



Verein der Eltern und Freunde der John-F.-Kennedy-Schule zu Berlin e.V.  
Society of Parents and Friends of the John F. Kennedy School Berlin e.V.  
**John-F.-Kennedy-Schule Teltower Damm 87-93 • 14167 Berlin**

## **Statutes**

### of the **SOCIETY OF PARENTS AND FRIENDS OF THE JOHN F. KENNEDY SCHOOL Berlin e.V.**

in the version of 21.03.2023

**§1** The Society of Parents and Friends of the John F. Kennedy School of Berlin e.V. (Verein der Eltern und Freunde der John-F.-Kennedy-Schule zu Berlin e.V.) with the abbreviation „The JFKS Verein" exclusively and directly pursues charitable purposes in the sense of § 58 No. 1 of the German Tax Code (AO).

Its mission is to provide assistance to young people as defined in § 52 (2) No. 4 AO and to promote education and public education as defined in § 52 (2) No. 7 AO. The focus is on conveying values in the spirit of German-American friendship.

The Verein supports measures that promote the intellectual abilities and athletic performance of the students of the John F. Kennedy School, their social competence, as well as strengthening their sense of the community.

Furthermore, the Verein supports various school tasks and pursues the promotion of charitable purposes within the scope of § 53 AO.

This objective is achieved by raising and granting funds for class trips, excursions, sporting events, and school performances, for subsidies for the purchase of teaching materials, books, and other items that serve to further the school's tasks, as well as for additional subsidies to support needy and eligible students and to school graduates to study.

**§2** The Verein is registered in the German Vereinsregister (register of associations). The Verein does not pursue self-serving ends; it does not primarily seek its own economic benefit. The Verein's funds may only be used for purposes in accordance with the Society's Statutes. Members shall not receive any benefits from the Verein's funds. No person shall benefit from expenses not related to the purpose of the Society or from disproportionately high remuneration.

Members may receive remuneration, in particular volunteer honoraria in accordance with Section 3 No. 26a of the German Income Tax Act (EStG). The decision on this is made by the Verein's Executive Board. If a Member of the Board is the recipient of the remuneration, he or she may not participate in the decision. If cash expenses are reimbursed, this must be kept within reasonable limits.

**§3** The seat of the Verein is at the location of the school.  
The fiscal year is the calendar year. The first fiscal year runs until December 31, 1962.

**§4** Relatives of JFKS students as well as friends of the school can become Members of the Verein.

**§5** Membership is acquired by a declaration of accession addressed to the Verein in text form, if the Board does not object within one month.

Membership ends

a) by death

b) by declaration of resignation, which can be submitted to the Verein in text form at any time; the fee already paid for the current school year will not be refunded—not even proportionally.

c) by exclusion by resolution of the Board, if the dues are not paid for six months despite a written reminder, if a Member intentionally violates the statutes or resolutions of the General Meeting or otherwise grossly harms the interests of the Verein. Upon objection by the Member concerned, the next General Meeting shall make a final decision on the exclusion. Until the final decision, the rights of the affected Member are suspended.

The Member is free to continue the Membership by paying the dues.

Upon the Membership termination, any claim to the assets of the Verein shall be forfeited.

**§6** The Verein shall collect dues from its Members. The amount of the annual fee and its due date shall be determined by the Board and shall require the approval of the General Assembly. The dues are to be paid to the Verein Board, which may use the assistance of third parties, in particular Members of the John F. Kennedy School, in collecting them, even if they are not Members of the Verein.

**§7** The organs of the Verein are the General Meeting and the Board of Directors.

**§8** The General Meeting takes place at least once a year, in the first quarter after the end of the fiscal year. It decides upon the guidelines of the Society's work and, if necessary, amendments to the articles of the Verein and sets the minimum contributions in accordance with §6. It shall elect the Members of the Board at least every second year and two cash auditors annually in accordance with §13 and shall grant discharge to the Members of the Board and the cash auditors. For this purpose, the Executive Board shall submit an annual report and the auditors' report.

The invitations to a general meeting are issued by the Board in writing and by posting in the John F. Kennedy School, announcing the agenda with a notice period of at least one week, in the case of amendments to the statutes of at least three weeks.

**§9** The General Meeting is chaired by the 1st chairperson of the Verein or, if s/he is prevented from participating, by another Board Member. If no Member of the Board is present or if all Members of the Board are hindered from attending, the chairmanship is incumbent on a Member to be elected by the assembly with a simple majority; up to the election of which it is incumbent on the oldest (in terms of age) Member of the Verein. The same applies to the adoption of resolutions on matters concerning the Board as such.

