

# **CONSTITUTION AND BYLAWS**

## **ARKANSAS DEPARTMENT**

### **AMERICAN LEGION AUXILIARY**

This Constitution has been revised to include all changes effective through the Ninety-third Department Convention in North Little Rock, Arkansas, June 20-21, 2014.

#### **CONSTITUTION** **OF THE** **AMERICAN LEGION AUXILIARY**

##### **PREAMBLE**

For God and Country, we associate ourselves together for the following purposes:  
To uphold and defend the Constitution of the United States of America;  
To maintain law and order;  
To foster and perpetuate a one hundred percent Americanism;  
To preserve the memories and incidents of our association during the Great Wars;  
To inculcate a sense of individual obligation to the community, state, and nation;  
To combat the autocracy of both the classes and the masses;  
To make right the master of might;  
To promote peace and good will on earth;  
To safeguard and transmit to posterity the principles of justice, freedom, and democracy;  
To participate in and contribute to the accomplishment of the aims and purposes of the  
American Legion;  
To consecrate and sanctify our association by our devotion to mutual helpfulness.

#### **CONSTITUTION**

## ARTICLE I

### Name

**Section 1.** The name of this organization shall be American Legion Auxiliary, Department of Arkansas.

**Section 2.** The Headquarters of the American Legion Auxiliary, Department of Arkansas, shall be 1415 West Seventh Street, Little Rock, Arkansas 72201, where the records shall be kept.

## ARTICLE II

### Nature

**Section 1.** The American Legion Auxiliary is a civilian patriotic service organization of women that supports the mission of the American Legion.

**Section 2.** The American Legion Auxiliary shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

## ARTICLE III

### Eligibility

**Section 1.** Membership in the American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, wives, and direct and adopted female descendants of members of the American Legion, and to the grandmothers, mothers, sisters, direct and adopted female descendants of all men and women who were in the Armed forces of the United States during any of the following periods: April 6, 1917 to November 11, 1918; December 7, 1941 to December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 until cessation of hostilities as determined by the Government of the United States; all dates inclusive, or who being citizens of the United States at the time of their entry there in, served on active duty in the Armed Forces of any of the governments associated with the United States during any of said periods, and died in line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.

**[Note: The wording above for Article VI, Section 1 was adopted at the August 2013 National Convention under a proviso that delays enactment upon the Legions adoption of corresponding changes to its governing documents. Until the American Legion enacts this wording the previous wording remains in effect.]**

**Section 2.** There shall be two classes of membership, senior and junior.

- (a) Senior Membership shall be composed of members over the age of eighteen; provided however that a wife under the age of eighteen years, who is eligible under Section 1 of this article shall be classed as a senior member.
- (b) Junior Membership shall consist of that group under the age of eighteen years whose activities shall be supervised by the senior membership. Upon reaching the age of eighteen years, junior members shall automatically be admitted into senior membership with full privileges.
- (c) Dues of both classes shall be paid annually or for life.

## **ARTICLE IV**

### **Department Officers**

**Section 1.** The officers of the American Legion Auxiliary, Department of Arkansas, shall be: Department President, four Divisional Vice Presidents, who serve without seniority, one from each division, Secretary, Treasurer, Chaplain, Parliamentarian, Sergeant-At-Arms, Historian, National Executive Committeewoman, Alternate National Executive Committeewoman, and a District President from each District. At the close of her tenure of office, the Department President, being in good standing in her Unit and her Department, shall automatically assume the office of National Executive Committeewoman. At the close of her tenure of office, providing she is in good standing in her Unit and her Department, the National Executive Committeewoman shall automatically assume the office of Alternate National Executive Committeewoman. With the exception of the Department Secretary, Treasurer, Parliamentarian, National Executive Committeewoman and Alternate National Executive Committeewoman, Department Officers, namely; Department President, four Divisional Vice Presidents, Chaplain, Historian, and Sergeant-at-Arms, shall be elected annually at the regular Department Convention. Department officers, with the exception of the Secretary, Treasurer and Parliamentarian, shall be installed before the convention is adjourned.

**Section 2.** All officers shall take office on the first of the month following the Department Convention and shall serve until their duly elected successors shall take office.

**Section 3.** The Secretary, Treasurer and Parliamentarian shall be appointed by the President, with the approval of the Executive Committee.

**Section 4.** District Presidents shall be elected at the spring District Conferences and ratified at the Department Convention.

## ARTICLE V

### Department Executive Committee

**Section 1.** Between Department Conventions, the administrative and executive power shall be vested in a Department Executive Committee which shall be composed of the President, National Executive Committeewoman and her Alternate, four Vice Presidents, Junior Past Department President, Chaplain, Historian, and Sergeant-at-Arms, the District President of each District, and Chairmen of all Department Standing Committees and designated appointments under the V.A. and R. program. All Past Department Presidents in good standing in their Units shall be members for life of the Department Executive Committee with voice but without vote. The Parliamentarian, Secretary, and Treasurer are members with voice but without vote.

## ARTICLE VI

### Department Convention

**Section 1.** The American Legion Auxiliary, Department of Arkansas, Department Convention, shall be held annually at the same time and place as the Department Convention of The American Legion, Department of Arkansas for the purpose of electing officers, receiving reports and transacting such other business as shall properly come before it.

**Section 2.** Representation in the annual Department Convention shall be by Units. Each Unit shall be entitled to delegates based upon the number of members whose dues are paid up to date as provided in the Standing Rules. Changes to the formula for delegate voting strength and the manner for casting votes may be determined only by action of the Department Convention delegates.

**Section 3.** The vote of each Unit shall be equal to the total number delegates to which the Unit is entitled, regardless of whether or not its delegates are present and voting, provided their registration fees have been paid and at least one such delegate is present to cast said vote, otherwise the Unit will not be entitled to vote. Each delegate shall be entitled to one vote. The vote of any delegate absent and not represented by an alternate may be cast by the majority of delegates from her Unit. No person shall be entitled to more than one vote by virtue of any office she may hold. All Past Department Presidents in good standing in their Units shall be life delegates-at-large to the Department Convention.

**Section 4.** A quorum shall exist at a Department Convention when 20 percent of the Units are represented as provided in Section 2, Article VI.

**Section 5.** Delegates-at-Large to the Department Convention shall be all Department elective officers, National Executive Committeewoman, Alternate National Executive Committeewoman, the District President of each District, Chairmen of Standing Committees, and all Past Department Presidents in good standing in their Units.

## **ARTICLE VII**

### **Delegates to National Convention**

**Section 1.** This Department shall be entitled to delegates based on the number of members whose dues are paid up-to-date as provided in the Standing Rules.

**Section 2.** The outgoing Department President, the incoming Department President, and the Department Secretary shall be delegates to the National Convention with the outgoing Department President as Chairman of the delegation. They shall be given passage and per diem. The National Executive Committeewoman is an additional delegate designated by the National Organization. Any National Officer or National Chairman shall be a delegate to the National Convention.

