

# CONSTITUTIONAL BY-LAWS OF THE U.S.S. AVALON



Ratified On This Date November  
17, 2001

## Preamble

“There are laws that enslave men, and laws that set them free. Either what we hold to be right and good and true IS right and good and true, for all mankind under God, or we’re just another robber tribe.”

–First Knight (Columbia Pictures)

## Article One

### Name & Marks

1. The official name of this organization shall be **U.S.S. Avalon NCC-74914**.
2. The U.S.S. Avalon is a fictional starship, of the Prometheus class.
3. This club will adopt logos by device designs from time to time, which shall be spelled out in the club’s By-Laws. The club reserves the right to use any and all of its designs, as it sees fit.

## Article Two

### Definition Of Terms

1. The U.S.S. Avalon NCC-74914 is based along the themes of the fictional Starfleet, as shown in the Star Trek™ television shows and movies.
2. Star Trek™, Star Trek; The Next Generation™, Star Trek; Deep Space Nine™ and Star Trek Voyager™ are registered trademarks of Paramount Pictures Corporation, a division of Paramount Communications, all rights reserved. The U.S.S. Avalon recognizes these trademarks to be the property of the copyright holder, Paramount.
3. The terms ‘Club’ and ‘Starship’ shall be considered to be interchangeable.
4. The terms ‘Members’ and ‘Crew’ shall be considered to be interchangeable.
5. The abbreviations herein ‘DH’ shall stand for Department Head, and ‘ADH’ shall stand for Assistant Department Head.
6. Vote Of Confidence is a secret ballot to determine crew confidence in all department heads.

## Article Three

### Organizational Structure

1. The Board of Trustees for the U.S.S. Avalon NCC-74914 shall consist of the assembled Department Heads, Commanding Officer and Executive Officer, and shall be responsible for seeing that all legal requirements under the laws of the State of Maine and the United States of America are properly carried out on behalf of the U.S.S. Avalon. The terms Board of Trustees, Department Heads, and Command Staff shall be considered interchangeable. *A quorum of the Board of Trustees, in order to make binding decisions for the club, shall be any 4 of its seven members.*
2. The chain of assumption of Command shall be:

A-	President	Commanding Officer	CO
B-	Vice-President/1 <sup>st</sup> Officer	Executive Officer	XO
C-	Operations Head/2 <sup>nd</sup> Officer	Operations Officer	OPS
D-	Security Head	Chief Security Officer	CSO
E-	Engineering Head	Chief Engineer	ENG
F-	Science Head	Chief Science Officer	SCI
G-	Medical Head	Chief Medical Officer	CMO
3. IMPEACHMENT OF TRUSTEES
  - A- When any Crewmember has knowledge of any wrongdoing, on the part of any member of the Board of Trustees, the following procedure must be followed:
    1. The accuser approaches the Chief Intelligence Officer.
    2. The CIO convenes the club's Judge Advocate General (JAG) committee to investigate the accusation. The JAG (which is a committee, **not** a single person) shall consist of the CIO (chair), XO, and the highest ranking (both rank and points) Non-Commissioned Officer in the crew (if XO is accused, responsibility falls to Chief Ops).

