

National Headquarters

Washington, D.C.

Name of Unit

BY-LAWS

Article I: Name

The name of the organization is the, _____, hereinafter referred to as the _____.

Article II: Authorization and Location

Section A – Authorization

The Young Marines were originally chartered by and remain an affiliate of the Marine Corps League, Inc. The Young Marines shall operate as a not-for-profit organization under Internal Revenue Service Code 501 C (3), with contributions to the Young Marines being tax deductible by the donor.

Section B – Location

The location of the _____ is designated as _____

Article III: Mission and Objectives

Section A – Mission

The mission of the Young Marines is to positively impact America's future by providing quality youth development programs for boys and girls that nurture and develop its members into responsible citizens who enjoy and promote a healthy, drug-free lifestyle.

Section B – Objectives

The objectives of the Young Marines are to:

1. Promote the mental, moral and physical development of its members.
2. Advocate a healthy, drug-free lifestyle through continual drug prevention education.
3. Instill in its members the ideals of honesty, fairness, courage, respect, loyalty, dependability, attention to duty, love of God and fidelity to our country and its institutions.
4. Stimulate an interest and respect for academic achievement and the history and traditions of the United States of America.
5. Promote physical fitness through the conduct of physical activities, including participation in athletic events and close order drill.

Article IV: Membership

a) Classes of Membership

i) Adult Members

- (1) Must be at least 18 years of age. Members must be registered and insured with National Headquarters. No adult is permitted to routinely work with the Young Marines unless they are properly registered with Young Marines National Headquarters and have been placed in the “active” file in the database. Refer to paragraph 3 below for non-registered adults.
- (2) Elected members -- registered adults elected to the positions of Unit/Battalion/ or Regiment Commander and Executive Officer only. Elected members must be at least 25 years old.
- (3) Unit Staff -- registered adults appointed by the Unit Commander to the position of Adjutant, Paymaster, Training Officer, Female Staff Officer, or other unit staff positions.
- (4) Support Staff -- all other adult members not otherwise holding a position as elected member or unit staff.

ii) Youth Members

- (1) Membership shall be open to all youth ages eight through eighteen or completion of high school, but not to exceed the age of twenty. Parental/guardian consent is required for all minors to join the program.

iii) Non registered adults

- (1) Adults who are not registered with the Young Marines hold no rights of membership.
- (2) Subject matter experts may be utilized for training (ex. Drug demand officers, Marines, educators, etc.), however, they must be supervised at all times by a registered adult member.
- (3) Parent Support Groups may be utilized for fundraising and event support; however, they must not be in a position where there is unsupervised interaction with YMs. Supervision must be provided by a registered adult member.

b) Qualifications for Membership

i) Adult Members – Current adult members, or applicants for adult membership, must meet the following qualifications:

- (1) Meet the necessary moral and physical standards and qualifications for promoting those activities among Young Marines as outlined in Article II.
- (2) Agree to abide by the By Laws, Rules and Regulations that govern the Young Marines.
- (3) Pay all fees and dues as may be prescribed by the Young Marine Board of Directors and locally observed by-laws.
- (4) Must agree to annual background checks and never have been convicted of a felony.
- (5) Must submit all documentation in accordance with the Registered Adult Manual.

ii) Youth Members – Current youth members, or applicants for youth membership, must meet the following qualifications:

- (1) Be enrolled in school or an accredited equivalent, and must be a student in good standing (ex. not expelled)
- (2) Must have never been convicted of a felony or a misdemeanor involving weapons or child abuse.
- (3) Subscribe to the objectives and purposes of the Young Marines.
- (4) Pay all fees and dues as may be prescribed by the Young Marine Board of Directors.
- (5) Submit parental/guardian consent form as required for all minors.

c) **Rights of Membership**

i) Registered Adults (R/As)

- (1) R/As may correspond with or request an audience with the National Executive Director via the appropriate chain of command.
- (2) R/As may communicate directly with a board member-at-large at any time.
- (3) R/As have the right to see all financial records
- (4) R/As have the right to communicate to the program Inspector General to voice concerns over staff behavior, child endangerment, or inappropriate handling of finances.
- (5) R/As have the right to expect that their personal files will remain confidential
- (6) No R/A will be discriminated against on the basis of race, creed, color, national origin, gender, or disabilities.

ii) Young Marines (YMs)

- (1) YMs may correspond with or request an audience with the National Executive Director via the appropriate chain of command.
- (2) YMs may communicate directly with a board member-at-large at any time.
- (3) YMs have the right to review their records upon request
- (4) YMs have the right to communicate to the program Inspector General to voice concerns over staff behavior, child endangerment, or inappropriate handling of finances.
- (5) YMs have the right to expect that their personal files will remain confidential
- (6) No YM will be discriminated against on the basis of race, creed, color, national origin, gender, or disabilities.