**Section 3.** Nominees for Delegate and Alternate to the National Convention shall be selected at the spring meetings of each of the 16 Districts. The Nominee for Delegate, or in her absence, the Nominee for Alternate, shall be voted on by the Department Convention. In case of the absence of a District nominee for delegate, the representatives present from that District shall select another nominee, who is present, for presentation to the Convention. The delegates and alternates to the National Convention shall be elected from this list of nominees, and in the order of the number of votes each receives.

**Section 4.** Each delegate to the National Convention shall be entitled to one vote. The vote of any delegate absent and not represented by an alternate may be cast by the majority of the delegates present. The manner for casting votes shall be as provided in the Department Convention Standing Rules.

## **ARTICLE VIII**

### **Amendments**

**Section 1.** This Constitution may be amended at any Department Convention by a two-thirds vote of the Department Convention delegates, provided the proposed amendments shall have been submitted through the Department Secretary to all Units and members of the Department Executive Committee by distributing same to them at least 20 days prior to the convening of the next Department Convention; and provided further that all proposed amendments shall be read at a regular meeting of the Department Convention.

**Section 2.** Amendments proposed after distribution or revision as shown in Section 1, may be adopted by a two-thirds vote of the Department Convention delegates, provided they have been read

at one session of the Department Convention prior to taking the vote.

**Section 3.** An amendment, not having been previously read or distributed as required in Section 1, may be adopted by the unanimous vote of the Department Convention delegates.

## **BYLAWS**

### **ARTICLE I**

#### **Department Organization**

**Section 1.** The American Legion Auxiliary, Department of Arkansas, shall be composed of duly constituted Units, which shall be organized into Districts corresponding to Districts of The American Legion, Department of Arkansas.

**Section 2.** Districts and Units shall function in accordance with National and Department Constitution, Bylaws and Standing Rules.

**Section 3.** Department shall have authority to create and charter intermediate bodied between the Units and Department to act as a liaison between such organizations and for the purpose of promoting the programs of the American Legion Auxiliary.

Each District/County/Council must be incorporated and have their own TIN/EIN and file a 990 Tax

Return. The exception is: Department Constitutions & Bylaws state that the District/County/Council reports activities to the ALA Department and they do not handle any monies in any form outside of Department Headquarters including bank accounts, cash on hand or fund raisers.

Those that do not fall under that MUST become incorporated and to use the name and marks of the ALA must be granted by the National Secretary in keeping with corporate law and federal regulations.

**Section 4.** If a District/County/Council reports to the ALA Department that they do not handle any monies in any form outside of Department Headquarters including bank accounts, cash on hand or fund raisers, they are exempt from Section 3 above.

**Section 5.** The Department Executive Committee shall define the authority of such intermediate groups, but in no such event shall such authority invade the prerogatives now vested either in the Unit or Department or National Organization.

**Section 6.** Such intermediate bodies now existing within the Departments and heretofore authorized or recognized by such Department are hereby official recognized to the extent of the authority granted.

**Section 7.** All persons handling funds of the Department shall be bonded by a reputable,

solvent bonding and surety company; or shall be covered by fidelity-crime insurance in an adequate amount as determined by the Department Finance Committee and/or Department Executive Committee.

## **ARTICLE II**

### **Election**

**Section 1.** Nominations for elective Department Officers shall be from Convention floor. Voting shall be by secret ballot. When there is but one Candidate for an office, the Nominee may be elected by voice vote. A majority of votes cast shall be necessary to elect.

**Section 2.** No member shall at any time be eligible for reelection to the office of Department President, Divisional Vice Presidents, Department Historian, Department Chaplain, or Department Sergeant-at-Arms.

**Section 3.** Any person nominated for a Department office must be present at time of nomination.

**Section 4.** No member shall hold more than one elective Department Office at the same time.

## **ARTICLE III**

### **Duties of Officers**

**Section 1.** It shall be the duty of the President to preside at all sessions of the Department Convention and sessions of the Department Executive Committee; to enforce strict observance of the Constitution and Bylaws; to appoint a parliamentarian, treasurer and secretary; to appoint members and designate the Chairmen of all Standing Committees; to appoint other committees as she may deem advisable to further the mission of the organization; and to appoint officials not otherwise provided for in these Bylaws, all subject to confirmation by the Department Executive Committee. The President shall serve as an ex-officio member of all committees and shall perform other duties as are usually incident to the office.

The Department President shall not waive her rights to the Department Secretary, Treasurer, or any other person permitting the signing of her name to the applications for Charters issued by National Headquarters or any other legal document pertaining to the Department.

**Section 2.** It shall be the duty of the Vice-Presidents to assist the President when called upon, and in her absence, represent her in all matters referred to them.

**Section 3.** It shall be the duty of the Secretary to record the proceedings of the Department Executive Committee and the Department Convention and other duties as assigned. She shall keep a register of the members of the Department, embracing the material facts relating to their membership, the Constitution, Bylaws and Standing Rules, Rules and Regulations of the Department; and copies of all official letters. In the event of death, resignation, or removal of the Department President, the Department Secretary shall immediately summon the Department Executive Committee for the election of a successor.

It shall be the duty of the Secretary to receive and answer all official mail under the direction of the President, to give notice of all meetings and to issue official bulletins under authority of the President. The Secretary shall be custodian of the Department Headquarters building.

**Section 4.** The Treasurer shall keep such financial records as may be necessary to carry on properly the work of the office. The Treasurer shall receive, acknowledge, and properly credit all Department funds. The Treasurer shall be the custodian of all funds of the Department and she shall account for the same. She shall make reports upon the condition of the Department Treasury when called for by any member of the American Legion Auxiliary. The Department President, Department Treasurer and three members of the Finance Committee shall be authorized to sign checks on all accounts. Signature of any two of these five would be required to sign checks on the American Legion Auxiliary, Department of Arkansas accounts. The only exception would be that of the Girls State Accounts. Only one signature would be required during the operation of Girls State on the Girls State accounts only. This signature would be that of the Treasurer or a designee. The accounts shall be audited annually by a certified public accountant. The Treasurer shall give bond in such amount as the Department Executive Committee may direct the premium of this bond to be paid from the Department funds.

**Section 5.** It shall be the duty of the Sergeant-at-Arms to preserve order at the meetings of the Department Convention and such other duties as prescribed by the President.

**Section 6.** It shall be the duty of the Historian to compile a historical record of the administrative year in which she serves, and to maintain and update the historical records of the Department and file them in Department Headquarters.

**Section 7.** It shall be the duty of the Chaplain to offer prayer and to perform such divine and nonsectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by the Department President or the Department Executive Committee, and shall perform other duties as assigned.

**Section 8.** It shall be the duty of the Parliamentarian, upon request, to decide all questions pertaining to law, order, and rules governing the organization. Questions for a higher decision shall be forwarded to the National Organization for the Counsel General's final decision.

**Section 9.** There shall be a District President from each District of the Department who shall be selected in the manner prescribed in the Constitution. She shall be a member of the



Department Executive Committee.

