

# DEPARTMENT OF MICHIGAN

## STANDING RULES

Amended July, 2024

### 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A Standing Rule may be amended or rescinded by a two-thirds (2/3) vote, or, if notice has been given, by a majority vote.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. These shall include Standing Rules governing the annual convention, which may be supplemented by rules for each annual convention adopted by convention delegates at such meeting.

All changes or additions to the Department Standing Rules will take effect immediately following their adoption.

### **1. CODE OF ETHICS:**

American Legion Auxiliary 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

This Code of Ethics serves as a guide for conduct acceptable within the American Legion Auxiliary.

As a matter of fundamental principle, the American Legion Auxiliary 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, 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 respect.

The American Legion Auxiliary strongly recommends that all chartered entities and affiliated organizations at all levels 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 that its' Department business standards, operations, and conduct conform to the following Code of Ethics.

## **2. PERSONAL AND PROFESSIONAL INTEGRITY:**

All members, volunteers, and staff of the American Legion Auxiliary act with honesty, integrity, and openness in all their communication, business, and transactions as representatives 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, board members, staff, and volunteers shall conduct their personal and professional lives in a manner befitting the organization's mission and values, recognizing that their actions reflect upon the creditability and reputation of the American Legion Auxiliary.

Department officers, board members, 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.

## **3. LEGAL COMPLIANCE:**

The American Legion Auxiliary are knowledgeable of and comply with all applicable 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, board members, staff and volunteers shall exercise due diligence in obtaining information on applicable laws and regulations for their jurisdiction.

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

## **4. GOVERNANCE:**

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

The governing bodies of the American Legion Auxiliary shall:

- Ensure that the organization conducts all communication, business and transactions with integrity and honesty.
- Ensure that 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 might want to change in order to be more efficient, effective or responsible.
- Ensure that the resources of the organization are responsibly and prudently managed.
- Ensure that the organization has the capacity to carry out its program effectively.

### ***5. RESPONSIBLE STEWARDSHIP:***

The boards, officers, staff, and volunteers of the Auxiliary are responsible for managing and preserving the organization's assets. Officers, board members, 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, board members, appropriate volunteer leaders and staff shall ensure that:

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

### **6. OPENNESS AND DISCLOSURE:**

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

## **7. CONFLICT OF INTEREST:**

The organization has the right to expect that the decisions made by the Department boards, 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

## **8. 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 shall respect the privacy concerns of individual donors and expend funds consistent with donor intent.

To assure that donors and prospective donors can have full confidence in the organization and the causes they are asked to support, the Auxiliary 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 of its capacity to use donations effectively for their intended purposes.
- To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
- To have access to the organization's most recent financial statement and others on request.
- 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 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 Auxiliary will be professional in nature.
- To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
- To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

### **9. GRANT MAKING:**

The American Legion Auxiliary shall have specific stated responsibilities in carrying out grant programs. These responsibilities include the following:

- A formal and consistent application process which includes defined eligibility.
- Fair and equitable selection criteria.
- Assurance of applicant privacy.
- Clear, timely and respectful communications throughout the application process.

### **10. INCLUSIVENESS AND DIVERSITY:**

The organization recognizes the value of the diverse backgrounds and beliefs of its' membership. The organization promotes an atmosphere of mutual respect for the worth and dignity of its members, those eligible to become members and those we serve.

### **11. ETHICS VOLATIONS:**

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 the 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 provides a process that is fair, responsible, confidential and consistent.

## **12. WHISTLEBLOWER PROTECTION:**

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

Any member who acts maliciously by making known information that they know or reasonable believe to be false is not a whistleblower and will not be protected under the whistleblower mechanism.

The organization expects improper activity to be reported accurately and will protect whistleblowers from retaliation.

The organization 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 they have been retaliated against for whistleblowing 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.

## **13. DISCIPLINE**

All American Legion Auxiliary members are expected to uphold and follow the governing documents of the American Legion Auxiliary: The Department and Unit Constitution, Bylaws and Standing Rules as well as Department and Unit policies and procedures. Conduct that is a violation of its governing documents or detrimental to the best interests of the organization may be referred to the Unit Executive Committee or designated sub-committee for review.

