



**Department of Michigan
Governing Document
Recommended Amendments
And Non-Governing Document
Resolutions**

June, 2026

Battle Creek, Michigan

This packet contains the proposed revisions to the ALA Department of Michigan governing documents and one resolution which, if approved, will be forwarded to the ALA National Secretary for consideration at the National Convention to be held in Louisville, KY in August, 2026.

Please review the contents. If you have any questions or need clarification, feel free to contact me via phone (313.498.1797) or via email (sharonschulte_sharon_7@msn.com).

If you are attending the Department Convention, bring a copy of the attached with you as there will be no additional copies available.

Sharon Schulte

Department of Michigan

American Legion Auxiliary

Constitution and Bylaws Chairman

RESOLUTION FORM

This form must be filled out in triplicate and signed by two qualified delegates or by vote of a Unit or District.

DEPARTMENT HEADQUARTERS, AMERICAN LEGION AUXILIARY

Date February 4, 2026.....

The members of Unit/District Harry Ollrich Unit #4 submit the following resolution for consideration by the Constitution and Bylaws Committee.

SUBMITTED BY **Constitution and Bylaws Committee**.....

TITLE **DD 214 Retention**
(ALL RESOLUTIONS ARE ROUTED TO THE RESOLUTIONS COMMITTEE)

Resolution Number _____ Subject _____
(Do Not fill in resolution number or subject)

RESOLUTION

WHEREAS, On February 4, 2026 the American Legion National Judge Advocate issued a ruling on the handling of DD 214 and other related veteran discharge information and _____

WHEREAS, the American Legion Auxiliary uses these documents for the purpose of determining Unit eligibility with verification of the American Legion designated Post officer and _____

WHEREAS, we wish to avoid future confusion by including this directive in our governing documents _____

THEREFORE BE IT RESOLVED: that the American Legion Auxiliary, Department of Michigan Constitution, Article III be amended with a new Section 3 and the Uniform Unit Constitution Article III be amended with a new Section 3 to reflect the American Legion National Judge Advocate Ruling.....

Adopted by Harry Ollrich Unit #4 at a meeting held February 23, 2026 at Roseville, Michigan

Signature *[Handwritten Signature]* Signature *[Handwritten Signature]*

(DO NOT WRITE BELOW THIS LINE)

ROUTING: (For use of Department Resolution Committee)

- 1. _____ Committee ___ Rejected ___ Approved
- 2. _____ Committee ___ Rejected ___ Approved

REVISION: If necessary, committee or Resolutions Committee will re-write and submit.

CONVENTION ACTION:

DATE _____ SIGNATURE _____

Resolutions Chairman or Secretary

Department of Michigan

American Legion Auxiliary Constitution

Article III Eligibility New Section 3

Section 3: Due to the ruling of the American Legion National Judge Advocate, American Legion Auxiliary Units must not retain originals, copies or electronic records of a veteran's DD214 or other military documentation used to verify eligibility for the membership in the American Legion Auxiliary.

If a Unit is in possession of archived military records, "these records should be securely destroyed to reduce exposure to identify theft and mitigate potential legal liability".

Uniform Unit Constitution

Article III Eligibility New Section 3

Section 3: Due to the ruling of the American Legion National Judge Advocate, American Legion Auxiliary Units must not retain originals, copies or electronic records of a veteran's DD214 or other military documentation used to verify eligibility for the membership in the American Legion Auxiliary.

If a Unit is in possession of archived military records, "these records should be securely destroyed to reduce exposure to identify theft and mitigate potential legal liability".

RESOLUTION FORM

This form must be filled out in triplicate and signed by two qualified delegates or by vote of a Unit or District.

DEPARTMENT HEADQUARTERS, AMERICAN LEGION AUXILIARY

Date April 1, 2026...

The members of Unit/District----- submit the following resolution for consideration by the **Constitution and Bylaws**___ Committee.

SUBMITTED BY **Department Constitution and Bylaws Committee**.....