**Section 10.** At least two District meetings a year shall be held in each District of the Department. The Fall meeting shall be for the purpose of emphasizing membership and planning activities for the year. The Spring meeting shall be for the purpose of hearing reports of the various Units, the election of the District Officers, and any other business for the good of the Auxiliary. Such District meetings shall be presided over by the respective District Presidents, who shall call the District Meeting and shall give to each Unit within the District at least ten day's notice of such call.

**Section 11.** Any District President, upon failure to contact two-thirds of the Units in her District within sixty days after her election, shall automatically be removed from office, and vacancy filled by the District Vice President.

## ARTICLE IV

### Department Executive Committee

**Section 1.** Role: The Department Executive Committee shall serve as the governing body of the organization with fiduciary, policy, and strategic responsibility for the organization between Department Conventions. It shall be the duty of the Department Executive Committee, as corporate directors for the American Legion Auxiliary, Department of Arkansas, to ensure that the organization has adequate resources to fulfill its mission. The Department Executive Committee is responsible for the organization's adherence to legal standards and ethical norms.

**Section 2.** Authority: The Department Executive Committee shall adopt the annual budget for the Department Organization; adopt policies and standing rules, unless otherwise noted in the Department Constitution, these Bylaws or Standing Rules, strategic plans and agreements, and memorandums of understanding; review financial statements and accept the department annual audit; ratify committees; confirm the nomination of the Department Secretary, Department Parliamentarian and the Department Treasurer, confirm committee and other department appointments, and confirm the appointment of officials not otherwise provided for in these Bylaws; levy assessments as needed; ratify the cancellation of charters; and other duties and responsibilities that are the normal function of a corporate board of directors.

**Section 3.** It shall be the duty of each Department Executive Committeewoman to fulfill the responsibilities of the Department Executive Committee, and to articulate the organization's mission, accomplishments, and goals to the public and to her Unit.

**Section 4.** Meetings: A meeting of the Executive Committee shall be held in Little Rock at the Fall Conference and a final meeting of the year shall be held immediately preceding the opening of the Department Convention in the Convention City. Special meetings may be held upon reasonable notice at the call of the President. The President shall call a meeting of the Department Executive Committee upon written request of not less than eight members. In case of a matter that requires immediate attention, the President may communicate with the Department Executive Committee by electronic or telephonic means or regular mail.

**Section 5.** Quorum: Ten members of the Department Executive Committee, present at any meeting thereof, shall constitute a quorum.

**Section 6.** All questions affecting the election, eligibility, conduct and capacity of the Department Officers shall be referred to and determined by the Department Executive Committee. The Department Executive Committee shall be responsible for establishing the process and procedure for making the determination that a Department Officer or a department committee member serving a single or multiple year term is incompetent, incapacitated, or otherwise unable to discharge the duties of the department office.

All questions affecting the election, eligibility, content and capacity of the Department Committeewoman from any Unit or of the Unit Officers or members of the Unit Executive Committee shall be referred to and determined by the Department Executive Committee, which shall be the final authority thereon.

**Section 7.** Vacancies occurring in any of the elective offices shall be filled by the Department Executive Committee. In filling vacancies of the District Presidents and Vice Presidents, the successors shall be chosen from the District in which such vacancies occur.

**Section 8.** The Department Executive Committee shall fix the compensation of the Executive Secretary, Treasurer, and all other employees.

**Section 9.** All Department Officers and members of the Department Executive Committee shall be in good standing in their Units.

## **ARTICLE V**

### **Unit Organization**

**Section 1.** The smallest administrative body of the American Legion Auxiliary shall be termed the "Unit", which shall maintain a minimum membership of ten (10) Senior members with the exception of a Department Headquarters that shall have no minimum membership requirement.

**Section 2.** Those who desire to form a Unit shall apply to the Post to which it will attach and the Department in which it resides as provided in the Standing Rules. Upon receipt of a properly executed charter application from the Department, the Unit charter shall be signed by the National President and National Secretary.

**Section 3.** Each Unit shall prescribe its own Constitution, Bylaws and Standing Rules, provided nothing therein shall be in conflict with any provision of the National or Department Constitution, nor inconsistent with the aims and purposes of the American Legion Auxiliary; and, provided further, that such Constitution shall be approved by the Department Executive Committee; the Department President or her appointee.

Each Unit must have a current Constitution, Bylaws and Standing Rules on file at

Department Headquarters, approved by the Department Constitution and Bylaws Chairman. In the event of an amendment, a complete amended copy shall be promptly sent to the Department Constitution and Bylaws Chairman for approval.

**Section 4.** A Unit shall be given the name and number of the American Legion Post to which it is attached and only one Unit may be attached to each Post.

**Section 5.** Officers of the Unit shall be a President, First Vice President, Second Vice President, Secretary, Treasurer, Historian, Chaplain, Sergeant-at-Arms, and other such officers as may from time to time be authorized.

**Section 6.** Officers of the Unit shall be elected annually by the time of the last regular meeting of the fiscal year and shall take office not later than the same time as the Department Officers. It shall be the duty of the Unit Secretary to certify to Department Headquarters, on forms provided for that purpose, the names, addresses and phone numbers of the newly elected officers immediately following their election.

**Section 7.** The charter of any Unit may be revoked upon its failure to remit dues for a membership of ten by the close of the fiscal year. When a Unit ceases to function or its charter has been revoked, the charter and all Unit records and funds shall be forwarded immediately to Department Headquarters.

**Section 8.** The Department Executive Committee may recommend to the National Executive Committee the suspension or revocation of the charter of a Unit which violates the National Constitution and Bylaws, or the Department Constitution and Bylaws, or any specific action of the Department or National Executive Committee.

**Section 9.** An eligible woman may apply for membership in any Unit.

**Section 10.** No person may at any time be a member of more than one Unit.

**Section 11.** Transfer of membership from one Unit to another is covered under Standing Rules, VI. Units, #3.

**Section 12.** Each Unit of the American Legion Auxiliary shall be responsible for verifying eligibility and deciding its membership, subject to the restrictions of the national governing documents. No person who is a member of an organization which has for its aim the overthrow of the United States Government or who subscribes to the principles of any group opposed to our form of government shall be eligible to become or remain a member of the American Legion Auxiliary.

**Section 13.** All persons handling funds of the Unit shall be bonded by a reputable, solvent bonding and surety company; or shall be covered by fidelity/crime insurance in an adequate amount as described by the Unit.

## ARTICLE VI

### Dues

**Section 1.** The annual dues, per Senior Member, shall be listed in the Department's Standing Rules.

**Section 2.** The annual dues, per Junior Member, shall be listed in the Department's Standing Rules.

**Section 3.** Annual National dues, as determined by the National Convention each year, shall be collected by the Units and paid through Department Headquarters to the National Treasurer, whenever the same become due and payable.