Should the individuals and the Unit exhaust all other avenues of conflict resolution, the Unit may choose to pursue disciplinary action. The Unit has the responsibility for the discipline of its members. All disciplinary actions must be fundamentally fair. Fundamental fairness means a member receives advance notice and the opportunity to be heard.

A member disciplined by the Unit may appeal the Unit's disciplinary action, in writing, to the Department Executive Committee. Discipline by a Unit may include punishment up to and including suspension (up to one (1) year),

expulsion and legal action.

## **Procedure for Disciplinary Action of a member of the American Legion Auxiliary**

### **A. Process**

The first step in the process of all disciplinary actions against a member of the American Legion Auxiliary in good standing shall be the filing with the secretary of the Unit written charges, in triplicate, properly verified by the affidavit of the accuser or accusers. It shall then be the duty of the Unit to employ legal counsel, a practicing member of the bar, in the state in which the Unit is located, if deemed necessary.

### **B. Notice and Copies of Charges to Accused**

The secretary shall deliver to the Accused member, by registered mail or in person, one copy of the charges and written notice to appear at a specific time and place to show cause why they, the accused, should not be subject to disciplinary action. These items shall be delivered to the Accused at least 15 days in advance of the scheduled appearance. the secretary shall cause a note to be made of delivery of the charges and notice. Whenever the accused cannot be found, subsequent copies of the charges and notice may be served.

### **C. Charges**

The accuser or accusers must be members of the same Unit as the accused, and they shall set forth the charges of disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of the American Legion Auxiliary in terms of simplicity and understanding in order that the accused may properly prepare for a defense.

### **D. Appearance**

Before the accused member defends themselves in person or by counsel, they shall enter their defense by filing an answer to said charges on or before the date on which they have been summoned to appear.

### **E. Failure to Answer**

If the accused member fails to answer the charges and the manner and form as set forth, the charges and matters therein stated shall be taken as confessed, and the request for action granted

## **F. Continuance**

Either party may apply for a continuance before the day set for trial. However, it should be accompanied by a written motion and supported by an affidavit of the party applying. Good and substantial cause must exist before said motion is granted. It'll be the duty of the Unit Council to pass upon said motion and determine from the pleadings whether or not sufficient cause exists for continuance.

## **G. Trial**

The Unit Counsel shall preside at the trial, shall have the power and authority to pass upon the material relevance of all evidence presented, and shall have general power to prescribe necessary rules and regulations for the orderly procedure of said trial, except that no rule or regulation in violation of these rules shall be permitted.

## **H. Unit Members to Act as Jurors**

Members of the Unit shall act as jurors under the guidance of the Unit Counsel to ascertain the truth of the charges preferred. Their province is strictly limited to questions of fact, and within the province they are still further restricted to the exclusive consideration of matters that have been proven by the evidence introduced in the course of the trial. At the conclusion of the evidence, the members of Unit in attendance so acting as jurors shall determine by ballot (2/3 vote) whether or not the accused is guilty as charged, and shall produce their decision in writing, signed by one of their number as chairman, and return same to the Unit secretary who shall enter the same in the Unit records.

Findings and recommended response levels will be based on an assessment of all relevant factors. Depending on the severity of the conduct violation, the response may include any of the following: Verbal counseling; written or verbal apology, written or verbal censure from the Unit; Probation with corrective terms that encourage restorative justice (for example, additional training); suspension from participation in or exercising voting rights for a defined period of time; termination of membership.

Any disciplinary action taken by the American Legion Auxiliary, on a District or Department level, shall only be a result of infractions on that specific level. The response to those charges will not affect member standing on a Unit level.

## **I. Challenge**

If either party shall make affidavit that a certain member of the Unit cannot fairly



and impartially try the case and render a fair and impartial verdict, and the Unit Counsel shall be satisfied as to the truth of such statement, said member or members shall be challenged for cause and dismiss from the service as jurors, but in no event shall the number present for the trial be reduced below a majority of the members present for the hearing. Neither the accused or the accuser nor their Counsel shall be permitted to sit as jurors.

#### **J. Amendments**

At any time before the final decision is made by the members sitting as a jury, amendments to the pleading may be Allowed by the Unit Counsel, such terms as are just and reasonable.

