial fiscal year runs through December 31, 1962.

§4 Relatives of students as well as friends of the John F. Kennedy School are eligible to become members of the society.

§5 Membership shall be acquired by application in writing or electronically to the Verein if the Verein does not object within one month.

Membership expires

- a) in case of death;
- b) by declaration of withdrawal, directed in writing or electronically at any time to the Board. Any dues or even a proportion of said dues, paid during the school year shall not be refunded;
- c) by expulsion after decision of the Board, should dues not be paid for a period of six months in spite of written reminder; if a member purposely violates the constitution or decisions of the membership meeting or otherwise severely damages the interests of the Society. Upon protest by the said member, the next annual Membership Meeting takes a final decision on the expulsion of the member concerned, until which time the concerned member's rights are dormant;
- d) when the last of a parent member's children leaves the school. The member is free to maintain membership beyond this date.

Any claim on the property of the Society expires with the end of membership.

§6 The Verein collects dues from its members. The yearly amount of dues and date to be paid is determined by the board and requires the

approval of the annual membership meeting. The dues are to be paid to the Board of the Society, who may employ the help of others, particularly members of the John F. Kennedy School, even though they may not be members of the Society.

§7 The agencies of the Society are the Membership Meeting and the Board.

§8 The Membership Meeting shall be called at least once a year, within the first quarter after the end of the fiscal year. It shall decide on the guiding principles of the Society's work, on changes of the constitution and on minimum dues according to §6. It shall elect the members of the Board at least every second year and two auditors every year according to the provisions of §13, as well as releasing the members of the Board and the auditors. To this purpose, the Board shall present an annual report and the report of the auditors.

Invitations to an annual membership meeting shall be issued by the Board in writing and by posting in the John F. Kennedy School. The invitation shall contain the agenda. Said invitation shall be issued at least one week in advance, in case of pending constitutional changes, three weeks in advance.

§9 The annual meeting shall be chaired by the chair of the Society, should he or she not be able to attend, by a member of the Board. Should no member of the Board be present or all members of the Board not able to attend, the meeting shall be chaired by a member of the annual Membership Meeting chosen by simple majority of the members present; until such choice is made, by the eldest member present. The same applies for decisions necessary concerning the Board itself. For changes in the constitution and final expulsion of a member (§5) a majority of $\frac{3}{4}$ of the members present shall be required.

Minutes of the Membership Meeting shall be taken in written form, signed by the chair and the secretary of the meeting and added to the Society's books.

§10 The Board may call an extraordinary Membership meeting, should at least 1/3 of the members request such stating their reasons in writing or should the interest of the Verein require it.

The invitation to an extraordinary Membership Meeting shall be issued at least three days in advance and include an agenda.

In case of changes to the constitution, the advance notice of §8 remains applicable.

§11 The Board, by decision of the Membership Meeting shall have a minimum of five and a maximum of eleven members, namely the president, the vice-president, who may also be secretary, the treasurer, the secretary, and one or more members-at-large.

The Board represents the Verein in and out of court. Legal representatives of the Verein in accordance with § 26 of the BGB (Bürgerliches Gesetzbuch) are the President, the Vice- President and the Treasurer. At all times, two of these board members conjointly represent the Verein.

In recognition of the spirit and the statutes of the John F. Kennedy School, the Society commits itself to a balanced representation of German and American interests, and this balance should be reflected in the composition of the Board and its chair and deputy chair.

All members of the Board shall be elected by the Membership Meeting expressly to these posts for a period of two years. In cases of board members withdrawing from their elected post before the end of their term, a successor shall be chosen by the board until the next membership meeting.

The Board shall take its resolutions by simple majority of the Board members. The Board may also vote per email. In the case of email, resolutions are passed if more than half of all Board members vote in favour. Board members must be allowed at least five days to cast his or her vote during email voting.

§12 The tasks of the Board shall include the proper execution of the affairs of the Society and the decisions of the Membership Meeting, the

preparations of such Membership Meetings, and the allocation of funds and grants in accordance with §2. The board adopts basic guidelines, which are presented to the Membership Meeting.

§13 The Membership Meeting shall annually elect two auditors who may not simultaneously be Board members. The auditors shall examine the financial conduct of the society once a year and report to the Membership Meeting.

§14 Resolutions on the dissolution of the Society can be taken only in a Membership Meeting called expressly for this purpose with a respective invitation issued in writing at least three weeks in advance with an agenda enclosed. The resolution shall be valid only if at least half of all members are present and $\frac{3}{4}$ of those vote for it. Should half of all members not be present, a new meeting shall be called under the provisions in §8, which meeting may then decide on the dissolution with simple majority.

In the case of the dissolution or abolition of the Society or loss of its charitable status, its assets shall go to the Landesverband Schulischer Fördervereine Berlin-Brandenburg e.V. (lsfb), which has to use them directly and exclusively for tax-advantaged purposes.

§15 The Board shall be authorized to make editorial changes of the constitution as well as such changes demanded by a supervisory authority, tax authority or judicial authority. Such changes shall be reported on at the next annual Membership Meeting.

Berlin, April 2, 1962 / revised (§ 14) March 26, 2003 / revised (§ 2, § 5 and § 11) March 20, 2006 / revised (§ 1, § 5) March 27, 2007 / revised (§ 1, § 6, § 10, § 11) February 27, 2008 / revised (§ 1, § 2, § 4, § 5, § 11, § 12, § 13, § 14) March 22, 2012 / revised (§ 14) March 18, 2013 / revised (§ 2, § 5, § 15) March 27, 2014.