**Section 4.** Annual dues are defined in the Standing Rules.

## ARTICLE VII

### Fiscal Year

**Section 1.** The fiscal year for the American Legion Auxiliary, Department of Arkansas, shall be July 1<sup>st</sup> to June 30<sup>th</sup> of each year.

**Section 2.** All Units shall submit annual reports of their activities at their District Spring meetings. Annual written reports shall be submitted to the designated Department Committee Chairman by May 1 of each year.

## ARTICLE VIII

### Committees

**Section 1.** The Department President may appoint committees, as she deems advisable to further the mission of the organization, subject to ratification of the Department Executive Committee. When a vacancy occurs on a committee, the Department President shall appoint a member to serve the remainder of the unexpired term, all subject to confirmation by the Department Executive Committee. The Chairmen of Department Committees shall submit annual reports to the designated National Committee Chairman with a copy to Department Headquarters.

**Section 2.** There shall be the following core Department Standing Committees: Veterans Affairs and Rehabilitation, Children and Youth, Americanism, National Security, Membership, Constitution and Bylaws, Finance and such other mission and member organizational support

committees as provided in the Standing Rules.

**Section 3.** The composition and rules of the Department Standing Committees and Department Committees shall be as provided in the Standing Rules. Amendments to the composition of such department committees shall be by action of the Department Convention delegates.

**Section 4.** The Department President shall appoint, subject to the ratification of the Department Executive Committee, a Department Finance Committee composed of three members. Of the three members first appointed, one shall serve for one year, one for two years and one for three years. After the expiration of the first year and every year thereafter, one shall be appointed by the Department President to serve for the three-year term. The President shall designate as Chairman of the Finance Committee the member who is serving her third year as a member of the committee. The Department Finance Committee shall oversee the general financial policy of the Department subject to the approval of the Department Executive Committee. It shall be charged with the preparation of the Department's yearly budget and shall supervise the expenditures of funds under that budget. It shall meet at the beginning of each fiscal year and at such times as deemed necessary; the final meeting being in the Convention City immediately prior to the opening of the Department Convention.

The Department President, Department Secretary and the Department Treasurer shall be ex-officio members of the Department Finance Committee.

**Section 4.** At the last meeting of the Department Executive Committee held prior to each annual Convention, the Chairmen of Standing Committees shall submit to the Executive Committee any recommendations which they contemplate making to the Department Convention.

**Section 5.** The Department President shall have the privilege of appointing, as an Advisory Committee, Past Department Presidents from whom she intends to seek advice and counsel, with power to act in an advisory capacity only, when called upon by the Department President.

## **ARTICLE IX**

### **Suspension, Cancellation and Revocation of Unit Charters**

**Section 1.** The Department Executive Committee may suspend, cancel or revoke Unit charters for good cause to it appearing.

**Section 2.** Any Unit that a) fails to meet obligations imposed upon it by the governing documents, policies or requirements of the National Organization or

Department or b) ceases to function as an American Legion Auxiliary Unit from one Department Convention to the next shall surrender its charter at the direction of the Department President. When a Unit so directed to surrender its charter fails to do so, the Department Executive Committee may take immediate steps to revoke the charter.

**Section 3.** An American Legion Auxiliary Unit whose charter has been suspended, cancelled or revoked by the Department may appeal the decision of the Department Executive Committee to the National Executive Committee as provided in the Standing Rules.

**Section 4.** Upon suspension of an American Legion Auxiliary Unit charter, the Department Executive Committee is authorized, empowered and directed, by and through its duly authorized agents, to take possession, custody and control of all records, assets, property and belongings of the Unit and to provide for the governance and administration of the Unit during said suspension.

**Section 5.** With regard to suspensions, cancellations and revocations of Unit charters, in no event shall the Department organization be required to assume any financial obligation with regard to records, assets, property and belongings.

**Section 6.** A cancellation of a Unit charter shall be in order when two (2) or more Units merge, when a Unit ceases to function or under such other conditions as might make such action necessary within a Department. In the event a Unit chartered is canceled or revoked without the consent of such Unit, it shall have the right to appeal to the National Executive Committee as provided in the Standing rules. Procedures for appealing the revocation or cancelation of a Unit charter is covered in the Standing Rules.

## **ARTICLE X**

### **Parliamentary Authority**

**Section 1.** The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern this organization in all cases in which they are applicable and in which they are not inconsistent with applicable state statues, the National Constitution and Bylaws, Standing and Special Rules.

## **ARTICLE XI**

### **Amendments**

**Section 1.** The Bylaws may be amended at any Department Convention by a vote of two-thirds of the total authorized representation thereat, provided the proposed amendments shall have been submitted through the Department Secretary to the several Units and members of the Department Executive Committee by distributing same to them

at least twenty (20) days prior to the convening of the next Department Convention; and provided further that all proposed amendments shall be read at a regular meeting of the Convention.

**Section 2.** Necessary amendments proposed after distribution or revision as shown in Section 1, may be adopted by a two-thirds vote of the delegation, provided they have been read at one meeting of the session prior to taking the vote.

**Section 3.** An amendment not having been previously read or distributed as required in Section 1 may be adopted by the unanimous vote of the Convention body.

## **STANDING RULES**

### **ARKANSAS DEPARTMENT**

### **AMERICAN LEGION AUXILIARY**

**These Standing Rules have been revised to include all changes effective through the Ninety-third Department Convention in North Little Rock, Arkansas June 20-21, 2014.**

#### **PREFACE**

Standing Rules are rules and regulations for the guidance of an assembly, which have been adopted, the same as ordinary resolutions, by a majority vote without previous notice.

A Standing Rule may be amended or rescinded by a two-thirds vote, or, if notice has been given, by a majority vote. Standing Rules are usually adopted from time to time, as they are needed, in the form of resolutions.

Supplementary rules and regulations may be adopted by the Department Executive Committee and shall be designated as Standing Rules.

Standing Rules have the same importance as the Department Constitution and Bylaws and may be amended a frequently as needed.

#### **CODE OF ETHICS**

American Legion Auxiliary, Department of Arkansas, members are expected to comply

with the organization's governing documents and comport themselves according to the following Code of Ethics adopted by the National Executive Committee.

The Code of ethics serves as a guide for conduct acceptable with the American Legion Auxiliary, Department of Arkansas.

As a matter of fundamental principle, the American Legion Auxiliary, Department of Arkansas, will adhere to the highest ethical standards to earn and protect the public's trust in our performance to carry out the Auxiliary's mission, uphold rigorous standards of conduct and be good stewards of our resources.

The American Legion Auxiliary, Department of Arkansas, as witnessed through the conduct of its department governing body, officers, staff and volunteers, must earn the public's trust every day and in every possible way. Department leaders are expected to abide by all laws and demonstrate their ongoing commitment to the core values of integrity, honesty, fairness, openness, responsibility and trust.

The American Legion Auxiliary, Department of Arkansas, strongly recommends that all Units adopt a Code of Ethics and conduct themselves accordingly.