TITLE **Auxiliary Units Governing Documents**.....
(ALL RESOLUTIONS ARE ROUTED TO THE RESOLUTIONS COMMITTEE)

Resolution Number_____ Subject _____
(Do Not fill in resolution number or subject)

RESOLUTION

WHEREAS, the National Bylaws, Article IX, Section 1, describes ALA Units as separate entities that operate independently as affiliates of the American Legion Auxiliary National organization and_____

WHEREAS, the same section states that Units shall be governed by their own Unit Constitution and Bylaws which shall not be in conflict with the National Constitution and Bylaws, National Standing Rules, National rules and policies, Department Constitution and Bylaws or Department rules and policies and__

WHEREAS, the Department of Michigan ALA Bylaws Article VI, Section 5 states "The Department of Michigan shall prescribe the Constitution and Bylaws of the Units therein", without giving the Units the opportunity to write their own, Unit specific, Constitution and Bylaws

THEREFORE BE IT RESOLVED: that the Department of Michigan ALA makes the necessary changes to the Department governing documents to allow Units the option of constructing their own ,Unit specific, Constitution and Bylaws, along with their Unit Standing Rules and.....

BE IT FURTHER RESOLVED that the Uniform Unit Constitution and Bylaws remain an acceptable option for Units which chose not to write their own Unit specific documents and

BE IT FURTHER RESOLVED that the current process of submitting Unit governing documents to the Department Constitution and Bylaws Chairman for review to ensure there is no conflict with the National Constitution and Bylaws, National Standing Rules, National rules and policies, Department Constitution and Bylaws or Department rules and policies continue

Adopted by _____ at a meeting held 4/10/2026 at via email
(Unit or District) (Date) (Place)

Signature Marcy Jorae Signature Sharon Schulte

(DO NOT WRITE BELOW THIS LINE)

.....

ROUTING: (For use of Department Resolution Committee)

1. _____ Committee ___ Rejected ___ Approved

2. _____ Committee ___ Rejected ___ Approved

REVISION: If necessary, committee or Resolutions Committee will re-write and submit.

CONVENTION ACTION: _____

DATE _____ SIGNATURE _____

Resolutions Chairman or Secretary

Approval of the Resolution Titled Auxiliary Unit Constitution and Bylaws

Department Bylaws Article VI Unit Organization, Section 5 currently reads:

1st Sentence: The Department of Michigan shall prescribe the Constitution and Bylaws of the Units therein.

Change to read: Each Unit in the Department of Michigan will adopt a Unit Constitution and Bylaws, either by writing and approving Unit specific documents, or by accepting the Uniform Unit Constitution and Bylaws as provided by the Department of Michigan. (Balance of section to remain the same)

Department Bylaws Article VI Unit Organization, Section 14 currently reads: Each Auxiliary Unit shall adopt the Unit Constitution and Bylaws as prescribed by the American Legion Auxiliary, Department of Michigan. Evidence of their adoption shall be filed with the Department Headquarters, together with current copies of the Unit Standing Rules and amendments thereto; these to be submitted to the Department Constitution and Bylaws for approval. They shall become effective only after approval by the Department Constitution and Bylaws Chairman, in order to assure that the Units are operating with proper Standing Rules.

Change to read: Each Auxiliary Unit shall adopt Unit Constitution and Bylaws. They may be the Uniform Unit Constitution and Bylaws as provided by the American Legion Auxiliary, Department of Michigan or the Unit may choose to write their own, Unit specific, Constitution and Bylaws. Evidence of their adoption shall be filed with the Department Headquarters, together with current copies of the Unit Standing Rules and amendments thereto; these to be submitted to the Department Constitution and Bylaws for **review**. They shall become effective only after **review** by the Department Constitution and Bylaws Chairman, in order to assure that the Units are operating with proper **governing documents**.

Uniform Unit Bylaws, Article VII Unit Organization, Section 5 currently reads:

1st Sentence- The Department of Michigan shall prescribe the Constitution and Bylaws of the Units therein.

Change to read: Each Unit in the Department of Michigan will adopt a Unit Constitution and Bylaws, either by writing and approving Unit specific documents, or by accepting the Uniform Unit Constitution and Bylaws as provided by the Department of Michigan. (Balance of section to remain the same)

Uniform Unit Bylaws Article VII Unit Organization, Section 14 currently reads:

Each Auxiliary Unit shall adopt the Unit Constitution and Bylaws as prescribed by the American Legion Auxiliary, Department of Michigan. Evidence of their adoption shall be filed with the Department Headquarters, together with current copies of the Unit Standing Rules and amendments thereto; these to be submitted to the Department Constitution and Bylaws for approval. They shall become effective only after approval by the Department Constitution and Bylaws Chairman, in order to assure that the Units are operating with proper Standing Rules.