#### **K. Appeal**

Any member who has been suspended or expelled has the right of appeal to their Department Executive Committee provided that the set appeal must be taken by the preparation of a transcript of the proceedings within 40 days after a judgment of expulsion or suspension. Such a transcript shall contain a copy of the charges, the notices to the accused, and a record and copies of all other actions or pleadings introduced, together with a statement of the evidence in substance to be prepared by the party appealing. The Unit counsel shall be the judge of the correctness of the statement of evidence.

As an alternative, either party may demand a stenographic report, providing that timely request before trial is made, and provide further that the party requesting the stenographic report shall pay for same. The Unit Counsel shall determine the correctness of said stenographic report.

#### **L. Notice by Department Secretary**

When an appeal is taken, as herein provided, to the Department, it shall be the duty of the Department Secretary to notify all parties of the date, exact time, and place of the next Department Executive Committee meeting, provided at least 10-day notice shall be given. The Department Executive Committee shall hear the appeal. Evidence may not be introduced before the Department Executive Committee, though arguments may be heard, and the evidence as shown by the transcript shall be the only evidence considered by the Executive Committee. The Department Council shall preside at the trial, should have power and authority to grant continuance to either party upon just cause being shown and shall have power to make all necessary and reasonable rules and regulations for the orderly procedure of said trial.

### **M. No Further Appeal**

The decision of the Department Executive Committee shall be final.

### **N. Effect of Decision**

Where an appeal taken by the Accused at the Department Executive Committee sustains the appeal, the expelled member automatically becomes a member in good standing of said Unit, and it is mandatory that the secretary reinstate said member upon the Unit membership roll.

After completing a procedure for the expulsion of a member of the American Legion Auxiliary; as set forth on the Unit Guidebook, National Headquarters requires the guidelines listed below to be followed:

1. All Department requests to National Headquarters for expelling a member must come in writing from the Department Secretary. In the event that the member being expelled is the Department Secretary the request must come from the Department President.
2. The written request must contain the following:
  - Name and membership ID number of person being canceled
  - Reason for Expulsion
  - Effective date of Expulsion
  - A clear statement that all procedures have been conducted with fundamental fairness and that the Department has written copies of all documentation regarding the expulsion in their files.
3. Departments are required to submit this documentation to the National Secretary's mailbox at ALA National Headquarters at [NatlSecy@ALAforVeterans.org](mailto:NatlSecy@ALAforVeterans.org)

## **14. COMMITTEE ORGANIZATION:**

The Department President shall name such committees as are deemed advisable and necessary, subject to the ratification of the Department Executive Committee. There will be no more than one member per District appointed to any Department Standing Committee, if possible. The exception being, there shall never be two members from the same District appointed to the Finance Committee during the same administrative year. In case of a vacancy in a committee, the Department President shall appoint a member to fill the unexpired term, subject to the ratification of the Department Executive Committee. When possible, no Auxiliary member shall serve on more than one (1) Standing Committee during the same administrative year with the exception of the

National Executive Committee member. When necessary to serve on more than one (1) Standing Committee, there shall be no duplication of expenses.

There shall be the following Standing Committees: Administrative Advisory Board, Americanism, Auxiliary Emergency Fund, Children and Youth, Community Service, Constitution and Bylaws, Education, Finance, Girls State, Junior Activities, Leadership, Legislative, Membership, National Security, Past Presidents Parley, Personnel, Poppy, Public Relations, Resolutions and Veterans Affairs and Rehabilitation.

## **15. OBLIGATION**

All committees shall participate actively in the promotion of programs covered by resolutions adopted by the National Organization. Each Chairman shall be responsible for the administration of the program and its budget. All committee appointees shall automatically forfeit the appointment for failure to function without justifiable cause.

Of the Standing Committees named in paragraph 2, the following shall consist of three (3) members, unless otherwise indicated, appointed for one (1) year terms: Administrative Advisory (5), Americanism, Auxiliary Emergency Fund (1); Children and Youth, Community Service, Constitution and Bylaws (1), Education, Finance (4), Girls State (6), Junior Activities, Leadership; Legislative, Membership (up to 6); National Security, Past Presidents Parley, Personnel, Poppy, Public Relations, Resolutions and Veterans Affairs and Rehabilitation.