In keeping with the best practices of high performing nonprofit organizations, it is the expectation of the American Legion Auxiliary, Department of Arkansas, that its department business standards, operations and conduct conform to the following Code of Ethics.

### **PERSONAL AND PROFESSIONAL INTEGRITY**

All members, volunteers and staff of the American Legion Auxiliary, Department of Arkansas, act with honesty, integrity and openness in their communications, business and transactions as representation of the American Legion Auxiliary (organization). The organization promotes an environment that values fairness and commitment to the organization's founding principles and demonstrates respect for others.

Department officers, staff and volunteers shall conduct their personal and professional lives in a manner benefitting the organization's mission and values, recognizing that their actions reflect upon the credibility and reputation of the American Legion Auxiliary.

Department officers, staff and volunteers shall work to positively influence their environment to build respect, credibility and strategic importance of our organization to the public, our members and the communities we serve.

### **LEGAL COMPLIANCE**

The American Legion Auxiliary, Department of Arkansas, are knowledgeable of and comply with all federal, state and local laws and regulations, including, but not limited to: complying with laws and regulations related to human resources, financial accountability, taxation, fundraising, trademark protection and licensing.



Department officers, staff and volunteers shall recognize that compliance with applicable laws is a paramount standard.

## **GOVERNANCE**

The American Legion Auxiliary, Department of Arkansas's governing body is responsible for setting the strategic direction of the organization and oversight of the finances, operations, policies and programmatic performance.

The governing body of the American Legion Auxiliary shall:

- Ensure that the organization conducts all communication, business and transactions with integrity and honesty;
- Ensure that the policies of the organization are in writing, clearly articulated and officially adopted;
- Ensure periodic review of the organization's structure, procedures and programs to determine what is working well and what practices the organization may want to change in order to be more efficient, effective or responsible.
- Ensure that the resources of the organization are responsibly and prudently managed; and
- Ensure that the organization has the capacity to carry out its programs effectively.

## **RESPONSIBLE STEWARDSHIP**

The officers, staff and volunteers of the American Legion Auxiliary, Department of Arkansas are responsible for managing and preserving the organization's assets. Officers, staff and volunteers are expected to understand their fiduciary responsibilities so that the charitable purposes of the organization are carried out and assets are properly safeguarded and managed.

Officers, appropriate volunteer leaders and staff shall ensure that:

- Financial reports are created and maintained on a timely basis that accurately portray its financial status and activities;
- Internal financial statements are provided accurately and timely;
- Annual financial reports are made available to the public;
- Employees, leaders and members are provided a confidential means to report suspected financial impropriety or misuse of its resources; and
- Written financial policies governing management and investment of assets and reserve accounts, internal control procedures and purchasing practices are developed and implemented.

## **OPENNESS AND DISCLOSURE**

The American Legion Auxiliary will provide comprehensive and timely information to the public, the media, and its members, and is responsible to reasonable requests for information. All information about the organization will fully and honestly reflect the policies and the practices of the organization.

## **CONFLICT OF INTEREST**

The organization has the right to expect that the decisions made by the officers, staff and volunteers of the Auxiliary are made objectively and in the best interest of the organization.

To avoid the appearance of impropriety by those who could benefit directly or indirectly from any action by the Auxiliary, the organization shall develop, adopt and implement a conflict of interest policy.

Such policy shall include requirements to fully disclose all potential and actual conflicts of interest and prohibitions on activities that conflict with legal, ethical and fiduciary obligations to the organization.

## **FUNDRAISING**

The organization shall take care to ensure that all means and materials for solicitation accurately and correctly reflect its mission and use of solicited funds. The American Legion Auxiliary, Department of Arkansas, shall respect the privacy concerns of individual donors and expend funds consistent with donor intent.

To assure donors and prospective donors can have full confidence in the organization and the causes they are asked to support, the American Legion Auxiliary, Department of Arkansas, will respect the following rights of donors:

- To be informed of the organization's mission, of the way the organization intends to use donated resources, and its capacity to use donations effectively for their intended purposes;
- To be informed of the identity of those serving on the organization's board and to expect the board to exercise prudent judgment in its stewardship responsibilities;
- To be assured their gifts will be used for the purposes for which they were given;
- To receive appropriate acknowledgment and recognition;
- To be assured that the information about their donation is handled with respect and with confidentiality to the extent provided by law;
- To expect that all relationships with individuals representing the American Legion, Department of Arkansas, will be professional in nature;
- To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors; and
- To feel free to ask questions when making a donation and to receive

prompt, truthful and forthright answers.

## **INCLUSIVENESS AND DIVERSITY**

The American Legion Auxiliary, Department of Arkansas, recognizes the value of diverse backgrounds and benefits of its membership.

The American Legion Auxiliary, Department of Arkansas, promotes an atmosphere of mutual respect for the worth and dignity of its members, those eligible to become members and those we serve.

## **ETHICS VIOLATIONS**

Any member may report a violation of ethical conduct or actions contrary to the governing doctrine without fear of retaliation.

The organization considers all inquiries and complaints about actions of members to be strictly confidential.

Ethics Query – An ethics query is a means for inquiring whether or not a practice warrants filing a complaint alleging a violation of the Code. Anyone may register a query of a possible violation of Code by a member.

The organization shall adopt a procedure to administer the ethics query process.

Ethics Complaint – An ethics complaint provides a process for receiving, investigating and acting on a violation of the Code made against any member or staff and proves a process that is fair, responsible, confidential and consistent.

The organization shall adopt a procedure to administer the complaint process.

## **WHISTLEBLOWER PROTECTION**

A whistleblower is any member who, in good faith, promptly reports instances of violation of the Code. The American Legion Auxiliary, Department of Arkansas, shall establish and abide by policies to protect the Auxiliary.

Any member who acts maliciously by making known information she knows or reasonably believes to be false is not a whistleblower and will not be protected under the whistleblower mechanism.

The American Legion Auxiliary, Department of Arkansas, expects improper activity to be reported accurately and will protect whistleblowers from retaliation.

The American Legion Auxiliary, Department of Arkansas, will investigate any allegation that a whistleblower has been retaliated against for disclosing information that the whistleblower believed to have been accurate. Any member who believes that she has been retaliated against for whistle blowing is expected to report it immediately. If the complaint is validated, the organization can impose disciplinary sanctions against the retaliating member including termination of membership in the organization.

## **I. DEPARTMENT ORGANIZATION**

1. The Headquarters of the American Legion Auxiliary shall be maintained in Little Rock, Arkansas.
2. The Judge Advocate of The American Legion shall be the Counsel General of the American Legion Auxiliary on all legal matters and matters pertaining to the Department Constitution and Bylaws and shall perform such other duties as are usually incident to the office.

All requests for information from and opinions by the Counsel General MUST come through the Department Secretary or Department President to the National Secretary, and thence referred to the Counsel General for his ruling, and said ruling will be sent by the National Secretary to the Department Officer.

