AMERICAN LEGION AUXILIARY
DEPARTMENT OF MICHIGAN
2018-2019

CONSTITUTION AND BYLAWS ACTION PLAN

The Constitution & Bylaws program informs and educates members of the American Legion Auxiliary on the importance and power of properly written, reviewed and updated documents, policies and procedures at all levels. Constitution & Bylaws are the basis for governance of your department, district, and unit. Preparing and adhering to updated Constitution, Bylaws and Standing Rules will ensure a more successful organizational process and, provide the structures to follow at all levels of our organization. Units in Michigan write standing rules and adopt the Unit Constitution and Bylaws as prescribed by the Department of Michigan. The uniform Constitution and Bylaws was first adopted in 1925 and has been changed throughout the years. The Department Constitution, Bylaws and Standing Rules are available online at www.michalaux.org. The National Constitution, Bylaws and Standing Rules are available at www.alaforveterans.org, member resources.

The Constitution and Bylaws should only be changed at your **annual** meeting: these documents are the hardest to change. If there is anything in the bylaws that might change a lot, please move it to the standing rules.

Standing rules are related to the details of the administration rather than parliamentary procedure. There are policies that outline the customs or wishes and are easily adopted or changed as the need arises. Standing rules should be reviewed annually and changes made as necessary to ensure smooth operation. These rules need to be updated **every three (3) years and sent to the Department Chairman for approval.** The standing rules need to be adopted at a regular meeting. After adoption, be sure they are dated and signed by the Constitution and Bylaws Chairman and either the President or Secretary. Two signatures are required. Please send three (3) copies along with a self-addressed stamped envelope to the Department Chairman for approval or corrections. **Please remember to send a copy of your Standing Rules to your District Constitution and Bylaws Chairman. The Department does not send them a copy.**

With the rules set forth by National, Department and your unit, meetings should run smoothly and efficiently. If the committee can be of any assistance to you in any way, please do not hesitate to contact us.

The objective of this committee is to assist in updating Standing Rules, have the most current copies on file and serve as a resource person as requested. The Constitution, Bylaws and Standing Rules are critical in that they govern the operations of all levels of this organization. These documents should be considered working tools along with the Unit Guide Book and Policies and Procedures book.

Creating an interest among members to study Constitution and Bylaws is a challenge. It is each member's responsibility to have a copy of the Unit's Constitution, Bylaws and Standing Rules to learn the rules governing your Unit. New members should be given a copy along with their membership card so they have the material to study and become interested, productive members. Please remember that you are a Unit and not the Post. You are a separate organization and are considered a Unit of the American Legion Auxiliary.

The Unit Guide Book is a comprehensive source of information on the American Legion Auxiliary and its programs; Unit operations and procedures, membership eligibility and prescribed ceremonies. Along with the handbook are the Constitution, Bylaws and Standing Rules that explain the structure of the organization; the governing topics unique to the issues such as: Election of officers; duties and powers of those officers; frequency of meetings; discipline; quorum, etc; and rules which are related to the details of the administration of the organization's level.

The Presiding Officer should always have at hand the Unit Guide book, National, Department and Unit Constitution, Bylaws and Standing Rules. Please use the Unit Guide book, Policies and Procedures manual (which can be found on the National website) and the current edition of Robert's Rules of Order, Newly Revised (11th Edition). Questions that are not covered under the Constitution, Bylaws and Standing Rules are governed by Robert's Rules of Order, Newly Revised (11th Edition) The Eleventh (11th) Edition supersedes all previous editions and is intended automatically to become the parliamentary authority in organizations whose bylaws prescribe "Robert's Rules of Order," "Robert's Rules of Order Revised," and "Robert's Rules of Order Newly Revised," or "the current edition of" any of these titles, or the like, without specifying a particular edition. If the bylaws specifically identify one of the nine previous editions of the work as parliamentary authority, the bylaws should be amended to prescribe "the current edition of "Robert's Rules of Order Newly Revised."

With the rules set forth by National, Department and Unit, your meeting should run smoothly and efficiently. If this committee can assist you in any way, please do not hesitate to contact any of us listed below. I am here to serve and assist you and your Unit and District in any manner that I can.

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Unit #4 – 7th District

What can you do?