Article V: Government

Section A – The Young Marine Unit shall be governed by the Unit Commander.

- a) The Young Marine unit is led by the Unit Commander and assisted by the Executive Officer and the unit staff.
- b) The term of office for Unit Commander and Executive Officer is two years effective 1 **March**. When a new unit is formed an election must be held by **28 February** of that year. If a unit starts in November then an election will be held by **28 February** of the next year. Subsequent elections will be held in even numbered years.

- c) Unit Commanders will schedule a date, time and place for all regular elections and will notify all registered adults listed on the units roster of this election in writing (i.e. letter, email, fax, etc.) no less than 10 days prior to the scheduled regular election. Election notification will include a list of all registered adults eligible to vote. Elections will be held on even numbered years regardless of when you assumed the position of Unit Commander or Executive Officer. Units not holding elections on even numbered years will be non-compliant.
- d) All adults registered with the unit are eligible to vote on that unit's elections and must be physically present to vote. The only exception to this rule on the unit level is that service members who are deployed at time of election may send their vote by email. The email address must match the one located in the database. One vote per unit adult registered staff member. Proxy, absentee, or delegated votes shall **not** be honored at unit elections.
- e) Temporary and Permanent Absences of Elected Members
 - i) Temporary Absence – Extended absence with plans to return prior to end of elected term
 - (1) Unit Commander
 - (a) Executive Officer will assume the duties of the Unit Commander until such time as the Unit Commander returns
 - (b) A special election will be held in accordance to the special elections procedure below to determine the acting Executive Officer.
 - (2) Executive Officer
 - (a) A special election will be held in accordance to the special elections procedure below to determine the acting Executive Officer.
 - ii) Permanent Absence – Extended absence that exceeds the end date of elected term
 - (1) Unit Commander
 - (a) Executive Officer will assume the duties of the Unit Commander for the duration of the elected term
 - (b) A special election will be held in accordance to the special elections procedure below to determine the Executive Officer.
 - (2) Executive Officer
 - (a) A special election will be held in accordance to the special elections procedure below to determine the Executive Officer.
 - iii) In all cases, the Chain of Command section in the database must be updated and the Change of Command letter that is generated through the same section in the database must be submitted to National Headquarters within ten days of the beginning date of the absence.

- f) Special Elections - A special election is authorized at anytime when two-thirds majority of the voting members within the unit sign and present a petition to the Unit Commander requesting a special election **when there is cause for removal**, or, when the Unit Commander schedules a special election before completing the term. Such elections are subject to the procedures described below:
- i) The election date, time and place must be announced, in writing (**i.e. letter, email, fax, etc.**), to all voting members (all registered adults on the unit's **active and in-active** roster) **not less than 10** days before the election date. This notification will include a list of all registered adults eligible to vote.
 - ii) All voting members are eligible to vote and must be physically present to vote. **The only exception to this rule on the unit level is that service members who are deployed at the time of election may send their vote by email. The email address must match the one located in the database.** One vote per unit adult registered staff member. Proxy, absentee, or delegated votes shall **not** be honored at unit elections.
- g) The Unit Commander and Executive Officer are elected by simple-majority vote of all registered adults present during the election process. The voting process **will** be by secret ballot.

Section E – Meetings

The Unit Commander will:

- a) Set a time and place for the regular unit meeting and schedule it in advance on the unit's training schedule.
- b) Schedule as many extra activities (additional to the regular meetings) as practical. Some examples of these extra activities are encampments, field trips, community service activities, fundraisers, community and patriotic celebrations, and sporting events.
- c) Make every effort to encourage qualified Young Marines to participate in the National Summer Program of Adventures, Challenges, Encampments, and Schools (SPACES).
- d) Convene a meeting of the unit staff, support staff, or both, or general parents meeting when warranted.
- e) Convene a unit promotion board as required for the purpose of promotions. Members of the promotion board at a minimum will consist of the executive officer, and at least 1 other registered adult. The ideal board will consist of the unit executive officer, 1 other registered adult, and 3 Young Marines senior in rank to those standing the board. (When there are not enough senior YMs, that slot will be filled by a RA). The promotion board will not be comprised of any relatives of Young Marines seeking promotion The promotion board reviews:

- i) The performance, merits, and conduct of each Young Marine to determine the best qualified for promotion.
 - ii) All recommendations for promotions will be forwarded to the Unit Commander for approval or action.
 - iii) See Chapter 2 in the Training Officer's manual (TOM) for the complete Promotion Policy.
- 2) Attend all meetings called by battalion, regiment, or division. If the Unit Commander cannot attend, a delegate shall be appointed in writing with the authority to act on behalf of the absent Unit Commander

Section F – General

- 1) The Unit Commander may establish a Parent Support Group. The Parent Support Group shall adhere and abide by the rules and regulations governing Parent Support Groups. The Unit Commander may disband the Parent Support Group if the Commander deems it contrary to welfare of the Unit.
- 2) The Unit shall not establish a Board of Directors.
- 3) The Unit Commander shall establish and maintain the Unit Checking Account.
 - a) The Unit Paymaster shall manage the account and provide a status of accounts report to the Unit Commander at least once a month.
 - b) The Unit Checking Account shall require three signatures (two from the unit and one from National Headquarters).
 - i) The Unit Commander shall ensure the signatories are not related to, significant other to or living with each other.
 - ii) The Unit Commander shall ensure that the unit submits its monthly financial report to the National Headquarters Accounting Service. The mailing address is located on the financial statement.
 - iii) The Unit Commander shall comply with all auditing requests.
- 4) Unit Commanders shall be relieved by the National Executive Director, Deputy Director or Division Commander for any action violating the objective and purpose of the Young Marines or for bringing disgrace or dishonor to the Young Marines Program.
 - a) Anyone (all adults and Young Marines) may report inappropriate behavior by a Unit Commander to the next level in the chain of command or directly to the Inspector General at the Young Marines National Headquarters.
 - b) The appropriate convening authority (National Executive Director or Division Commander) shall appoint an impartial Investigator to conduct an inquiry into all matters pertaining to the allegation. The appointed Investigator shall complete the inquiry within 10 days upon

notification. The Investigator may request an extension through the convening authority that shall not exceed 10 days.

- c) The Investigator shall write a confidential report with the Findings of Fact, Opinions and Recommendations, and enclose all supporting evidentiary materials such as witness statements, photographs, correspondence, records, etc. and forward it to the convening authority for action.
- 5) Registered Adults may seek redress to the next higher authority (Battalion, Regimental, Division Commander, and National Executive Director) for any perceived injury or alleged wrong.
 - a) The injured or wronged party may communicate by letter, email, or telephone to the next higher authority for redress, review, and adjudication.
 - b) If the matter remains unresolved, the injured party may take the matter to the next higher authority up to the National Executive Director who is the final authority.
 - 6) Anyone (all adults and Young Marines) may report by letter, email, or telephone any matter of perceived injury, alleged wrong, or major violations of health and safety, or good order and discipline, or violation of civil rights, or discrimination directly to the Inspector General of the Young Marines. There is no requirement to use the chain of command when reporting to the National Inspector General.
 - a) Upon receiving the report, the Inspector General shall investigate the matter within a reasonable amount of time and report his findings, opinions, and recommendations with evidentiary materials to the National Executive Director for his review and action.
 - b) At the direction of the National Executive Director, the Inspector General shall, in writing, report to the originator the findings of his investigation and the action taken by the National Headquarters.
 - 7) Unit Commanders shall ensure that Registered Adults understand and abide by the Registered Adult Code of Conduct that physical force, verbal abuse, and hazing are prohibited. Defamatory remarks are prohibited and will never be used in the presence of Young Marines and Young Marine Recruits.
 - a) Physical force is the physical touching, holding, or striking of another with any object for the purpose of restraining and/or inflicting pain. Physical force shall never be used to instruct, correct, or discipline young Marine or Young Marine Recruits. However, a minimum of physical force may be used under these three conditions:
 - (a) To break-up a physical altercation,
 - (b) To protect others, and
 - (c) To protect yourself.
 - b) Verbal abuse is a direct or indirect expression by word of mouth, written communication, body language, or physical gesture from one person to another with the expressed purpose to threaten, demean, denigrate, belittle, or harass. The use of profanity is considered a form of

verbal abuse and shall never be used in the presence of Young Marines or Young Marine Recruits.

- c) Defamatory remarks are generally offensive and intended to purposely disparage targeted individuals and groups of a racial, gender, religious, social, political, and ethnic nature—shall never be tolerated.
- d) Hazing. Hazing is defined as any conduct whereby a member, regardless of position or rank, causes another member, regardless of position or rank, to suffer or be exposed to an activity that is cruel, abusive, humiliating, or oppressive. IPT (Incentive Physical Fitness) is considered hazing and is prohibited in the Young Marines program.