2A- The accuser and the accused may select counsel and representation from any officer. In the event that no officers are available, any crewman may be selected.
    3. JAG shall investigate and verify any evidence regarding the accusation.
    4. The Board of Inquiry, which shall consist of the Department Heads (with the exception of the accused and XO) shall be convened at a special mandatory meeting, at which time the accuser and the accused shall both argue their cases, and the JAG shall present the results of its investigation. The most senior ranking member shall chair the Board.
      - a) Upon consideration of the evidence and arguments, the Board of Inquiry shall then vote whether to present the matter to the Crew, for a Vote of Confidence or not.
      - b) If the Board of Inquiry votes in favor of a Vote of Confidence, it must then vote on the recommendation that it will then give to the Crew, in the matter.
      - c) If the Board votes against a Vote of Confidence, then it shall prepare a report, which shall be presented to the crew.
    5. If a Vote of Confidence is held and the accused Trustee fails to receive a majority vote (i.e., receives a vote of NO-confidence), then that Trustee is Impeached and shall be removed from office.
      - a) **Elected** Trustee positions that become vacant, due to impeachment, shall be filled by the procedure in the Constitution Article Seven, Sections 1.C, 2, 3 and 4.A.
      - b) **Appointed** Trustee positions that become vacant, due to impeachment, shall be filled at the discretion of the Commanding Officer, and ratified by a quorum of the command staff.
  5. Meetings:
    - A- The Avalon's Annual Stated Meeting shall be held in the month of June, of each year.
      1. At the Annual Meeting all regular elections shall take place.
      2. At the Annual Meeting all regular Votes of Confidence shall take place.
      3. The Treasurer shall submit an Annual Financial Report.
      4. The Security Officer and Chief Intelligence Officer shall report to the crew, the results of their annual audit of the club's books.
      5. The balloting on Amendments to the Constitution shall take place (see article eleven).
      6. The Personnel Officer shall have for each crewmember, a summary of their reported earned points total to date.
    - B- The Avalon's Regular Monthly Stated Meetings shall be held in all months other than June of each year.
    - C- Special Meetings, Department Head Meetings, Committee Meetings and other types of meetings shall be conducted as necessary.

## Article Four

### Officers

#### 1. Commanding Officer

- A. The Commanding Officer is the President of the chapter, and charged with the responsibility of operating this chapter and ensuring conformance with all enacted Starfleet rules and regulations, regional policies, chapter by-laws and general policies. The CO is the crew's liaison with Starfleet and Starfleet's liaison to this crew. The Commanding Officer only votes if the vote of the assembled crew results in a tie. In that case, the CO would cast the deciding vote. The CO reserves the right to 'veto' any action, event, proposal or the like. To overturn a 'veto', a  $\frac{3}{4}$  majority vote of the members present at the meeting, where more than  $\frac{1}{2}$  of the membership of the chapter is present, is required.
- B. The Commanding Officer is charged with the duty of reporting on a monthly basis, the progress (both successes and failures) of the chapter to the Regional Coordinator and the Chief Ops of Starfleet.
- C. The Commanding Officer has the right to select for and remove from service, anyone serving as Executive Officer. The CO shall **not** be able to remove any department head from that position, without consensus of the Senior Staff, and not without just cause. And may not revoke any commission granted by Starfleet, but may revoke a promotion that was granted by this same CO.
- D. The CO has the right to adjudicate all internal matters, except where the CO has a conflict of interest. In such a circumstance, the XO shall serve as an adjudicator. If both officers have a conflict of interest, then a crew-selected arbitrator shall serve to mediate the dispute. All decisions of the CO, regarding the operation of the chapter, should be regarded as **final**. However, should an appeal be necessary, the proper channels and protocol must be observed. The CO shall be directly responsible for any and all chapter funds, and may not delegate that duty to anyone else, however use of U.S.S. Avalon NCC-74914 funds will require the signatures of both the CO and the Chief of Operations.
- E. The CO is responsible for maintaining a pleasant environment, that is conducive to "having fun at no one's expense". The CO's position is required by Starfleet, and by its very nature, requires participation in all chapter matters.
- F. In non-election years, The Commanding Officer shall face an annual 'Vote Of Confidence' by the simple majority, to be taken from the crew. In the event that the CO fails the VOC, the XO will assume operational command, until such time when an election can be held (within 2 months).
- G. Shall preside over meetings.
- H. The Term of the Commanding Officer shall be a term of four (4) years.

#### 2. Executive Officer

- A. The Executive Officer (a.k.a. First Officer) is the club's Vice President.
- B. The XO shall be nominated by the CO to the general membership for a vote of ratification of appointment
- C. The XO shall be responsible for the internal operations of the club.
- D. The term of office for the XO shall coincide with that of the CO, with an annual VOC by simple majority, to be taken from the crew, unless the CO chooses to nominate a new XO.
- E. The XO shall serve as a liaison between the CO and the crew and vice-versa.