Change to read: Each Auxiliary Unit shall adopt Unit Constitution and Bylaws. They may be the Uniform Unit Constitution and Bylaws as provided by the American Legion Auxiliary, Department of Michigan or the Unit may choose to write their own, Unit specific, Constitution and Bylaws. Evidence of their adoption shall be filed with the Department Headquarters, together with current copies of the Unit Standing Rules and amendments thereto; these to be submitted to the Department Constitution and Bylaws for **review**. They shall become effective only after **review** by the Department Constitution and Bylaws Chairman, in order to assure that the Units are operating with proper **governing documents**.

RESOLUTION FORM

This form must be filled out in triplicate and signed by two qualified delegates or by vote of a Unit or District.

DEPARTMENT HEADQUARTERS, AMERICAN LEGION AUXILIARY

Date February 6, 2026.....

The members of Department Executive Committee - submit the following resolution for consideration by the Constitution and Bylaws Committee.

SUBMITTED BY **Constitution and Bylaws Committee**

TITLE **Discipline of Members of the Department Executive Committee**
(ALL RESOLUTIONS ARE ROUTED TO THE RESOLUTIONS COMMITTEE)

Resolution Number _____ Subject _____
(Do Not fill in resolution number or subject)

RESOLUTION

WHEREAS, the American Legion Auxiliary, National organization created the Merit Medallion Award to assist Departments in crafting improved administrative function and

WHEREAS, one of the encouraged provisions is the creation of a procedure for the discipline of members of the Department Executive Committee when deemed necessary and

WHEREAS, the Department of Michigan, on February 6, 2026 approved a draft proposal to comply with what National considers best practice

THEREFORE BE IT RESOLVED: that the approved draft proposal be incorporated into the Department of Michigan Bylaws in Article IV Department Executive Committee as a new Section 3 with the balance to be renumbered.....

Adopted by Constitution Committee at a meeting held February 6, 2026 at Port Huron, Michigan.....

Signature Arita R. Menzel Signature Sharon Schulte

(DO NOT WRITE BELOW THIS LINE)

ROUTING: (For use of Department Resolution Committee)

- 1. _____ Committee ___ Rejected ___ Approved
- 2. _____ Committee ___ Rejected ___ Approved

REVISION: If necessary, committee or Resolutions Committee will re-write and submit.

CONVENTION ACTION:

DATE _____ SIGNATURE _____

Resolutions Chairman or Secretary

For insertion to the ALA Department of Michigan Bylaws
Article IV as a new Section 3. The Balance of the Article to be renumbered.

**PROCEDURES FOR THE DISCIPLINE OF MEMBERS OF DEPARTMENT OF MICHIGAN
DEPARTMENT EXECUTIVE COMMITTEE.**

It is the responsibility of the Department Executive Committee to determine all questions of eligibility and conduct of members of American Legion Auxiliary, Department Executive Committee, Department of Michigan. Such matters shall be determined according to fundamental fairness, which includes notice and an opportunity to be heard.

1. All questions and/or complaints involving the conduct of a member, or group of members of the Department Executive Committee shall be submitted in writing to the Department office with a copy directly to the Department President. It must be dated and signed and include contact information for the complainant. It must include details of the alleged violation, including the date, circumstances, names of witnesses and other pertinent information.
2. The Department President shall designate a subcommittee of the Department Executive Committee (1 Officer, 1 District President and 1 Past Department President minimum and up to 2 additional members of the Department Executive Committee at the decision of the Department President) to investigate and make a written finding of fact and recommendations regarding the matter. The subcommittee is to be appointed within 15 business days of the receipt of the complaint. The investigation and the presentation of recommendations by the subcommittee must be completed within 90 days of the appointment of the subcommittee. If it is determined, by the subcommittee, that the evidence presented, does not support the need for further action, they will inform the Department President, who shall inform interested parties of the completion of the investigation and the determination that no further action is warranted.
3. All interviews will be conducted in the presence of at least 2 members of the subcommittee. It should be recorded when possible and detailed, written minutes of the interviews should be kept. Witness statements may be submitted in writing, dated and signed. All statements need to come from personal knowledge. Include the date, time, place and the names of those

present during any interview. Interviews may be conducted in person, in writing or via electronic means.