Examples: There are many forms of hazing. As a responsible adult you should be watchful as anything that may be considered hazing as defined above.

- (1) Pet names (ex. – Killer, Einstein, Froto, Maggot) are considered hazing and will not be tolerated.
- (2) Verbally berating a Young Marine, Young Marines Recruit or Registered Adult is considered hazing and will not be tolerated.

Section G—Responsibilities of Registered Adults

1. Unit Commander. The Unit Commander (UC) is responsible for everything the unit does or fails to do. The UC shall abide by the By-law and shall follow and enforce all rules and regulations governing the Young Marines Program from higher headquarters.
2. Executive Officer. The Executive Officer (XO) is responsible to the Unit Commander. The XO advises the UC and under the UC's direction assists the UC in the discharge of the UC's duties. The XO is second in command and, in the absence of the UC; the XO assumes the duties of the UC.
3. Adjutant. The Adjutant is responsible to the UC for all matters pertaining to the administration of the unit.
4. Paymaster. The Paymaster is responsible to the UC for all matters pertaining to the financial management of the unit.
5. Female Staff Advisor. The Female Staff Advisor is responsible to the Unit Commander for all matters pertaining to the interests and unique needs and requirement of female Young Marines.
6. Support Staff Members. Support Staff are Registered Adults who are not serving as elected or unit staff members. They support the UC and unit staff in carrying out their duties. At the request of the UC, provides supplemental support to the unit staff.

Section H – Compensation and Audits

- 1) Registered Adults are volunteers and shall not receive compensation from Young Marine funds for their volunteer services.
 - a) Reimbursement for travel and other legitimate expenses in connection with Young Marine activities is authorized.
 - b) Reimbursement for such travel and expenses shall not be granted if funded through other sources.
 - c) All requests for reimbursements shall be submitted in writing with itemized charges and supporting receipts at the next scheduled Staff meeting for approval by the Unit Commander and disbursement by the Paymaster. **Reimbursements require two signatures on the check by those authorized on the bank signature cards.**
- 2) The Unit Commander shall review the Units Monthly Financial Statement each month prior to submitting the statement to the National Headquarters Accounting Service. **Both the Unit Commander and the unit Paymaster will sign and date the Monthly Financial Report (MFR).**
- 3) The Units Financial Records are subject to audit by any person designated by higher authority (Battalion, Regimental, Division and National Executive Director).

Article VI: Emblem and Young Marine Seal

The Young Marines seal portraying the Young Marines emblem is suitable for use in the authentication of a significant official written business transaction in which its affixing is appropriate.

Article VII: Parliamentary Authority

The rules contained in the current edition of Robert's Rule of Order, Newly Revised, shall govern the Young Marines in all cases to which they are applicable and in which they are not inconsistent with these Rules and Regulations and special rules of order the Young Marines may adopt.

Article VIII: Amendments

Section A --Any changes, modifications, or alterations of these By-Laws are subject to the approval of the National Director or Young Marines Board of Directors.

Section B – Any additional guidelines established by the Unit is referred to as Rules and Regulations. Rules and Regulations must be consistent with the Unit By-Laws and shall not be contrary to or conflict with the National By-Laws and Directives.

- a) Any Rules and Regulations may be repealed, modified, altered or amended or new rules and regulations adopted at any regular or special meeting of the Unit Staff by a simple majority vote of the Unit staff present.
- b) Written notice of the proposed changes in the Rules and Regulations shall be provided to each member of the Unit Staff 30 days prior to the meeting.

Article IX: Funding

Section A—The Unit shall determine the best methods to raise funds to cover Unit expenses.

Section B – The Unit shall ensure that funds are readily sufficient to cover the costs to register and insure Young Marine Recruits and new Registered Adults, and to cover the expenses of Re-registration from October through September each year.

Article X: Reports

Section A – The Young Marines Record Book (YMRB) shall be used for all Young Marines. There are two record books required:

- a) Hardcopy – where all enrollment forms, updated forms, certificates and awards are kept
- b) Online – The online record book must be kept up to date with all of the Young Marines activities, training, promotions, tests and awards.

Section B – The Unit Commander shall ensure that all reports are complete, accurate and submitted to the National Headquarters no later than the established suspense date. Consistently late, incomplete, and inaccurate reports or noncompliance shall result in the suspension of the Unit's Charter by the National Executive Director. The following reports are due to the National Headquarters.