#### 3. Department Heads

- A. The term of office for department heads shall be until the person resigns or fails the annual VOC (see Article Three, Section 4.)
- B. When an appointive department head vacancy occurs, the CO shall recommend a replacement to the general membership, for ratification of the appointment.
- C. Department heads shall submit recommendations for promotion, when earned points merit this.
- D. Department heads may on occasion, ask for leave to take a sabbatical from their position (not to exceed 3 consecutive months).
  - 1- During this absence, the Assistant DH will temporarily fill the position and all associated duties.
  - 2- If the vacancy exceeds 3 months, the CO has the option to nominate a permanent replacement.
- E. All department heads are responsible for submitting a bi-monthly article or report to the newsletter editor.
- F. If any position is not filled, it is the responsibility of the head of that department until the position is filled.
- G. Each Department Head is required to, within the first year in that position, take a minimum of one Starfleet basic course, in the department specialty.

4. Chief Operations Officer
  - A. Shall preside over meetings, in the absence of the CO and XO.
  - B. Shall assist the XO in daily club operations.
  - C. Shall take the 'minutes' at the monthly club meeting.
  - D. Shall act as club **Treasurer**.
    - 1- Shall have charge of club bookkeeping.
    - 2- Shall ensure that banking signatures are changed with the change of command.
  - F. In non-election years, the Chief Operations Officer shall face an annual 'Vote Of Confidence' by the simple majority, to be taken from the crew. In the event that the OPS fails the VOC, the Assistant Chief Operations Officer will assume those duties, until such time when an election can be held (within 2 months).
  - H. The Term of the Chief Operations Officer shall be a term of four (4) years.
5. Chief Security/Tactical Officer
  - A. Shall serve as 'Sergeant-at-Arms' at crew meetings and functions.
  - B. Shall supervise the balloting process to ensure fairness.
  - C. Shall conduct an annual audit of the ship's finances, with the Chief Intelligence Officer, one month before the annual meeting.
    - 1- The CO and Chief of Operations must be available to assist, if requested.
6. Chief Engineering Officer
  - A. Shall be responsible for all technical materials, concerning related functions and ship design.
  - B. Shall supervise all club construction projects.
7. Chief Science Officer
  - A. Shall be responsible for all scientific materials.
  - B. Shall have charge of conducting all Nomination and Elections processes, up to the stage of balloting.
  - C. Shall be responsible for maintaining communications with Starfleet and other organizations.
  - D. Responsible for maintaining club scrapbook / historical documentation.
8. Chief Medical Officer
  - A. Shall maintain the medical database, for away mission emergencies.
  - B. Shall provide helpful health information to the crew, and report on recent medical break-throughs.
  - C. Shall be responsible for coordinating 'get well' or 'sympathy' cards to members and their families.
9. Non-Department Head Positions
  - A. **Personnel Officer:** Shall keep personnel records (rank pts. also), for the crew of the U.S.S. Avalon NCC-74914.
  - B. **Quartermaster:** Shall manage Avalon merchandise and maintain a supply of rank pips and comm badges.
  - C. **Webmaster:** Shall maintain club website and computer operations.
  - D. **Newsletter Editor:** Coordinates, edits and is responsible for timely publication of club bi-monthly newsletter.
  - E. **Project Coordinator/Away Mission Leader:** Each project or event undertaken by the Avalon will have a designated leader/coordinator. This person will be trusted with the overall welfare of the project, and will report progress to the crew at the monthly meeting. The Project Coordinator answers directly to the Commanding Officer with regard to all matters relating to the project, unless directed by the CO. No member of the crew is authorized to make decisions or otherwise interfere with the said project with out direct authorization from the Commanding Officer and/or the Project Leader. The project leader will, upon completion of the project, submit an "Away Mission Report" to the Executive Officer. This report will contain information regarding the success or failure of the project as well as an attendance record for the purpose of assigning the appropriate number of points to those involved.
  - F. **Ship's Counselor:** The Ship's Counselor is a member of the Medical Department and shall serve as supervisor of the Cadet Corps.
  - G. **Chief Intelligence Officer:** The CIO is a member of the Command Department and is charged with the duties noted in Article Three, Section 4; and Article Seven, Section 3; performs the annual audit of the club's books with the Chief Security Officer; and any other duties as assigned by the Command Department.
  - H. **Assistant Department Heads** Shall assist the department head as needed, in the smooth running of departmental functions, and shall meet all of the same qualifications of the department head (or shall be given up to 3 months to become qualified).
    - 1- The Assistant Department Head shall be nominated by the head of the department in which they serve. Nominations shall be presented, by the Chief Ops, to the DHs for confirmation by simple majority vote.
    - 2- If a DH is absent from a Board of Trustees meeting, the ADH may cast their DHs proxy vote (if there is no ADH, the DH should give his/her proxy to the XO).