The following is provided as a guideline to help review your current Constitution, Bylaws and Standing Rules. *Please remember that department, district, and unit Constitutions, Bylaws and Standing Rules cannot be in conflict with national governing documents.*

Guidelines for Units and Districts

A. Constitution & Bylaws:
    1. are the foundation of the organization
    2. contain the most essential provisions relating to the organization, its name, purpose, membership, officers, meetings, governing board, committees, parliamentarian authority and amendments to prescribe structure changes
    3. are the law of the organization
        - should be reviewed, but not changed, every year
        - have direct bearing on the rights of members
    4. should have a standard form and content

5. define the primary characteristics of the organization
6. prescribe how the organization is structured and functions
7. include all rules that are so important that they cannot be changed without prior notice.

B. Standing Rules
   1. Relate to the details of administration for the organization
   2. May be adopted by a majority vote
      - may be amended or rescinded at any regularly scheduled meeting: with prior notification, by a majority vote, unless the bylaws stipulate otherwise, without prior notification by a two-thirds vote.

C. Parliamentary Authority – The most recent edition of *Robert's Rules of Order, Newly Revised* shall govern this organization in all cases that are not in conflict with state statute, the constitution, the bylaws, or any special rules of order adopted by the organization.

D. Definitions
   1. Resolution: An elaborate, formally written motion. A resolution may contain a preamble that lists the reasons for adoption. Each reason is listed in a separate paragraph starting with the word "whereas." A resolution must have at least one "resolved" clause that specifies the action or position being proposed.
   2. Amendment: Proposes a change to the Constitution, Bylaws, Special Rules of Order, or Standing Rules. It is also used to modify a motion under consideration.

Ideas:

Member

- Volunteer to create a game of Constitution & Bylaws questions for members to play at unit meetings; make Constitutions & Bylaws fun!
- Volunteer to write a resolution or amendment to be brought before your unit.
- Volunteer to help your department, district and/or unit to update governing documents to conform to the national organization's governing documents.
- Become familiar with the most recent edition of *Robert's Rules of Order, Newly Revised*

Unit

- Update Constitution, Bylaws and Standing Rules, as well as policies and procedures, to conform to the national organization's recent update.
- Plan a parliamentary procedure seminar at a unit/district function.

Constitution & Bylaws Reporting

As part of your Narrative Report, please include answers to the following questions:

- Have you done an annual review of your Constitution & Bylaws?
- When were your department and unit Constitution & Bylaws last revised?
- How were units inspired to review their governing documents?
- Has your unit/department sponsored any Constitution & Bylaws activities? If so, what were those activities?
- Did your department participate in a web-based Constitution & Bylaws activity? If so, was it helpful?

Additional Resources You Can Use (*available through Emblem Sales emblem.legion.org)

1. Your national Constitution & Bylaws committee members (see Constitution & Bylaws program page on the national website or Annual Supplement for contact Information)
2. National Constitution, Bylaws, and Standing Rules* (also available for download at www.ALAforVeterans.org)
3. Policies and Procedures Manual*
4. Unit Guide Book*
5. Parliamentary Procedure*
6. *Robert's Rules of Order, Newly Revised**
7. C&B program page at www.ALAforVeterans.org
8. *ALA Department Operations Guide* at www.ALAforVeterans.org

HOW TO WRITE STANDING RULES

Step-by-Step Instructions:

- Start with a specific need that relates to the administration of your department, district or unit (e.g., awards you present, budget for convention attendees, voting body).
- Present it at a department, district or unit meeting.
- A standing rule can be adopted with majority vote at any regular meeting with advance notice, unless otherwise stipulated in the bylaws. Without advance notice, a standing rule requires a 2/3 vote for adoption.
- The Standing Rules document should be kept up-to-date, and each new Standing Rule should record the date it was adopted.

GUIDELINES FOR WRITING STANDING RULES

Standing Rules are those rules and regulations which relate to the details of the administration of an organization for the guidance of an assembly. Standing Rules are usually adopted in the form of a resolution and requires a majority vote to pass with previous notice at any regularly scheduled meeting, and a 2/3 vote in the affirmative to pass without prior notice.

The following points are intended to be a helpful guide for writing or updating Standing Rules. Not every topic or item will apply in every instance, and some things may not be listed.

The _____ (Unit name and number) of the _____ District, American Legion Auxiliary, hereby adopts the Constitution & Bylaws as prescribed by the American Legion Auxiliary, Department of Michigan. (See Unit Bylaws, Article VIII, Section 14). This does not appear on District Standing Rules as each District should write their own Constitution and Bylaws. (See Department Standing Rules, District Organization and Bylaws, paragraph 2)

This Unit shall be governed by the current edition of *Robert's Rules of Order,* Newly Revised, in all questions not governed by articles of the National, Department and Unit Constitution and Bylaws.