In the case of resolutions and elections, the majority of the Members present shall

decide, unless the law and the Statues provide otherwise. In the event of a tie, the vote of the Verein Member who is leading the meeting when the resolution is passed shall be decisive. A majority of three quarters of the Members present is required to amend the statutes and to decide on the final exclusion of a Member (§5).

Minutes shall be taken of the proceedings of the General Meeting and entered in the Verein's minute book. The minutes are to be signed by the head of the General Meeting and the secretary.

**§10** The Board of Directors may call an extraordinary General Meeting if at least one third of the Members request this, stating the reasons in writing, or if the interests of the Verein require it. The period of notice for convening an extraordinary general meeting, which must also include the agenda, is three days. In the case of amendments to the Statues, the deadline of §8 shall apply.

**§11** According to the decision of the General Meeting, the Board consists of at least five and at most twelve Members, namely of the 1st chairperson, the 2nd chairperson, who can be secretary at the same time, the treasurer, the secretary and one or more assessors.

The Board of Directors is responsible for the judicial and extrajudicial representation of the Verein. Legal representatives in the sense of §26 BGB (German Civil Code) are the 1st chairperson, the 2nd chairperson and the treasurer. Two of these Board Members each represent the association jointly.

In keeping with the spirit and statutes of the John F. Kennedy School, the Association is committed to a balanced representation of German and American interests. This balance shall be reflected in the composition of the Members of the Board and the chair.

All Members of the Board will be expressly elected to these offices by the General Meeting for a term of two years. In the event of resignation before the end of the term of office, a successor shall be appointed by the Board of Directors by the next General Meeting.

The Board of Directors passes its resolutions by a simple majority of its Members. It may vote by e-mail. A proposal shall be deemed to have been adopted if more than half of its Members have approved it. The Members of the Board must be given at least five days to vote by e-mail.

**§12** The tasks of the Board include the proper management of the Verein's business and the implementation of the resolutions of the general meeting, the preparation of these general meetings and the granting of funds and subsidies within the scope of §2. The Board shall adopt a guideline to be announced to the general meeting.

**§13** Every year the General Meeting has to elect at least two financial auditors, who may not be Members of the Board at the same time. The financial auditors have the task to check the proper cash management of the association once a year and to report on this to the general meeting.

**§14** The dissolution of the Verein may only be approved by a General Meeting convened for this purpose with a notice period of three weeks in writing and including the agenda.

The resolution shall be adopted at a general meeting to be convened on the basis of the agenda. The resolution is only valid if at least half of all Members are present and three quarters of those present have approved it. If not half of all Members have

appeared, a new general meeting is to be convened in accordance with §8, which can now decide on the dissolution of the society with a simple majority of votes.

In the event of the dissolution or annulment of the Verein or in the event of the discontinuation of tax-privileged purposes, its assets shall pass to the Landesverband Schulischer Fördervereine Berlin-Brandenburg e.V. (Isfb), which shall use them directly and exclusively for tax-privileged purposes.

**§15** The Board is authorized to make editorial changes to the Statues and any changes imposed by a supervisory, judicial, or financial authority. If this is undertaken, the Board shall report on this at the next standard General Meeting.

Berlin, April 2, 1962 / Amendment (§ 14) March 26, 2003 / Amendment (§ 2, § 5, § 11) March 20, 2006 / Amendment (§ 2, §5) March 27, 2007 / Amendment (§ 1, §5) February 28, 2008 / Amendment (§ 1, § 2, § 4, § 5, § 11, § 12, § 13, § 14) March 22, 2012 / amendment (§ 14) March 18, 2013 / amendment (§ 2, § 5, § 15) March 27, 2014 / Amendment (§ 11) March 23, 2022 / Amendment (§ 5) March 21, 2023.

The correctness and completeness of the Statues in accordance with § 71 (1) BGB is assured.

**This is a translation -- legally binding is the German version (Satzung)**

## **Election regulations (from 21.3.2023)**

### **§ 1 Part of the statutes of the association**

These election regulations are an integral part of the statutes of the Association of Parents and Friends of the John-F. Kennedy-Schule zu Berlin e.V., hereinafter referred to as the "Association Statutes".