## Article Five

### Membership

1. Membership in the U.S.S. Avalon NCC-74914 is open to all persons who pay the prevailing dues and agree to abide by the ship's Constitutional By-Laws. Membership is open to all persons, regardless of age, race, religion, gender, disabilities, or sexual orientation, except when prohibited by local or federal law.
2. RESERVE MEMBER: A reserve member is a person who wishes to belong to the club and receive the newsletter, but is unable to attend most regular meetings and functions of the club. A reserve member may earn points when participating, but may NOT vote or hold any elective offices or Board of Trustees positions.
3. ACTIVE MEMBER: An active member is a person who fully participates in the functions and activities of the U.S.S. Avalon and will receive the newsletter. Active members will earn points toward promotions as to be specified in the By-Laws, and shall have, if over the age of 12 years, full voting rights in all matters coming before the Avalon.
4. HONORARY MEMBER: In recognition for extraordinary support for the Avalon, the club may name an individual to be an honorary member of the club, for his/her lifetime. No dues will ever need be rendered by said honorary member.
5. If an Avalon member is granted a lifetime membership by Starfleet International, the Avalon shall follow suit and include full voting rights to said member.
6. Children under the age of 16 years old shall not attend any Avalon meeting or event without the direct supervision of a parent or guardian. If any parent or guardian does not suitably supervise his/her charges, said children will be prohibited from attending the aforementioned activities.
  - A- If a child is a member in good standing, the Ship's Counselor may serve as supervisor. These arrangements must be made with the Ship's Counselor at least one week in advance.
7. Club membership may be cancelled by submitting a written resignation of membership to the Commanding Officer. All dues, in this case, are non-refundable.
8. Club membership may be revoked by the following means:
  - A- A simple majority vote by the Department Heads, recommending revocation of membership, of the individual then
  - B- A secret ballot, supervised by the Chief Security Officer, shall be taken from the assembled crew. A simple majority vote shall pass the matter.
  - C- Upon revocation of membership, dues will be refunded on a pro-rated basis.

## Article Six

### Affiliations

1. The U.S.S. Avalon NCC-74914 is a separate and independent, self-governing, not-for-profit organization entitled to the rights and privileges accorded to under the laws of the State of Maine.
2. The U.S.S. Avalon has the option to affiliate itself with any other fan-oriented organization with similar interests in the Science Fiction genres to further benefit club activities and interests. These affiliations shall be enacted upon the recommendation by the Command Staff and then a simple majority vote by the assembled Crew, at a regular meeting.
3. The U.S.S. Avalon reserves the right to sever and terminate its ties with any organization with which it has affiliated itself. This shall require a two-thirds vote of the Department Heads, and a simple majority vote by the assembled Crew.
4. Upon decommissioning, all Avalon assets and property, first go toward relieving any and all Avalon debt, with the rest to be distributed at the discretion of the senior staff.
5. The following are the U.S.S. Avalon's Official Affiliations.
  - A- Starfleet International

## Article Seven

### Elections

1. Nominations
  - A. Requirements for a person to hold elective office are:
    - 1- Nominee must be a club member aged 18 or older.
    - 2- Nominee will have passed the Starfleet Academy Officer Training School course.
    - 3- Nominee will have passed the Starfleet Academy Officer Command College course.
    - 4- Nominee must accept or decline nomination.