4. Following the finding of fact by the subcommittee, it should be determined if a hearing and/or trial is warranted. The accused cannot be denied a formal hearing. The accused must be provided with a statement of specific charges to be included in any disciplinary procedure. Only the specified charges may be included in any hearing or trial. Notification of a hearing and/or trial must be sent to the accused via USPS, registered mail, return receipt requested a minimum of 15 business days prior to the scheduled hearing and/or trial. The hearing and/or trial may be held in person at Department Headquarters, via electronic means or as a hybrid session as long as all in attendance may participate in real time.
5. The hearing and/or trial shall be presided over by the Department President or their designee. The accused may present witnesses and written statements in their defense as well as any statements they wish to make in regards to the charges against them. The complainant may also be expected to give evidence as to the facts of their complaint.
6. Following the hearing and/or trial the Department Executive Committee will review the recommendations of the subcommittee and approve, reject or amend the subcommittee recommendations.
7. Disciplinary actions may include the following:
 - Warning:** A formal written statement, delivered to the member, outlining the misconduct and expectations for future behavior.
 - Probation:** Membership in the Department Executive Committee is retained under specific terms and conditions for improvement for no more than one year.
 - Suspension:** Temporary loss of membership in the Department Executive Committee for a term of not more than one year.
 - Expulsion:** Loss of the right to serve on the Department Executive Committee for severe or repeated violations.
8. The Department Executive Committee cannot expel a member from the American Legion Auxiliary. Such action falls to the member's Unit.
9. The accused will be notified via USPS, registered mail, return receipt requested of the final judgment of the Department Executive Committee.
10. The determination of the Department Executive Committee shall be final.

RESOLUTION FORM

This form must be filled out in triplicate and signed by two qualified delegates or by vote of a Unit or District.

DEPARTMENT HEADQUARTERS, AMERICAN LEGION AUXILIARY

Date: February 6, 2026.....

The members of Department Executive Committee - submit the following resolution for consideration by the Constitution and Bylaws Committee.

SUBMITTED BY **Constitution and Bylaws Committee**.....

TITLE **Discipline of Members of Unit 225**
(ALL RESOLUTIONS ARE ROUTED TO THE RESOLUTIONS COMMITTEE)

Resolution Number _____ Subject _____
(Do Not fill in resolution number or subject)

RESOLUTION

WHEREAS, the American Legion Auxiliary National Convention held in Tampa, Florida in August, 2025 added Article IX Discipline, Section 2 Department Headquarters Unit Member Discipline and

WHEREAS, the Department of Michigan is therefore required to add a disciplinary procedure to cover the members of Department of Michigan Headquarters Unit #225 and

WHEREAS: a draft proposal of said disciplinary procedure was approved by the Department of Michigan Executive Committee on February 6, 2026

THEREFORE BE IT RESOLVED: That the proposal adopted by the Department of Michigan be inserted into the Department of Michigan Bylaws Article IV Department Executive Committee new Section 4 with the balance to be renumbered.....

Adopted by Constitution Committee at a meeting held February 6, 2026 at Port Huron, Michigan

Signature Pam Wagner Signature Sharon Schutte

(DO NOT WRITE BELOW THIS LINE)

ROUTING: (For use of Department Resolution Committee)

1. _____ Committee ___ Rejected ___ Approved

2. _____ Committee ___ Rejected ___ Approved

REVISION: If necessary, committee or Resolutions Committee will re-write and submit.

CONVENTION ACTION:

DATE _____ SIGNATURE _____

Resolutions Chairman or Secretary

For insertion into the ALA Department of Michigan Bylaws
Article IV as a new Section 4. The balance of the Article to be renumbered.