### **§ 2 Scope of Application**

These election regulations shall apply to the election of the members of the Board of Directors and the Board members and the cash auditors as well as any other positions and committees to be determined in the statutes of the Association.

### **§ 3 Timing and convening of the election, quorum**

(1) The regular election of the members of the board and the cash auditors shall take place

(2) take place at the same time as the Annual General Meeting of the year in which the term of office ends in accordance with §8 (Board) and cash auditors) of the Association's Statutes. A by-election in the sense of § 8 of the association statutes is permitted at every properly convened general meeting.

(3) The provisions of § 27 para. 2 BGB remain unaffected.

(4) The entire election may be postponed by a resolution of the meeting to a subsequent general meeting of the same calendar year.

(5) Section 8 of the Articles of Association shall apply mutatis mutandis with regard to the convening of the election and the quorum. For the election to be properly convened, it shall suffice if the offices to be filled are named in the agenda of the General Meeting.

### **§ 4 Election officer, election assistants**

(1) The general meeting appoints an election officer by simple majority. The tasks of the election officer are regulated in the following:

(a) Election officers and election assistants are not allowed to run for office.

(b) Body in case of contestation of the election see §14.3

### **§ 5 Nomination of candidates**

(1) The general meeting proposes candidates, for their eligibility § 4 of the statutes of the association.

(2) In addition, eligible persons may also nominate themselves for election by submitting a declaration to the election officer for an office.

(3) The election officer shall ask the proposed candidate for his or her consent and shall determine the candidacy or the rejection of the candidacy.

### **§ 6 Written and secret election, election by show of hands**

(1) Board elections must always be held in writing and by secret ballot.

(2) The ballots shall be counted jointly by the election officer and the election assistant.

(3) The election of the cash auditors is permissible by show of hands, provided that the membership unanimously agrees with this procedure.

### **§ 7 Casting of votes**

(1) The election officer shall present the names of the candidates, establish the number of members entitled to vote and calls for the casting of votes.

(2) Each member present in person at the election meeting shall have one vote.

(3) No member may be represented in voting by another member or by a third party when casting a vote. Exceptions are not permitted.

(4) If more than one candidate is standing for election, the vote shall be cast by writing the name of the person elected on the ballot paper.

(5) If only one candidate is available for an office, the vote shall be cast for that candidate by writing "yes" or "no" on the ballot paper. Vote in favor by writing "yes" or the name of the candidate on the ballot paper. The candidate shall be rejected by a "No" vote.

(6) An abstention shall be indicated by the word: "Abstention" or by the casting of a blank ballot.

(7) Ballot papers containing other information than provided for in paras. 3 to 5 shall constitute invalid votes.

(8) If the election of the cash auditors is conducted by a show of hands, the election officer shall also invite for a show of hands for abstentions.

### **§ 8 Elections**

(1) A separate ballot shall be held for each office of the Executive Board in accordance with §5 to §7 of these Election Regulations.

(2) The cash auditors can be elected in one ballot.

(3) No decision can be made before the election on filling the offices in personal union in accordance with § 11 of the Statutes of the Association.

### **§ 9 Required majority**

(1) The candidate with the most valid votes shall be elected to the office.

(2) In the event of a tie, a run-off election shall be held.

(3) If only one candidate is put to the vote, that candidate shall be elected if the number of yes votes outweighs the number of no votes. A tie shall be deemed to be a rejection of the candidate.

(4) Abstentions count as rejection of the candidate if the result is less than 50% of the yes votes.

### **§ 10 Announcement of the election result, acceptance of the election**

(1) The election officer shall announce the voting result after counting the votes.

(2) He shall ask the elected candidate whether they accept the election.

### **§ Section 11 Repetition of a Ballot**

(1) The election officer shall order the repetition of a ballot if:

a. A candidate has been rejected in the case of Section 9 (2) (tie) of these Election Regulations.

b. A candidate does not accept the election.

c. There is a significant lack of voting. In particular, if too many votes have been cast, possibly influencing the election result, and it is impossible to invalidate the excess votes cast.

### **§ Section 12 Lack of candidates**

(1) If no candidate is available for an office, the election officer shall postpone the relevant ballot and call for the nomination or registration of candidates again at the same meeting.

(2) If again no candidate is found, the corresponding ballot is postponed to the next general meeting. In the meantime, the Board of Directors shall appoint a temporary incumbent.