## **16. COMMITTEES**

### **A. ADMINISTRATIVE ADVISORY**

The Administrative Advisory Committee shall be composed of the National Executive Committee member, the Department President, and three (3) Past Department Presidents to be appointed each year. One (1) member will serve as Chairman.

### **B. AMERICANISM**

The Americanism Committee shall consist of three (3) members, to be appointed each year by the Department President, one (1) member to serve as Chairman. There shall be a fund known as the Americanism Fund. This shall be a Unit Mandatory Fund.

### **C. AUXILIARY EMERGENCY FUND**

The Auxiliary Emergency Fund committee shall be composed of one (1) member appointed each year by the Department President.

#### **D. CHILDREN and YOUTH**

The Children and Youth Committee shall be composed of three (3) members appointed for a one (1) year term. One (1) member to serve as Chairman.

#### **E. COMMUNITY SERVICE**

The Community Service Committee shall be composed of three (3) members appointed each year by the Department President. One (1) member will serve as Chairman.

#### **F. CONSTITUTION AND BYLAWS**

The Constitution and Bylaws Committee shall be composed of one (1) member appointed each year by the Department President.

#### **G. EDUCATION**

The Education Committee shall be composed of three (3) members appointed for a one (1) year term. One (1) member will serve as Chairman.

There shall be a Memorial Scholarship Fund. There shall be a Unit Mandatory Fund to be used for scholarships in the amount of \$1000.00 each, and known as "American Legion Auxiliary Memorial Scholarship". The number of scholarships awarded shall be determined by the money available.

The Committee shall administer a scholarship for a medical career. There shall be a Unit Mandatory Fund to be used for scholarships in the amount of \$500.00 each, and known as the Nurses, Physical Therapists and Respiratory Therapists Scholarship. The number of scholarships awarded shall be determined by the money available.

There will be a Non-Traditional Scholarship Fund to be used for scholarships in the amount of \$1000.00. The number of scholarships awarded shall be determined by the money available.

The committee members will assist the Chairman in judging the applications as soon as possible after the closing date. Time and place to be designated by Department President and Chairman.

Expenses for judging shall be allowed from General Funds in accordance with the Standing Rules.

## **H. FINANCE**

The Finance Committee shall be composed of four (4) members. Three (3) of which shall be appointed for a one (1) year term. One (1) member will serve as Chairman. The fourth member shall be a Past Department President appointed each year.

The Department Secretary-Treasurer shall be an ex-officio member of this committee. The Finance Committee shall meet at the call of the Department President and Finance Chairman; such meetings to be held at Department Headquarters.

The Finance Chairman shall submit the budget proposed for the current year at the Executive Committee meeting preceding Fall Conference. The Finance Chairman and/or the Department President shall sign all checks with the Department Secretary-Treasurer. The Department President, at her discretion, may authorize an additional Finance Committee member to have check signing authority, if needed.

In the event of the physical disability of the Secretary-Treasurer to sign checks, they may be signed by the Finance Chairman and the Department President.

The Department Finance Committee shall supervise the general financial policy of the Department organization, subject to the ratification of the Department Executive Committee.

## **I. GIRLS STATE**

The Girls State Committee of the Department of Michigan shall serve as the Board of Directors of the American Legion Auxiliary Girls State

The Girls State Committee shall be composed of the National Executive Committee member, Department President, Department Secretary-Treasurer, and six (6) members.

The Department Secretary-Treasurer may be in attendance during the entire session including the two (2) days prior to the opening meeting without additional remuneration.

The American Legion Auxiliary Girls State shall function under the jurisdiction of the Department of Michigan, American Legion Auxiliary.

A complete financial statement, the budget and an outline of the program shall be presented each year to the Executive Committee meeting preceding the Fall Conference.

The Chairman of Girls State may attend National Girls State Directors Conference with expenses paid from the American Legion Auxiliary Girls State Budget. Should the Chairman be unable to attend, the Department President shall appoint a representative from within the Committee.