## **II. DEPARTMENT CONVENTION**

1. The date and place of the Department Convention of the American Legion Auxiliary shall conform to that of The American Legion. As shall that of the Mid-Winter Conference.
2. Each Unit shall be required to pay \$5.00 registration fee for each delegate from the Unit at the time of sending credentials to Department Headquarters.
3. The badge given in receipt for this fee by the Registrar at the Convention shall be exhibited on demand to gain admittance to meetings of the Convention or to the entertainment features.
4. The Department President shall be the Presiding Officer and Chairman of the Convention.
5. The National Executive Committeewoman shall be the Vice Chairman of the Convention and shall act in place of the President in her absence.
6. The Department Secretary shall be the Secretary of the Convention and Executive Committee Meetings. In the absence of the Secretary, the designee of the Department President shall act in her place.
7. The Department President shall appoint the following Convention Committees:

**Credentials Committee:** To pass upon the credentials of the Units and to handle all matters where delegation contests arise. The Credentials Committee shall be responsible for preparing envelopes containing the ballots for the election of officers, with the help of the Department Secretary.

**Rules Committee:** To propose the rules under which the Department Convention shall operate. The Rules shall provide for the orderly organization and operation of the Department Convention.

**Resolutions Committee:** To receive resolutions and refer them to the Proper Pre-Department Convention Committees and to formulate such Department Convention resolutions not within the jurisdiction of the other established Pre-Convention committees as listed in this section. This committee shall meet in advance of the other Pre-Convention Committee meetings to allow ample time to properly assign the resolutions to the other Pre-Convention Committees prior to their convening. This committee has no authority to take any action on a resolution other than to refer it to the appropriate Pre-Convention Committee, unless there is a written opinion from the Counsel General that a resolution is illegal and can cause the organization, its officers, its Department Executive Committee members, appointees and other members to become liable. In such an event, the Resolutions Committee shall report said action to the Department Convention delegates.

At the Pre-Convention Meeting of the Committee on Resolutions, resolutions not within the jurisdiction of any other Pre-Convention Committee shall be presented for explanation by a member of the committee on Resolutions. Upon conclusion of discussion of each resolution, the committee may vote either to a) recommend to the Department Convention delegates that a proposed resolution be adopted; b) recommend to the Department Convention delegates that a proposed resolution not be adopted; or c) make no recommendation to the Department Convention delegates regarding a proposed resolution. Each member of the Resolutions Committee shall be entitled to one (1) vote on the recommendation to be made to the Department Convention delegates. The Resolutions Committee shall report its activity to the Department Convention delegates.

**Tellers Committee:** The Tellers Committee shall distribute envelopes containing ballots to the Unit Chairman of each delegation. When the time allotted for voting is closed, the Tellers Committee will collect the envelopes and retire for the count of votes. The Chairman shall report the results to the President.

8. Committee on Constitutional Amendments: Shall be the standing committee on Constitution and Bylaws; to receive and consider all suggested amendments to the Constitution and Bylaws; and to draft into the Constitution and Bylaws amendments adopted by the Convention.

9. Committee on Finance: Shall be the standing committee on Finance; to consider all matters pertaining to financial policy, which may come before the Convention; and to receive the report of the Treasurer.

10. The Department President shall appoint a Convention Chairman and a Vice Chairman, for the purpose of seeing that the meeting room is prepared for the meeting, with all supplies, equipment and seating arranged properly.

11. The Department President shall appoint a Chairman and a Vice Chairman of Pages, who shall be responsible for instructing the Pages as to their correct apparel and duties.

12. The Department President shall appoint any other special Department Convention committee as deemed appropriate.

13. This Department shall be entitled to five delegates to the National Convention and one additional delegate for each 1500 members or major fraction thereof and to one alternate for each delegate whose current dues have been received by the National Treasurer 30 days prior to the meeting of the National Convention. The delegates shall be elected at the Department Convention. No persons shall be eligible for election as a delegate to a National Convention unless such person is present at the Department Convention.

### **III. DEPARTMENT EXECUTIVE COMMITTEE**

1. Cancellation of charters should be presented at either of two stated times during the year; namely, the Department Executive Committee Meeting prior to the Department Convention and the Department Executive Committee Meeting prior to Fall Conference.

### **IV. DEPARTMENT COMMITTEES**

1. As provided in the Department Bylaws, in addition to the core Department Standing Committees – Veterans Affairs & Rehabilitation, Children & Youth, American, National Security, Membership, Constitution & Bylaws and Finance – there shall be the following department committees: Auxiliary Emergency Fund, Cavalcade of Memories, Community Service, Education, Girls State, Junior Activities, Leadership, Legislative, Past Presidents Parley, Poppy, and Public Relations.

2. As provided in the Department Bylaws, the chairman and committee members of all department committees shall be appointed by the Department President and confirmed by the Department Executive Committee.

3. As provided in the Department Bylaws, when a vacancy occurs on a committee, the Department President shall appoint a member to serve the unexpired term subject to confirmation by the Department Executive Committee. Chairmen and committee members serve until their successors are appointed.

4. As provided in the Department Bylaws, the Department President shall be considered an ex-officio member, additionally, of all committees.

5. The composition of each Department Standing Committee and each Department Committee and the number of members and their terms shall be as described in this section, and any amendments thereto shall be by action of the Department Convention Delegates.

### **Department Standing Committees – Mission Outreach**

Veterans Affairs & Rehabilitation: The Department Veterans Affairs and Rehabilitation Committee shall consist of five members, appointed by the Department President which will include the Department Veterans Affairs and Rehabilitation Chairman, the Service for Veterans Director, the Director of Hospital Volunteers and the Christmas Cheer Chairman for the Little Rock/North Little Rock and Fayetteville VA Medical Centers. The Veterans Affairs and Rehabilitation Chairman shall make regular visits to V.A. Medical Centers where Veterans are hospitalized and compile all reports to National Chairman. All five members of the Committee shall be members of the Department Executive Committee.

The Department President shall appoint a Gift Shop Committee, which shall consist of a Chairman and two members. The Department President shall designate one member to serve for one year, one for two years, and one for three years, such appointments to be subject to the ratification of the Department Executive Committee. The one year appointment shall serve as Chairman the first year, the two year appointment shall serve as Chairman the second year, and each year thereafter the Department President shall designate as Chairman of Gift Shop Committee the member who is serving her third year. Each year, after the first, the Department President shall appoint one member of this committee to serve a three-year term. The Gift Shop Chairman shall be a member of the Department Executive Committee.

The Department President shall also appoint a Department VAVS Representative for the Little Rock/North Little Rock, Fayetteville, Memphis TN, Poplar Bluff MO and Shreveport LA VA Medical Centers who shall be members of the Department Executive Committee. The Department President shall also appoint Deputy VAVS Representatives for each of the VA Medical Centers listed herein.

Children & Youth: The Children & Youth Committee shall be comprised of a chairman and two (2) members all of whom shall serve a one-year term. The purpose of the

Children & Youth Committee is to work collaboratively with the American Legion to promote programs that protect, care for, and support children and youth, especially those of our military and veterans.