### **§ 13 End of the election**

(1) Upon completion of all ballots to be completed at the meeting date, the election officer shall name the officeholders and determine if any ballots have been adjourned. This concludes the election.

(2) The election shall be recorded in the minutes. The election protocol can be a part of the entire meeting protocol, which is to be signed by the election officer.

### **§ 14 Validity of the Election, Contestation**

(1) The term of office of a member of the board of directors and of a cash auditor begins with his declaration to accept the office; however

(a) The old board shall remain in office in a fully executive capacity until the 14th day after the election of the new board. In the case of an election date of January 01, this means that the old board of directors shall remain in office in a fully executive capacity until midnight

on January 15.

The newly elected Executive Board shall be fully executive in office from the 15th day after the election of a new Executive Board. In the case of an election date of January 01, this means that the newly elected board is in office in a fully executive capacity as of January 16 0:00.

(b) The terms of office of committees/delegates/groups/ shall end at the end of the term of office of the Board for which they were elected together with the Board or during the term of office.

(bb) This does not apply to event chairs for events: The term of office of the event leaders ends automatically 14 days after the end of the event. At the latest at this time, the accounting must be done.

Election to an office or committee/group/event shall be valid if, and only if, the candidate is either present in person at the election in question or has, by the time of the election, given written notice to the incumbent Board of Directors of his or her intent to run for office and of his or her willingness to accept the office or several offices or committees or groups.

(2) If objections are lodged against the election of an Executive Board, the old Executive Board shall remain in office  
shall remain in office in an executive capacity until

(a) the last objection to this election is rejected. The end of the term of office of the old Executive Board and the beginning of the term of office of the new Executive Board shall then take place in accordance with Section 14 (1) If this deadline has already passed, the term of office of the old Executive Board shall end on the third day after the last objection is rejected.

In this case, the term of office of the new elected Executive Board shall begin on the 4th day after the rejection of the last objection.

(b) If the appeal is upheld, by a Special Annual General Meeting to be held not later than 28 days after the date of notification of this decision in accordance with §3, the two exclusive items on the agenda of which shall be elections to the Board and elections to the Committees.

If the holding of the Special Annual General Meeting is not feasible within the prescribed time due to the academic vacations, it must be held no later than the third Friday after the end of the academic vacations. If within the 28 days, or due to and only due to the postponement of the Special Annual General Meeting because of the academic vacations, the period up to and including the 3rd Friday after the end of the academic vacations, a new election of a Board of Directors is not held, then the Board of Directors which has been fully in office up to that time shall hold office on an interim basis from the 29th day or from the Saturday following the 3rd Friday after the end of the academic vacations.

(3) The legality of an objection to an election to the Board of Directors of the Association shall be determined by the Election Officer and the two Election Officers of the affected election.

(a) The election officer and the two election assistants shall be appointed by the meeting.

With regard to the decision on the legitimacy of an objection against an election to the board of the association, the election officer and the election assistant have equal rights. The decision in this regard is made by majority vote. If the election officer and the election assistant do not reach a majority decision on an objection, the objection shall be deemed to have been rejected.

(b) The objection shall be legal, and shall lead to new elections, if and only if the aforementioned decision-making body deems this objection legal and delivers this decision to the old and the contested newly elected board by express registered mail with return receipt requested, postmarked no later than 14 days after the contested election. If these conditions of delivery are violated, the appeal shall be deemed rejected.

(c) The decision must be signed by the absolute majority of the decision-making body, otherwise the objection is deemed to be rejected.

(d) If the appeal is rejected, the appellant has the right to appeal to the ordinary courts. However, this shall not have a suspensive effect.

(4) If a ballot cannot be completed or cannot be completed validly, or if a ballot is subsequently declared invalid, the validity of the remaining ballots shall not be affected.

(5) The letter of challenge must contain the reason for the challenge and must be received by the election officer with a period of 14 days, calculated from the date of dispatch of the election protocol. The deadline for contestation does not have to be pointed out separately.

After that the contestation is excluded.

These election regulations shall come into force in full on the day of their adoption. In case of possible contradictions to the current statutes of the association, the election regulations adopted here are to be acted upon.

The Election Regulations were adopted at the General Meeting of Members held in Berlin on 21.03.2023.

The correctness and completeness of the statutes according to § 71 (1) BGB is assured. The binding version of this document is the German version.

Note: For reasons of text economy, all personal designations are kept in the masculine form and apply as a short form for both genders (e.g. student = female student).