The appointment of a General counselor for the American Legion Auxiliary Girls State

shall be left to the discretion of the Girls State Board.

## **J. JUNIOR ACTIVITIES**

The Junior Activities Committee shall be composed of three (3) members appointed each year by the Department President. One (1) member will serve as Chairman. This committee is responsible for putting on the Junior Conference/Convention with expenses as per the financial policy.

## **K. LEGISLATIVE**

The Legislative Committee shall consist of three (3) members appointed each year by the Department President. One (1) member will serve as Chairman.

## **L. LEADERSHIP**

The Leadership Committee shall consist of three (3) members to be appointed each year by the Department President. One (1) member to serve as Chairman.

In the event a choice is made for an instructor from outside the given area, and accepted, the mileage allowed shall not exceed that which would be allowed from within the area.

The Leadership Committee will be responsible for the judging of the Unit Member of the Year entries.

## **M. MEMBERSHIP**

The Membership Committee shall consist of up to six (6) members to be appointed each year by the Department President. One (1) member shall serve as Chairman.

The Membership Committee shall oversee the functioning of the Districts and Units in a manner to attract and retain members.

## **N. NATIONAL SECURITY**

The National Security Committee shall consist of three (3) members, to be appointed each year by the Department President. One (1) member shall serve as Chairman.

The National Security Committee will judge the Salute to Service member award.

## **O. PAST PRESIDENTS PARLEY**

The Past Presidents Parley Committee shall consist of three (3) members to be appointed by the Department President each year; the Chairman shall be a Past Department President.

The committee Chairman shall also serve as the Distinguished Guest Chairman at all called meetings.

## **P. PERSONNEL COMMITTEE**

The Personnel Committee shall consist of five (5) members, each to be appointed for one year. The Department President and Department Finance Chairman by virtue of their office shall be a member of this committee. The Department Secretary-Treasurer shall be an ex-officio member of this committee with voice only.

## **Q. POPPY**

The Poppy Committee shall consist of three (3) members to be appointed by the Department President. One (1) member to serve as Chairman.

Expenses of the Poppy Committee shall be taken from the Poppy Committee Fund.

Expenses for the Poppy Committee shall be transportation as specified in the Financial Policy for meetings held at Department Headquarters, if authorized, and transportation as specified in the Financial Policy for any authorized visits to the Veterans Hospitals and Homes for Veterans.

## **R. PUBLIC RELATIONS**

The Public Relations Committee shall consist of three (3) members, each appointed for one (1) year.

The AUXILIAIRE shall be published according to The American Legion schedule, if monies are available. The Editor shall be the Department Secretary-Treasurer in Department Headquarters. The Assistant Editor shall be the same as for the Michigan Legionnaire.

## **S. VETERANS AFFAIRS and REHABILITATION**

The Veterans Affairs and Rehabilitation Committee shall consist of a Chairman, Vice Chairman and one (1) member. The Department Chairman shall be in charge of the entire program. The Department President shall assign certain portions of the Department Program to individual members of the Committee, with the Hospital Director being named Vice Chairman and the Service to Veterans Director the third member. Homeless Veterans Service Coordinator, VAVS Representatives and their Deputies are

not designated as members of a Standing Committee.

One (1) member of the Department Veterans Affairs and Rehabilitation Committee shall be designated as Hospital Director who will visit the hospitals when needed. Expenses shall be allowed for such visits according to Standing Rules. The Hospital Director shall be allowed mileage and one (1) day per diem to attend the Department Convention; expenses to be paid from Rehabilitation Committee fund. The jurisdiction of the Hospital Director shall be within the hospitals, and she shall have the added duties of keeping volunteer hospital workers hours.

The Service to Veterans Director shall be allowed mileage and one (1) day per diem to attend Department Convention, expenses to be paid from Veterans Affairs and Rehabilitation Committee budget.

The Department President shall appoint the VAVS Representative in the VA Hospitals, Michigan Veterans Home at Grand Rapids, the D.J. Jacobetti Home for Veterans and the Chesterfield Home for Veterans within the State, together with their Deputies. Said Representatives will be in charge of the Volunteer Hospital Workers within each VA Hospital, Michigan Home for Veterans at Grand rapids, the D.J. Jacobetti Home for Veterans and Chesterfield Home for Veterans.