- 1) Annual Report. The Re-registration Package is due annually to the Young Marines National Headquarters no later than 30 September.
 - a) Re-registration Package consists of:
 - i) Registration Invoice
 - ii) Group Exemption Form
 - iii) Registered Adult Agreement Forms (one for each adult in the unit)
 - iv) Unit check for payment
 - b) Mail directly to:

Young Marines National Headquarters
P.O. Box 70735 Southwest Station
Washington, DC 20024-0735

2) Monthly Report. Monthly Financial Reports are required every month to meet the conditions of the Young Marines tax-exempt status with the Internal Revenue Service. Failure to submit Monthly Financial Reports can jeopardize the Young Marine Program's not-for-profit standing and reclassify Unit funds as taxable income.

- a) Reports are to the National Headquarters Accounting Service no later than 30 days from the date of the Bank Statement.
 - i) Monthly Financial Report Form
 - ii) Copy of Bank Statements
- b) Mail to Directly to:

Ambassador Accounting, Inc
7521 Presidential Lane
Manassas, VA 20109-2629

Section C – Forms can be found in the Database under Library, in the Paymaster Manual or the Adjutant's Manual.

Article XI: Dissolution

Section A – When a unit or higher headquarters dissolves on their own accord, you must notify National Headquarters by phone. The unit commander must then complete the "Official Termination of Unit Form" found in the database under Library/Unit Assistance and submit to National Headquarters by mail or Fax. National Headquarters will notify the unit commander of the documents required for the closure.

- a) Young Marine Unit. Upon the dissolution of a Young Marine unit and after the liquidation of all outstanding obligations, the unit's financial assets will be sent to the National Headquarters where it will be held in escrow for one year from the date of dissolution.
 - i) Upon the dissolution of the Young Marine unit all physical property will be distributed to any other established, compliant Young Marine unit the dissolved unit wishes to give it to. The next higher headquarters will assume custody of the equipment when deemed appropriate.
- b) Higher Headquarters. Upon dissolution of a higher headquarters, all assets shall transfer to the National Headquarters after the liquidation of all outstanding obligations. The same process for dissolving a unit will apply to battalions, and regiments.
- c) Procedure for units being shut down by National Headquarters.

- i) National Headquarters shall notify the Division Commander to deactivate, shut-down, or close a unit.
 - ii) National Headquarters will provide the division commander with the following:
 - (1) Copies of the last three (3) bank statements of all bank accounts in use by the unit showing balances, transactions, account numbers, and who the Unit Commander and paymaster were from the accountant. These three statements are needed to determine is significant amounts of funds were removed from any of the accounts prior to the unit disbanding. Some units maintain both savings and checking account so all account information will need to be provided.
 - (2) A copy of the units' last inventory of physical property which is a required item of the re-registration procedures. All units should at least have the initial issue of the unit's colors, national ensign, flag stands and flag harnesses.
 - iii) The Division Commander shall provide the Regimental Commander instructions to deactivate the unit in accordance with the RAM and will provide copies of the above information to assist in the shut-down. An inventory report will be forwarded up the chain of command to National Headquarters on the location of the shut-down unit's assets and planned disposition of the same.
- 2) Units that break off from another unit. All of the assets (property and monies) that were raised or purchased during the time of the existing unit belong to the existing unit. Any unit that breaks off from an existing unit will need to follow the same steps as starting a new unit. The new unit will need to raise their own funds and purchase their own equipment.
 - 3) Unit name changes. If a unit desires to change their name they will be responsible for the cost of the new flags, the new arches and any old arches in stock at distributor.

Article XII: Miscellaneous

Section A – Illicit Drugs, Alcoholic Beverages, and Tobacco

- a) Tobacco and alcoholic beverages shall not be used or consumed by anyone while engaged in Young Marine activities and events or in the presence of Young Marines. Anyone under the influence of alcohol is prohibited from attending or participating in any Young Marine activities or event.
- b) Use of illicit drugs is prohibited at anytime and not tolerated. Anyone under the influence of any illicit drug is prohibited from attending or participating in any Young Marine activities or event.
- c) Alcoholic beverages are not allowed at any Young Marines activities or events.
- d) Tobacco products of any kind shall not be used in the presence of Young Marines.

Section B – Units with female Young Marines shall have a female Registered Adult designated Female Staff Advisor. Whenever female Young Marines are involved in Unit activities a female Registered Adults shall be present.

Section C – The Unit shall notify the National Headquarters within 10 days of a change of command using the Change of Command Form located in the database in the Library section.