Americanism: The Americanism Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term. The purpose of the Americanism program is to promote patriotism and responsible citizenship. The Americanism Chairman shall be responsible for advancing and retiring the American Flag at all Department Meetings and for assisting the Department Sergeant-at-Arms with the care of the flags at said meetings. She shall wear white attire, including gloves.

National Security: The National Security Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term. The purpose of the National Security Committee is to promote a strong national defense.

Membership: The membership committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term. The purpose of the Membership Committee is to promote the benefits of membership and to promote retaining and recruiting a diverse, active membership to carry out the American Legion Auxiliary mission and programs.

Constitution & Bylaws: The Constitution & Bylaws Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term. The purpose of the Constitution & Bylaws Committee is to inform members about having proper governing documents at all levels.

Finance: The Department Finance Committee shall be composed of three members. Of the three members first appointed, one shall serve for one year, one for two years and one for three years. After the expiration of the first year and every year thereafter, one shall be appointed by the Department President to serve for the three-year term. The President shall designate as Chairman of the Finance Committee the member who is serving her third year as a member of the committee. The Department Finance Committee shall oversee the general financial policy of the Department subject to the approval of the Department Executive Committee. It shall be charged with the preparation of the Department's yearly budget and shall supervise the expenditures of funds under that budget. It shall meet at the beginning of each fiscal year and at such times as deemed necessary; the final meeting being in the Convention City immediately prior to the opening of the Department Convention. The Department Secretary and Department Treasurer shall be additional members of said committee with voice, but without vote.

The purpose of the Department Finance Committee is to oversee the development and implementation of general financial policy subject to ratification by the Department Executive Committee; and to provide oversight of budgeted funds in the budget and report any significant variance to the Department Executive Committee.



## **Other Department Mission Outreach Program Committees**

**Education:** The Education Committee shall be comprised of chairman and two (2) members, each whom shall serve a one-year term.

**Girls State:** The Girls State Committee shall be comprised of three members, one to serve for one year, one for two years, and one for three years, such appointments to be subject to the ratification of the Department Executive Committee. The one year appointment shall serve as Chairman the first year, the two year appointment shall serve as Chairman the second year, and each year thereafter the Department President shall designate as Chairman of Arkansas Girls State Committee the member who is serving her third year. Each year, after the first year, the Department President of the American Legion Auxiliary shall appoint one member of this committee to serve a three-year term. The Department President, Secretary and Treasurer shall be ex-officio members of the Girls State Committee. The Girls State Committee shall direct the Girl's State program and conduct the annual session of the American Legion Auxiliary, Department of Arkansas Girls State with the Girls State Committee selecting the Chairman for approval by the Department Executive Committee.

**Junior Activities:** The Junior Activities Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term.

**Legislative:** The Legislative Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term.

**Poppy:** The Poppy Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term.

**Community Service:** The Community Service Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term.

## **Other Department Member/Organizational Support Committees**

**Auxiliary Emergency Fund:** The Auxiliary Emergency Fund (AEF) Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term. The Auxiliary Emergency Fund grants to American Legion Auxiliary members who qualify for specific types of emergency assistance.

**Calvacade of Memories:** The Calvacade of Memories Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term.

**Leadership:** The Leadership Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term.

**Past Presidents Parley:** Past Presidents Parley shall be comprised of a chairman and two (2) members, all of whom shall be past Department Presidents and all of whom shall

serve a one-year term.

Public Relations: The Public Relations Committee shall be comprised of a chairman and two (2) members, all of whom shall serve a one-year term.

### **Special Purpose Committees**

Advisory: The Department President may appoint an Advisory committee comprised of past department presidents.

6. Department Chairmen are to receive Plans of Action as soon as possible following National Convention. Plans of Action are to be distributed to the Units as soon as possible.

## **V. DEPARTMENT**

1. Departments of the American Legion Auxiliary are separate entities that operate independently as affiliates of the American Legion Auxiliary National Organization. Departments shall be governed by their own Department Constitution and/or Bylaws, rules and policies, which shall not conflict with the National Constitution and Bylaws, National Standing Rules, National rules and policies. Departments shall refer to the American Legion Auxiliary Department Operations Guide, The American Legion Auxiliary Girls State Program and Operations Guide, Manual of Ceremonies and other publications of the National Organization for guidance in the conduct of their programs and the administration of Department activities.

2. Governance issues within a Department not resolved by the Department Executive Committee may be appealed to the National Executive Committee. The National Executive Committee has the authority to accept or reject appeals for consideration.

3. The Department of Arkansas shall not charge for materials received free of charge from National Headquarters.

4. The Unit has the responsibility for the discipline of its members. A member disciplined by her Unit may appeal the Unit's disciplinary action in writing to the Department Executive Committee. The Department Executive Committee shall review the appeal and respond as it deems appropriate. The action of the Department Executive Committee is final. Disciplinary actions against members, including membership suspensions, are not appealable to the National Organization. All discipline must be imposed in accordance with the principles of due process and equal protection. A Department may discipline a Unit for failure to discipline a member.

5. It shall be the responsibility of the Department Executive Committee as directors of the Department organization to determine all questions affecting the election, eligibility, conduct and capacity of the Department's officers and directors. Such matters shall be

determined according to due process and shall be specified in the Departments governing documents to include:

- a) questions affecting the election eligibility, conduct, and capacity of the Department's officers and directors, Department Executive Committee members, and the Department's National Executive Committee members shall be submitted in writing to the Department Executive Committee;
- b) the Department Executive Committee may designate, appoint and authorize a subcommittee to hear, try and make written findings of fact and recommendations regarding such matters;
- c) the Department Executive Committee shall provide due and proper notice of any hearing and trial;
- d) the findings of fact and recommendations of said matters shall be presented to the Department Executive Committee for its approval, reflection or final decision; the action of the Department Executive Committee in such matters shall be final and conclusive without appeal to the National Organization.

**6.** A Legion Department has no authority to regulate an Auxiliary Department and vice versa.

**7.** A Department has the authority to establish Department policies for endorsement of candidates for National office. National headquarters does not oversee the manner in which Division select candidates for National Division Vice President.

**8.** Names and addresses of all elected Department Offices must be provided to National headquarters no later than thirty (30) days after Department Convention.

**9.** Names and complete contact information of all Department Chairmen must be entered into the American Legion Auxiliary Management Information System by the Department no later than the date established by National Headquarters.

**10.** National headquarters shall notify Departments of all resolutions and amendments adopted at each National Convention.

**11.** Individual Units may not conduct fund-raising at Department functions, i.e. conventions and conferences, due to number and space availability, or conflicts with Department fund-raisers that may be in progress at such events.

## **VI. UNITS**

**1.** Units of the American Legion Auxiliary are separate entities that operate independently as affiliates of the American Legion Auxiliary Organization. Units shall

be governed by their own Unit Constitution and/or Bylaws which shall not conflict with the National Constitution and Bylaws, National Standing Rules, National rules and policies, Department Constitution and Bylaws and Standing Rules or Department Rules and policies. Units may refer to the Unit Handbook, the Manual of Ceremonies and other publications of the National and Department organizations for guidance in the conduct of their programs and administration of Unit activities.