The Department President shall appoint, upon recommendation of the retiring District Presidents and the retiring Veterans Affairs and Rehabilitation Committee, Hospital Representatives and Deputies in non-VA hospitals under government contract where the Service Basket is passed.

The Veterans Affairs and Rehabilitation Committee may meet for one (1) day only, early in the year, with the VA Hospital, Michigan Home for Veterans at Grand Rapids, D.J. Jacobetti Home for Veterans and Chesterfield Home for Veterans, Representatives or First Deputies and the non -VA Chairmen or First Deputies called in for a half (1/2) day session.

A Department Veterans Affairs and Rehabilitation School of Instruction shall be held at the time of the Fall Conference. Units sending their Veterans Affairs and Rehabilitation Chairman and their Service to Veterans Chairman, may take their expenses from the Unit Poppy Fund.

Expenses for the Veterans Affairs and Rehabilitation Committee shall be transportation for meetings held at Department Headquarters and per diem, if authorized. All expenses referred to in the section of the Standing Rules are to be financed from the Veterans Affairs and Rehabilitation Fund.

## **17. DEPARTMENT ADMINISTRATION**

Department Headquarters may be located and maintained in the same city in which The American Legion has its headquarters.



The books of the American Legion Auxiliary shall be reviewed or audited annually by a duly accredited accountant. A full audit must be completed at least every three years.

All trophies and awards, when filled with names, etc., shall be retired and stored in the Department Headquarters office. All Department awards will be citations awarded annually and monetary award checks, where indicated, along with the citation.

The Department President may hold a question-and-answer session in the Upper Peninsula at the time of the Upper Peninsula Mid-Winter Conference.

The Service Department, American Legion Auxiliary, shall be composed of the Children and Youth Committee, the Veterans Affairs and Rehabilitation Committee, the VAVS Hospital Representatives, the Representatives of the Michigan Home for Veterans at Grand Rapids, the D.J. Jacobetti Home for Veterans and the Chesterfield Home for Veterans.

Memorial flowers or Memorial Scholarship cards shall be sent by the Department to the immediate families in the event of death of: Past Department President, Past Department Commander, spouse of Department President, spouse of Department Commander and members of the Department Executive Committee.

Announcement of candidates for Department Office may be circulated through the Department. Addresses may be secured from the Department Secretary-Treasurer. Circulation of any other material must have the WRITTEN authorization from the Department President. Should such authorization be granted any candidate, all other candidates shall be so notified in writing.

Credential fees for Department Convention must be paid by the Unit for each Delegate to which it is entitled by virtue of its membership.

A credential fee shall be paid by each Delegate-at-large for the Department Convention. All credential fees collected for Department Convention shall be allocated to the printing account to help defray the cost of the Annual Book of Reports.

The members of the American Legion Auxiliary, Department of Michigan, are authorized to wear any one of three (3) styles of hats offered, Wave, Scottie or Beret. Nothing is to be worn on the hat except the embroidery, and the hat is to be worn in a proper manner with Unit number above the left eye.

Copies of all correspondence from standing committees shall be submitted to the Department President and Department Secretary-Treasurer for information and approval. Any correspondence to National Officers or Chairmen shall be submitted to Department Headquarters and mailed out of that office.

## **18. DISTRICT ORGANIZATION AND BYLAWS**

For the purpose of administration, the local units of the Department shall be grouped into the same territorial Districts as those of The American Legion, Department of

Michigan. Each District is to be represented by one (1) District President with the exception that the Eleventh and Twelfth Districts shall be represented by one (1) District President.

Each District shall organize, be chartered, bonded and compose Constitution, Bylaws and Standing Rules in conformity with Department and National Constitution and Bylaws which shall become effective only after approval by the Department Constitution and Bylaws Chairman, in order to assure that the Districts are operating with proper Bylaws.

County Councils may be organized by three (3) or more active Units upon approval of the Department Executive Committee at the recommendation of the District President.

At the annual District Convention prior to the Department Convention, the District shall elect a District President. She shall represent her District and serve as a member of the Department Executive Committee. One or more Vice Presidents shall also be elected at this meeting. The Vice President(s), in order of precedence, shall serve as the District President's alternate in her absence.