**PROCEDURES FOR THE DISCIPLINE OF MEMBERS OF DEPARTMENT OF MICHIGAN
HEADQUARTER UNIT #225.**

It is the responsibility of the Department Executive Committee to determine all questions of eligibility and conduct of members of American Legion Auxiliary, Unit 225, Department of Michigan. Such matters shall be determined according to fundamental fairness, which includes notice and an opportunity to be heard.

1. All questions and/or complaints involving the conduct of a member, or group of members of Unit 225 shall be submitted in writing to the Department office with a copy directly to the Department President. It must be dated and signed and include contact information for the complainant. It must include details of the alleged violation, including the date, circumstances, names of witnesses and other pertinent information.
2. The Department President shall designate a subcommittee of the Department Executive Committee (1 Officer, 1 District President and 1 Past Department President minimum and up to 2 additional members of the Department Executive Committee at the decision of the Department President) to investigate and make a written finding of fact and recommendations regarding the matter. The subcommittee is to be appointed within 15 business days of the receipt of the complaint. The investigation and the presentation of recommendations by the subcommittee must be completed within 90 days of the appointment of the subcommittee. If it is determined, by the subcommittee, that the evidence presented, does not support the need for further action, they will inform the Department President, who shall inform interested parties of the completion of the investigation and the determination that no further action is warranted.
3. All interviews will be conducted in the presence of at least 2 members of the subcommittee. It should be recorded when possible and detailed, written minutes of the interviews should be kept. Witness statements may be submitted in writing, dated and signed. All statements need to come from personal knowledge. Include the date, time, place and the names of those

- present during any interview. Interviews may be conducted in person, in writing or via electronic means.
4. Following the finding of fact by the subcommittee, it should be determined if a hearing and/or trial is warranted. The accused cannot be denied a formal hearing. The accused must be provided with a statement of specific charges to be included in any disciplinary procedure. Only the specified charges may be included in any hearing or trial. Notification of a hearing and/or trial must be sent to the accused via USPS, registered mail, return receipt requested a minimum of 15 business days prior to the scheduled hearing and/or trial. The hearing and/or trial may be held in person at Department Headquarters, via electronic means or as a hybrid session as long as all in attendance may participate in real time.
 5. The hearing and/or trial shall be presided over by the Department President or their designee. The accused may present witnesses and written statements in their defense as well as any statements they wish to make in regards to the charges against them. The complainant may also be expected to give evidence as to the facts of their complaint.
 6. Following the hearing and/or trial the Department Executive Committee will review the recommendations of the subcommittee and approve, reject or amend the subcommittee recommendations.
 7. The accused will be notified via USPS, registered mail, return receipt requested of the final judgment of the Department Executive Committee.
 8. The accused shall be informed of their right to appeal the ruling of the Department Executive Committee and of the necessary procedure to follow to file that appeal. The written request for the appeal must be received in the Department Headquarters, with a copy directly to the Department President, within 10 days of the receipt of the decision from the Department Executive Committee. The accused will be notified via USPS, registered mail, return receipt requested of the date, time and location (Department Convention) the appeal will be heard. Failure of the accused or their representative to appear, will automatically uphold the ruling of the Department Executive Committee.
 9. If there is an appeal to the Delegates of the Department Convention, the delegates will be provided with a synopsis of the facts as determined by the Department Executive Committee with the date of the hearing and/ or trial and a report of the final action taken. The accused or their representative, will have a maximum of 10 minutes to state their case to the body. A motion

will then be in order to accept or reject the decision of the Department Executive Committee. A majority vote is necessary to determine the outcome. The vote of the Department Convention delegates is final.

RESOLUTION FORM

This form must be filled out in triplicate and signed by two qualified delegates or by vote of a Unit or District.

DEPARTMENT HEADQUARTERS, AMERICAN LEGION AUXILIARY

Date March 11, 2026.

The members of Department Public Relations Committee submit the following resolution for consideration by the Constitution and Bylaws Committee.