1. State time (day and hour) of meeting, place of meeting and information on notification of meeting. Are you meeting all twelve (12) months? (See Unit Bylaws, Article VI-Meetings)
2. Dues – Senior, Junior, Gold Star Mothers, Life Members.
3. Process for selecting Life Members.

4. Election (See Unit Bylaws, Article I and II)
    a. When will election be held?
    b. Secretary and/or Treasurer – elected or appointed?
    c. A nominating committee – yes or no? Elected per the most recent edition of *Robert's Rules of Order, Newly Revised.*
5. Election of delegates for Department Convention, Fall and Mid-winter conference, district meetings – when and how selected. (Unit Bylaws, Article 1, Section 2)
6. Installation of officers – when, where, who is in charge. (Unit Bylaws, Article 1, Section 2). Remember Officers take office at the close of Department Convention.
7. Equipment – rules for loaning, maintenance, etc.
8. Finances
    a. Rent
    b. Utilities
    c. Working funds for officers, chairmen, poppy purchases, ALA Girls State, Veterans Affairs & Rehabilitation, etc.
    d. Annual gifts for district president's visit, retiring officers, etc.
    e. Flowers and/or gifts for illness, death, etc.
    f. Expenses for delegates to department convention, fall conference, district meetings, etc. (registration fee, mileage, per diem)
    g. How bills are paid and who signs the checks
    h. Contest prizes – how much for poppy, essay contests, etc.
    i. Department and district mandatory funds
    j. Arrangements for special dinners – funerals, etc.
    k. Annual donations to special programs or charities
    l. Filing of 990 Form with IRS – who files and when
9. The fiscal year of this department/district/unit will be July 1st through June 30th inclusive. (See Unit Bylaws, Article III)
10. Audit – when and by whom. (Unit Bylaws, Article X, Section 4)
11. This paragraph should appear at the end of your Standing Rules: "Standing Rules are adopted by a majority vote and may be amended by two-thirds (2/3) vote at any meeting, 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.
12. The date of the meeting at which these Standing Rules were approved **MUST** be shown. The signature of the Constitution & Bylaws chairman and president or secretary **MUST** appear on the bottom of the list.

_____ _____
Date Approved President or Secretary

_____
Constitution & Bylaws Chairman

Mail three (3) copies of your Standing Rules to the Department Constitution and Bylaws Chairman. One copy will be returned for correction or approval. Enclose a self-addressed stamped envelope for return of your copy. One copy will be for Department and one for the Department Chairman. (It is important that we have the name and address of a person to contact in the unit.)

HOW TO WRITE A RESOLUTION

Step-by-Step Instructions:

- A resolution is a written, formal motion. Resolutions are used because the motion may be presented in written form with some of the reasons included in the document. If written well, the resolution makes it easier for members to consider the proposal. Importance, length and complexity of the motion, and size and formality of the assembly are major considerations in using resolutions.
- A resolution has two sections - the resolving clauses and the reasons. Resolving clauses tell the specifics of the proposal. The main reasons a motion should be adopted are included in the "Whereas" clauses. Neither section should include more clauses than are absolutely necessary. Simple, but specific is best.
- When developing a written motion or resolution, consult with members who can be of assistance to improve the wording and whose support will assist in its adoption.
- The two sections of a resolution can be written in either order, but many believe it is better to write the main motion first and then write the reasons it should be adopted. This way, you first determine what is to be done. Focus on the most crucial specifics essential in the motion. Say it in one or two sentences. A third sentence could include who is responsible and a timeline.
- Once the main motion is determined, develop three to five statements to support the adoption of it. These are worded as "Whereas" clauses. These points should be the most important and least controversial arguments for the motion. Less than three points may not make the case depending on the motion, and more than five may get too complicated and confuse the issue. Again, it is important to stay focused on the points that are strictly necessary. Leave other points for the discussion.
- When the resolution is finally written, it begins with the "Whereas" clauses and ends with the resolved clauses. *Robert's Rules of Order, Newly Revised* prescribes the proper format, capitalization and punctuation. Again, it is a good idea to consult with members who can be of assistance, as well as the most recent edition of *Robert's Rules of Order, Newly Revised,* to ensure your resolution is correctly formatted.