District Presidents and Alternates may be endorsed by their Units by letter to the District Secretary prior to the elections which shall be held only after due notice has been mailed to each Unit in the District at least two (2) weeks before election. Department Headquarters must be notified of the names of those elected not more than forty-five (45) nor less than fifteen (15) days prior to the Department Convention.

Written announcements of candidates do not preclude nominations from the floor for any office. Any member in good standing may run for District office. The term of office and/or re-election shall be controlled by Standing Rules within each District.

The District President may hold a Department appointment as a committee member (not committee chairman) for all committees, VAVS Representative or Deputies of Michigan VA Hospitals, Michigan Home for Veterans at Grand Rapids, D.J. Jacobetti Home for Veterans, Chesterfield Home for Veterans, non-VA Hospitals under government contract with the exception of the Department Finance Committee.

The District President shall appoint an acting Secretary in the Department Convention Delegation to take roll, assist in distributing ballots, and distribute materials that are to be handed out.

The District President shall have advisory supervision over the Units within the District; promote the organization of new Units; assist in increasing the membership; and make an annual report of the affairs of the District to the Department President sixty (60) days prior to the Department Convention.

When a Unit ceases to function and continues to report less than the minimum required number of members, the District President shall personally contact the officers of the Unit and also the Post Commander, making every effort to encourage an active Unit. This Unit shall be given a hearing by the members of the District at a regularly

scheduled meeting, notification to be sent to all Units. When all efforts fail, and by a vote of the District members, the District Secretary shall advise Department Headquarters in writing, the date and results of the District vote.

The District President should make every effort to attend a regular business meeting of each Unit within the District during their term of office.

The Alternate Vice President(s) shall fill the office of a District President should a vacancy occur.

National Convention Delegates and Alternates shall be elected by each District with the exception that the Eleventh and Twelfth Districts shall elect a Delegate and an Alternate.

Any member in good standing may be a candidate for Department office. Announcement of such candidate should be in the Department Headquarters not less than ninety (90) days prior to Department Convention.

Announcement of candidates for Department Office may be circulated throughout the Department. Addresses may be secured from the Department Secretary-Treasurer. Circulation of any other material must have WRITTEN authorization from the Department President. Should such authorization be granted any candidate, all other candidates shall be so notified in writing.

All campaign material, (brochures, promotional items, etc.) shall be distributed to Convention Delegates on Saturday morning prior to Call to Order. Posters may be placed on easels at any time on Friday in descending order beginning with the candidate for Department President.

All candidates shall observe the rules provided by the host hotels and convention centers in regard to posting material, rules to be obtained from the Convention Chairman. No individual open house shall be held for any candidate for a Department Office. Competitive candidates shall not campaign throughout the Department.

Because of disparity in financial resources of Units and Districts, candidates should use discretion in expenditure of funds for campaigning.

Upon cancellation of any District of the American Legion Auxiliary, Department of Michigan, the Department Executive Committee is authorized, empowered and directed by and through its duly authorized agents to take possession, custody and control of all the records, property and assets of such District and to take all necessary and proper steps and proceedings to wind up and close the affairs of such District; and the Department Executive Committee may provide for such continued recognition and activities of Units in said District as it may deem proper.

## **19. DEPARTMENT CONFERENCES AND MEETINGS**

Department Convention may be held at the same time and in the same city as the Department Convention of The American Legion. Meetings of Standing and Convention Committees shall be held at such times as posted by the Department Executive Director/Secretary.

Department Executive Committee. There shall be regular meetings annually, the first immediately following Department Convention; second preceding Fall Conference, third at the call of the Department President, if necessary; and the final preceding the Department Convention. Special meetings may be called upon written request of eleven (11) members stating business to be transacted.

Fall Conference of the Unit Presidents and Secretaries shall be called by the Department President at an early date following National Convention. Chairmen of Standing Committees, the Girls State Governor from the most recent session, Parliamentarian, Department Officers, N and such other persons as the President deems necessary, shall be called to the Conference.

## **20. DEPARTMENT FINANCE**

The budget will be based on income from dues, interest, and miscellaneous income.