SUBMITTED BY **Public Relations Committee/Constitution and Bylaws Committee...**

TITLE Electronic Communications and Social Media Policy
(ALL RESOLUTIONS ARE ROUTED TO THE RESOLUTIONS COMMITTEE)

Resolution Number _____ Subject _____
(Do Not fill in resolution number or subject)

RESOLUTION

WHEREAS, many of our Districts and Units, as well as the ALA Department of Michigan, make use of Electronic Communication and Social Media and

WHEREAS, Electronic Communication and Social Media is a cost effective, efficient way to distribute information, it can also be misused to adversely affect the image of American Legion Auxiliary within the community and

WHEREAS, we need to protect the ALA Brand, reputation, and members and

WHEREAS: it is essential that all Department program pages and/or groups add the Department Executive Director and their designee as full administrators effective immediately to protect the ALA Department of Michigan

THEREFORE BE IT RESOLVED: that the American Legion Auxiliary, Department of Michigan add an Electronic Communications and Social Media Policy to our Standing Rules as a new Section 14 with the balance to be renumbered.

Adopted by Department Public Relations Committee and the Department Constitution and Bylaws Committee at a meeting held March 11, 2026 via digital means.

Signature Amrita L. Greca Signature Sharon Schutte

(DO NOT WRITE BELOW THIS LINE)

ROUTING: (For use of Department Resolution Committee)

1. _____ Committee Rejected Approved

2. _____ Committee Rejected Approved

REVISION: If necessary, committee or Resolutions Committee will re-write and submit.

CONVENTION ACTION:

DATE _____ SIGNATURE _____

Resolutions Chairman or Secretary

New Standing Rule #14. Balance to be renumbered.

14. Electronic Communication and Social Media

The Department encourages the use of social media and electronic communications to promote the mission of the American Legion Auxiliary. The purpose of this policy is to protect the ALA brand, reputation and members while providing guidelines for Department, District and Unit accounts.

A. Authority and Permissions

- **Chartered Entities:** As a chartered entity, the Department and its subordinate units (Districts and Units) have permission to use the ALA name, emblem, and trademarks in electronic communications without seeking additional permission from National, provided they adhere to the *ALA Branding Guide*.
- **Department Programs:** If a chairman of a Department Committee wants to create a social media presence, a written proposal stating the purpose and content must be submitted to the Department Executive Director for approval. The Department Executive Director will consult with the Department President and Public Relations Chairman to approve the request. It is encouraged that committee chairmen use the Department's social media accounts, a process for placing information on the Department accounts shall be provided to chairmen upon request.
- **Platform Compliance:** All social media accounts must strictly obey the Terms of Service of the platform being used (e.g. Facebook, Instagram).

B. Account Administration and Security

- **Multiple Administrators:** To ensure continuity and security, all Department, District and Unit social media accounts must have a minimum of two (2) administrators who are members in good standing.
- **Administrative Rights:** The Department Secretary and a designated Public Relations Chairman or media coordinator, should have administrative access to all Department-level official pages.
- **Transfer of Authority:** Login credentials and administrative rights must be turned over immediately upon the expiration of a user's term of office or appointment.

C. Content Standards

- Identification: All accounts must clearly and accurately identify the entity represented (e.g. “ALA Department of (State)” or Unit 123, (City)).
- Relevance: Content must be relevant to the ALA mission, veterans, military, their families, and organizational programs.
- Political and Sectarian Neutrality: Accounts cannot be used to support political parties, candidates, or sectarian viewpoints. The ALA is absolutely non-political and non-sectarian.
- Personal Use Prohibited: Administrators may not use ALA accounts to promote personal projects, businesses or opinions unrelated to ALA business.
- Prohibited Conduct: Bullying, hate speech and degrading comments regarding race, religion, culture, sexual orientation or identity are strictly prohibited.

D. Privacy and Legal Compliance

- Confidentiality: Administrators must not post private contact information (addresses, phone numbers) or medical information about any individual without their express written permission.
- Copyright: Users must respect copyright laws and not post photos or materials they may not have permission to use.
- Charity Gaming: The promotion of raffles, 50/50 drawings, or games of chance via social media is prohibited unless strictly compliant with Michigan state laws. Administrators are personally responsible for knowing and following these regulations.

E. Moderation and Enforcement

- Monitoring: The Department reserves the right to monitor District and Unit pages within its jurisdiction to ensure compliance with this policy and the National Constitution and Bylaws.
- Sanctions:
 - Posts violating this policy must be removed immediately
 - Administrators who violate this policy may be removed from their duties
 - The Department Executive Committee reserves the right to discipline members or Units for failure to adhere to these

standards, in accordance with the principles of fundamental fairness.