- B. Regular Election Year:
  - 1- Nominations shall be open from the March club meeting to the May club meeting. Nominations will be closed at the adjournment of the May club meeting.
  - 2- If no nominations are offered, the current holder of that position shall automatically retain that position pending a VOC.
  - 3- Should any nominee accept the candidacy and then withdraw from the election, that person shall **not** re-enter the same election.
- C. Elected Officer Receives a Vote of No-Confidence:
  - 1- Nominations may not be accepted at the same meeting as a vote of no confidence.
  - 2- Nominations will be opened for a special election at the **first** stated meeting, following.
  - 3- Procedures for balloting shall take place at the **second** stated meeting, following.
- 2. Campaigning
  - A. Each candidate shall be allowed a quarter-page in a special Election issue of the club newsletter. This edition shall be mailed or emailed to each voting member in good standing by the end of May.
  - B. Any other campaigning done by the candidates shall be done at their own expense.
- 3. Balloting & Verification Of Count
  - A. Balloting for the election of officers and for VOC shall be by secret ballot, the actual balloting process to be supervised by the Chief Security Officer.
  - B. The counting and verification of the ballot shall be conducted by the Chief Security Officer and the Chief Intelligence Officer.
  - C. The CIO shall report the results of the ballot to the meeting, for inclusion in the 'minutes'.
- 4. Procedures for Relief by New Commanding Officer
  - A. Commanding Officer receives vote of no confidence.
    - 1- The XO shall take over as Acting CO, for the interval leading up to the Special Election, unless that officer also fails the VOC, in which case the Chief of Operations shall take over as Acting CO.
    - 2- The XO or COO shall obtain all materials connected with the office of the Commanding Officer from the previous office holder, and shall turn them over to the new CO, after the Special Election has been completed and verified.
    - 3- The incoming COs term shall begin immediately after the Special Election balloting has been completed and verified.
  - B- Newly Elected Commanding Officer:
    - 1- The outgoing CO must turn over all materials connected with the office of CO, including any club funds that may be in his/her custody, to the incoming CO, on or before July 31<sup>st</sup> of the election year.

## Article Eight

### Rank & Points

- 1. Points shall be awarded according to the current promotion policy.
- 2. Promotions
  - A. No member shall be promoted merely for having the number of points required. The member's DH must submit a written recommendation for promotion, to Command. If a DH position is vacant, the senior member in said department shall have this responsibility.
  - B. There shall be a minimum of six months time-in-rank before any member of officer rank (Chief Warrant Officer and above) can be eligible for their next promotion. However, by a unanimous vote of the DHs, this time-in-rank requirement can be bypassed.
  - C. Rank structure shall be loosely based on the Naval ranks that are often depicted on ships in the science fiction universes.
- 3. Points for items not determined by attendance, must be reported to the Personnel Officer by the crew member who earns them.

## Article Nine

### Finances

1. Bills & Expenditures
  - A. At the monthly club meetings all bills shall be reviewed and a recommendation for the expenditure of club funds shall be presented to the crew.
  - B. Approval or rejection of the expenditure shall be by a simple majority vote by the attending crew.
  - C. Emergency expenditures of funds may be approved by the Command Staff for amounts not to exceed \$50.
2. Banking
  - A. Any withdrawal of U.S.S. Avalon funds, for any purpose, from any club banking account, must be done by dual signature of the CO and the Chief of Operations.
  - B. Any funds raised exclusively for charitable purposes must be kept distinct from the club's operating treasury.

## Article Ten

### Grievances

1. The key to resolving any conflict is communication. The following is a procedure for dealing with grievances and problems. Each step should be taken in the order presented.
  - Step One:** Talk personally with the parties involved.
  - Step Two:** Follow your chain of command from your position (DH / XO / CO)
  - Step Three:** Ask the ship's Counselor to mediate the dispute, or help form a compromise for the problem. If there is no ship's Counselor, skip to step four.
  - Step Four:** Both parties go before the Command Staff.
2. The decision of the Command Staff is final on all disputes and conflicts.

## Article Eleven

### Amendments

1. These Constitutional By-Laws may be amended, repealed or superceded either in whole or part by a  $\frac{3}{4}$  majority vote, by the DHs recommending the proposed amendment to the crew, and then a  $\frac{2}{3}$  majority vote by the assembled crew, at the annual meeting.
2. If an Amendment to the Constitutional By-Laws is suggested, then the CO shall appoint a committee to draft a resolution, stating the proposed amendment. This committee shall make its report presenting the draft amendment at the regular March meeting. The text of the amendment shall also be published in the newsletter before the annual meeting.