**2.** Units have the authority to establish annual Unit dues. Annual dues collected by the Unit shall include Department and National dues. Units shall remit Department and National dues according to the policies adopted by the National Executive Committee.

The yearly dues of each Unit shall be left to the discretion of that Unit. Annual Unit dues shall include Department and National dues, which are sent to Department headquarters as instructed.

**3.** The minimum membership of a Unit shall be ten (10) Senior members. A Department Headquarters shall have no minimum membership requirement.

No person may, at any time, be a member of more than one (1) Unit.

A new member joining the American Legion Auxiliary prior to the Annual National Convention must pay full current dues to be eligible for full membership rights, privileges and benefits.

A new member joining after the National Convention may be given by her Unit full membership rights, privileges and benefits from the date the dues are received through December 31<sup>st</sup> of the following year.

Any member in good standing wishing to transfer to another Unit must present to the new Unit her current membership card. Upon acceptance of the transfer by the new Unit, no dues shall be transferred.

A member whose dues are paid up-to-date and who is not subject to suspension or membership revocation under dues process shall be considered in good standing and the member shall be entitled to full membership rights, privileges and benefits in the new Unit.

**4.** An American Legion Post has no authority to regulate a Unit and vice versa.

**5.** Units shall have Credentials and fees into Department Headquarters ten days prior to the date of Department Convention.

**6.** Units shall send names and addresses of all Unit Officers to Department Headquarters immediately after Unit elections and not later than ten days after Department Convention.

7. The names and addresses of Unit Chairman shall be sent to Department Headquarters no later than thirty days after Department Convention.

8. Units shall pay to Department Headquarters a bond fee of \$8.00, which the National Organization assesses the Department for each Unit. An invoice shall be mailed to each Unit by the Department Treasurer.

9. When a Unit ceases to function or its charter has been revoked or canceled, the charter and all Unit record and funds shall be immediately forwarded to Department Headquarters which has no obligation to assume any of the Unit's debt or other obligations.

10. A Unit whose charter has been suspended, canceled or revoked by the Department without the Unit's consent may appeal the Department's decision to the National Executive Committee.

11. The annual dues, per Senior Member, shall be \$15.00 of which \$5.75 is Department dues, .25 Arkansas Legionnaire paper and \$9.00 National dues, which includes a subscription to the American Legion Auxiliary Magazine.

12. The annual dues, per Junior Member, shall be \$3.00, of which \$1.75 is Department dues and \$1.25 National dues.

## **VII. UNIT CHARTERS**

1. A properly executed Unit charter application shall include typewritten names of at least ten (10) new or current Senior members and be accompanied by the per capita dues for each member plus the Unit Charter fee. Application for Unit charters shall be signed by the Department President and the Commander and Adjutant of The American Legion Post to which the Unit is attached.

2. Department charter fees should be proportion to the current charter fee as established by the National Headquarters. There shall be no charter fee for a Department Headquarters Unit.

3. The Department Executive Committee, after notice and hearing, may suspend, cancel or revoke the charter of a Unit for any good and sufficient cause to it appearing. All such actions must be imposed in accordance with a court recorder present who will make a complete record.

4. The Department Executive Committee may order the suspension of a charter for a period not to exceed one (1) year.

5. A Unit whose charter has been suspended, canceled or revoked without its consent may appeal the Department's action to the National Executive Committee within sixty (60) days of receipt of notice of the Department's action. Notice shall be given by

United States postage prepaid certified mail return receipt requested.

**6.** The general process by which a Unit may appeal the decision of its Department Executive Committee to suspend, cancel or revoke its charter shall be:

- a) The Unit shall provide written notice of the appeal to the National Secretary within sixty (60) days of the Unit's receipt of notice of the action by the Department.
- b) The Unit shall provide the written appeal with supporting documentation to the National Secretary and provide a copy of the written notice and appeal with supporting documentation to both the Department President and the Department Secretary.
- c) The National Secretary shall notify the National President of the appeal.
- d) The Department, upon notification of the Unit's appeal, shall provide a written copy of its actions regarding the suspension, cancellation, or revocation, of the Unit's charter to both the National President and National Secretary and a full copy of the file of the Department's proceedings.
- e) The National President, as presiding officer of the National Executive Committee, shall appoint a special subcommittee of three (3) to five (5) members of the National Executive Committee to review the appeal.
- f) The National President shall present the appeal at the next meeting of the National Executive Committee that allows for proper due notice and review of the appeal.
- g) The special subcommittee shall meet at least one day prior to the meeting of the National Executive Committee at which the National President will present the Unit's charter appeal. The special subcommittee shall review the appeal and recommend to the National Executive Committee action(s) to be taken thereon.
- h) The National Executive Committee shall act on an appeal as provided in the following section.

**7.** It shall be the responsibility of the National Executive Committee to hear and act on an appeal duly presented from a Unit whose charter has been suspended, canceled or revoked by the Department Executive Committee without the Unit's consent. The National Executive Committee, after notice, may conduct a hearing. The National Executive Committee may approve, reject or take other action regarding the suspension, cancellation or revocation of the charter of any American Legion Auxiliary Unit.

The special subcommittee shall notify the Unit and the Department of the day it will report to the National Executive Committee.

The National Executive Committee may approve, reject or take other action on the appeal. The action of the National Executive Committee, upon such findings and recommendations, shall be final.

### **VIII. DUES AND ASSESSMENTS**

1. Dues shall be payable annually for the succeeding calendar year or may be paid for life via a Paid Up for Life (PUFL) membership.

2. A member failing to pay such annual dues by January thirty-first (31<sup>st</sup>) of the current membership year shall be delinquent and suspended from membership privileges.

A member deemed delinquent for failing to pay dues by December thirty-first (31<sup>st</sup>) of the current membership year shall be classified as expired. Such expired member shall rejoin as an active member under her original join date without interruption of her continuous years of membership, and her membership privileges reinstated by payment of all past dues.

A member deemed expired for failing to pay dues by December thirty-first (31<sup>st</sup>) of the current membership year may rejoin, with a new join date, at any time in the future by reestablishing eligibility and making application as a new member.

Member applications and member reinstatements may also require Unit Action if a Unit's governing documents so state.

### **IX. JUNIOR MEMBERS**

1. Any Junior elected to serve as an honorary Junior officer must be paying dues as a Junior member for the membership year in which they are installed.

### **X. STANDARD**

1. It is urged, when at all possible, no one walk nor pass anything between the flags.

2. Members should dress appropriately when representing the Auxiliary.

3. The use of any electronic equipment, i.e. phones, computers, etc., is prohibited in meetings unless the equipment is being used for official business.

## **VII. A SPECIAL STANDING RULE**

1. A Standing Rule everyone should be pleased to adopt is **COMMON COURTESY TO ALL.**