F. Branding

- All electronic presence must adhere to the *American Legion Auxiliary Branding Guide*, available on the National website, including the proper use of the Emblem.

G. Enforcement

Based on the National Constitution, Bylaws and Standing Rules and the National Electronic Communications Policy, a Department has several mechanisms to enforce social media policies across its Units.

Because Units are separate entities, the Department primarily enforces policy through oversight of the Unit's charter and by holding the Unit accountable for the actions of its members.

- **Direct Social Media Sanctions:** According to the National Electronic Communications, Internet, and Social Media Policy, the Department has specific rights regarding non-compliant online behavior.
 - **Prohibition:** Any electronic or social media presence that uses the ALA name or trademarks but fails to comply with National policy is expressly "prohibited".
 - **Removal of Content:** The organization reserves the authority to "remove postings that violate laws, regulations or ALA policy".
 - **Financial Liability:** If the department incurs costs to enforce these laws or policies (e.g. legal fees to remove a trademark violation), those costs may be "sought from the offending entity or individual representative".
- **Formal Disciplinary Action Against a Unit:** If a Unit refuses to bring its social media channels into compliance, the Department Executive Committee has the authority to discipline the Unit for "good and sufficient cause".

The Bylaws outline a specific escalation of penalties the Department may impose on a Unit:

- Warning: A formal written statement outlining the misconduct (e.g. violating the social media policy) and expectations for future behavior.
- Probation: The Unit retains its charter but must operate under specific terms and conditions for improvement for a period no longer than one (1) year.
- Suspension: The Unit suffers a temporary loss of rights and privileges for a period no longer than one (1) year.
- Cancellation of Charter: For severe or repeated violations, the Department may submit a request the National Executive Committee to cancel the Unit's charter.
- Enforcing the Discipline of Individual Members: Often, social media violations are committed by specific members rather than the Unit as a whole. While the Unit is responsible for disciplining its own members, the Department has a mechanism to ensure this happens.
 - Failure to Act: If a Unit allows a member to violate social media policies without consequence, the Department "may discipline a Unit for failure to discipline a member".
 - Administrative Removal: Policies may explicitly state that administrators who do not follow the rules "will be removed from Facebook administrative duties" or "removed from the page" entirely.
- Required Due Process: When enforcing these policies, the Department must strictly adhere to the principle of "fundamental fairness". This means the Department cannot simply shut down a Unit or punish a member without providing:
 - Notice: The Unit must be officially informed of the violation, in writing.
 - Opportunity to be Heard: The Unit must be given a chance to present its side of the situation.
 - Record Keeping: The Department must permanently keep a record of all disciplinary actions, communications and meetings regarding the disciplined Unit.

RESOLUTION FORM

RECEIVED APR 13 2026

This form must be filled out in triplicate and signed by two qualified delegates or by vote of a Unit or District.

DEPARTMENT HEADQUARTERS, AMERICAN LEGION AUXILIARY

Date 2/6/2026

The members of Unit/District DEC Special Committee/ Constitution and Bylaws Committee submit the following resolution for consideration by the Constitution and Bylaws Committee.

SUBMITTED BY Constitution and Bylaws Committee

TITLE Discipline Procedures
(ALL RESOLUTIONS ARE ROUTED TO THE RESOLUTIONS COMMITTEE)

Resolution Number _____ Subject _____
(Do Not fill in resolution number or subject)

RESOLUTION

WHEREAS, the current disciplinary procedures in our governing documents have proven to be inadequate for our needs and _____

WHEREAS, the National organization has requested the current procedures be restructured and

THEREFORE, BE IT RESOLVED: that current Department Standing Rule #13 DISCIPLINE be deleted in its entirety and _____

BE IT FURTHER RESOLVED: that it be replaced with a new Department Standing Rule #13 DISCIPLINE to address the deficiencies.

Adopted by Special, C+B-L Committee at a meeting held February 6, 2026 at Port Huron
(Unit or District) (Date) (Place)

Signature Darlene Jones Signature Sharon Schulte
(DO NOT WRITE BELOW THIS LINE)

ROUTING: (For use of Department Resolution Committee)

- 1. _____ Committee Rejected Approved
- 2. _____ Committee Rejected Approved

REVISION: If necessary, committee or Resolutions Committee will re-write and submit.