With the exception of the Department Executive Director and such other office assistants deemed necessary in the operation of the Department office, there shall be no salaried officers. Necessary expenses incurred by the Department Officers, Department Chairmen of Standing Committees, the National Executive Committee member, Parliamentarian, in the exercise of their services and duties to the Department of Michigan shall be paid from the Department Treasury upon authorization of the Department President.

The bonding of the office employees and members of the Department of Michigan, American Legion Auxiliary, shall be in conformity with the system as mandated by the National Organization.

Up to one-sixth (1/6) of the General Funds Budget shall be allowed for expenses from the first of the fiscal year up to the time of the adoption of the new budget.

The Department Executive Committee, by a two-thirds (2/3) vote, may levy an assessment not to exceed twenty-five cents (\$.25) per member for Department expenditures.

There shall be a National Convention Fund derived from an annual assessment on the Units per Senior member. The offset of expenses allowed delegates to the National Convention will be a flat rate, amount of which shall be determined annually by the Executive Board based on the recommendation of the Finance Committee. The Delegation Chairman and Secretary shall be paid transportation and actual expenses for attendance, not to exceed seven (7) days. The National registration fee shall be

paid by Department for all Michigan Delegates and the Alternates who attend, including any National Officer and/or Past National President from the Department of Michigan.

Expenses for attendance at the Department Convention and the Final Executive Committee Meeting shall be mileage and an offset of expenses to be allowed Department Officers, Parliamentarian, National Executive Committee members, Chairmen of Standing Committees, not to exceed four (4) days, with the exception of the Department President and Department Secretary- Treasurer who shall receive actual expenses.

Expenses for attendance at the Second Department Executive Meeting shall be mileage and an offset of expenses for one (1) day for Department Officers, National Executive Committee member, District Presidents, Parliamentarian, and such other persons as the Department President deems necessary, with the exception of the Department President and Department Secretary-Treasurer who shall receive actual expenses.

Expenses for attendance at the Fall Conference for Chairmen of Standing Committees, Department Vice Presidents, Chaplain, Historian and National Executive Committee member shall be mileage and an offset of expenses of two (2) days. The Department President and Department Secretary-Treasurer shall receive actual expenses.

Mileage shall NOT be duplicated.

Expenses for attendance at the Third Executive Committee Meeting, when called, shall be mileage and an offset of expenses for one (1) day for Department Officers, National Executive Committee member, Parliamentarian, and such other persons as the Department President deems necessary, except the Department President and Department Secretary-Treasurer shall receive actual expenses.

Expenses for the Chaplain to attend the Chaplains Conference in Indianapolis shall be according to Financial Policy.

Expenses for the Poppy Committee shall be taken from the Poppy Committee Fund.

Expenses for the Veterans Affairs and Rehabilitation Committee shall be taken from the Veterans Affairs and Rehabilitation Fund.

Expenses for Standing and Special Committees not listed in the above paragraphs shall be mileage and offset of expenses if authorized by the Department President.

## **21. MANDATORY FUNDS**

**There shall be the following Mandatory Funds:**

Americanism - derived from an annual assessment per Unit

Bonding - derived from an annual assessment per Unit

Auxiliaire Publication - derived from an annual assessment per Senior member

Girls State – derived from an annual assessment per Senior member

Keeney Memorial Scholarship - derived from an annual assessment per Senior member

National Convention - derived from an annual assessment per Senior member

Nurses, Physical Therapists and Respiratory Therapists Medical Scholarship - derived from an annual assessment per Senior member.

**Other Funds shall be:**

Children and Youth – derived from Poppy Fund for the children of active-duty military and living veterans; from General Fund for all others

Education – derived from Poppy Funds for the children of active-duty military and living veterans; from the General Fund for all others

National Auxiliary Emergency Aid (A.E.F.) - to be taken from General Funds

Veterans Affairs and Rehabilitation - derived from the Poppy Funds for Committee expense

Transportation for Department meetings and conferences shall be computed from mileage furnished by Standard Mileage Guide; no meals allowed enroute, with a minimum amount allowed to be determined by the Department Finance Committee.

# Notes

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