  See the sample resolution in Support Tools at www.ALAforVeterans.org.

HOW TO BE AN EFFECTIVE PARLIAMENTARIAN

Step-by-Step Instructions:

- **BE IMPARTIAL** – The parliamentarian is much like an official in a game. She is to be impartial and make sure everyone plays by the rules. Similarly, as the official does not play the game, the parliamentarian does not exercise the same rights as a member. She does not make motions, debate, or vote, except by ballot.
- **KNOW THE RULES** – Just as a referee must know the rules of the game, a parliamentarian must know the rules of the organization and of the parliamentary authority. As the size of the group increases, so must the depth of knowledge of the parliamentarian. A department parliamentarian must know and understand bylaws, standing rules, and parliamentary procedure much better than a unit parliamentarian.
- **PRESIDENT'S APPOINTMENT** – The president appoints the parliamentarian for her knowledge and skills, not as an honor or special appointment for a friend. The parliamentarian should be someone reliable and trusted to provide accurate advice for everyone on both sides of an issue. The president and parliamentarian should have a good working relationship.

- **VARIED ROLES** – The parliamentarian has a variety of duties before and during meetings with members, committees, officers, and boards. The goal is for the business to be handled properly and smoothly.
- **DUTIES BEFORE A MEETING** – Review the agenda with the president to be familiar with the business and possible problems that may arise. Review the bylaws and standing rules of the organization. Work with any committee members who request assistance in preparing reports for the meeting.
- **DUTIES DURING A MEETING** – Preparatory work before the meeting should reduce the work necessary during the meeting. The parliamentarian should arrive early to counsel as needed. Have a copy of the governing documents at the meeting. Keep track of the motions to assist the presiding officer. Be as inconspicuous as possible. Provide advice when requested and communicate with the president tactfully and discreetly. Remain impartial and be prepared to cite references if needed. Be available after the meeting for further counsel.
- **DUTIES FOR A CONVENTION** – The duties of the parliamentarian for a convention include those listed for meetings. Also be prepared to advise convention committees such as resolutions, credentials, rules, and elections. Review the script with the presiding officer. Stay focused, steady, patient, and fair.
- **PARLIAMENTARY AUTHOURITY** – Any organization requires rules of operation. The most important should be the hardest to change. Typically these include a Corporate Charter, Constitution and/or Bylaws, Rules of Order such as *Robert's Rules*, and Standing Rules. The Charter, Constitution, Bylaws, and Standing Rules are written specifically for a given organization. Those rules take precedence in governance. On matters not specifically addressed in those documents, the Rules of Order specified in the Bylaws are the parliamentary authority. This is usually the most recent edition *Robert's Rules of Order, Newly Revised*. A parliamentarian should spend time studying these rules.
- **HELP MEMBERS LEARN** – During your year of service as parliamentarian also consider working with members to educate them in parliamentary procedure. This can be as you counsel them in their roles or teach lessons to further develop their knowledge and skills.
- **DEVELOP YOUR KNOWLEDGE** – Good parliamentarians are always learning their craft. Invest in your knowledge. Resources are available through Emblem Sales, through parliamentary associations, and online.

Resources Available through Emblem Sales at emblem.legion.org:

1. National Constitution, Bylaws, and Standing Rules (also available on the Auxiliary's website at www.ALAforVeterans.org) #355.202 $3.95
2. *Robert's Rules of Order, Newly Revised* (also available on the internet at http://www.robertsrules.com/) #855.301 $13.95
3. Parliamentary Procedure Booklet #755.204 $1.50
4. American Legion Auxiliary Preamble (8"x10 ½") #333.130 $1.50
5. Unit Guidebook #355.200 $9.95
6. Department Constitution and Bylaws, Standing Rules are available at www.michalaux.org

- National Association of Parliamentarians website: www.parliamentarians.org
  See the Constitution & Bylaws page at www.ALAforVeterans.org for additional resources.

No Changes in Unit/District Standing Rules Form

Unit #_____ of the _____ District has had no changes in their Unit/District Standing Rules.

Please file this as an attachment to the previous file.

_____ _____

President or Secretary Constitution and Bylaws Chairman

Date:_____

Please submit three (3) copies to the Department Constitution and Bylaws Chairman along with a self-addressed stamped envelope. One copy will be returned to you for your files.

Approved Date:_____

_____

Department Constitution and Bylaws Chairman