CONVENTION ACTION:

DATE _____ SIGNATURE _____

Resolutions Chairman or Secretary

Revision of Department Standing Rule #13 Discipline

Delete the current #13 in its entirety and replace with the following:

13. Discipline

All American Legion Auxiliary members are expected to uphold and follow the governing documents of the American Legion Auxiliary. These include but are not limited to the Department and Unit Constitution, Bylaws, and Standing Rules as well as the 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 designed sub-committee for review.

The sub-committee should consist of 3-5 non-bias members appointed by the Unit President or elected by the Unit body, based on the Unit Standing Rules. The sub-committee will serve as a Hearing Board to determine statements of fact, attempt remediation, and prepare detailed charges, if warranted. They may interview witnesses from all sides, including the accused, review documentation and determine if the accusations made should be escalated to a formal disciplinary procedure.

- A. Should the individuals and the Unit exhaust all other avenues of conflict resolution as detailed in the National Unit Guide, the Unit may choose to pursue disciplinary action, based on the finding of fact and recommendation of the Hearing Board.
- B. Recommendations of the Hearing Board- Following the investigation, the sub-committee or Executive Board, as specified in the Unit Standing Rules, shall make a recommendation to dismiss the charges, to amend the charges or to pursue the charges as originally presented. If the charges continue to be active, the Hearing Board will refer the matter for a formal trial. If the hearing was conducted by a sub-committee, the trial may be conducted by the Unit Executive Board with the final recommendations presented to the Unit for ratification. If the hearing was conducted by the Unit Executive Board, the trial will be held by the Unit body. The appropriate action is contingent on the Unit Standing Rules.

The Unit has the responsibility for the discipline of its members. All disciplinary actions must be fundamentally fair. Fundamental fairness is defined as:

- Notice: The accused must be officially informed, in writing of the specific charges.
- Opportunity to be Heard: The accused must be given the opportunity to present their side of the situation.
- Record Keeping: The Unit must permanently keep a record of all disciplinary actions, communications and meeting regarding the disciplined member.

A member disciplined by the Unit may appeal the Unit's disciplinary action, in writing, to the Department Executive Committee, sent in care of the Department office, certified, return receipt requested. Appeals can only be accepted based on the following criteria:

- A. Violation of Member's Rights- Principles of fundamental fairness: Proper notice and/or the right to be heard
- B. Violation of Governing Documents- Unit or Department: Improper elections; issues with quorum; Executive Board reporting; external or internal audits; the overstepping of authority

The appeal process does not consider whether the original decision was "right" or "wrong", only whether it adhered to the proper process. The Department President will appoint a special committee to review the appeal request to ensure it meets the above criteria. The special committee will report their findings to the Department President and the Department Executive Committee. The special committee will consist of three (3) members chosen from the current Department Executive Committee (1 Officer, 1 District President and 1 Past Department President).

Discipline by a Unit may include punishment from a verbal warning up to and suspension (up to one year), expulsion and legal action.

Procedure for Formal Disciplinary Action (Trial) of a member of the American Legion Auxiliary, Department of Michigan

1. **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 Unit Secretary, written charges, in triplicate, properly verified by the affidavit of the accuser or accusers. Charges must include specific actions, dates, times, places and the negative effects the alleged violations of the Auxiliary Code of Conduct and/or violations of the Unit, Department or National governing documents, policies or procedures. All charges must be from personal knowledge.
2. **Notice and Copy of Charges to the Accused-** The Secretary shall deliver to the accused member, by certified mailed, return receipt requested, one copy of the charges, as determined by the Hearing Board/Investigative sub-committee, and written notice to appear at a specific time and place to show why, the accused, should not be subject to disciplinary action. These items will be delivered to the accused at least fifteen (15) days in advance of the scheduled appearance. A member has the right that allegations against their good name shall not be made except by charges brought on reasonable grounds. If thus accused, they have the right to due process-that is, to be informed of the charges and given time to prepare their defense, to appear and defend themselves, and to be fairly treated.
3. **Charges-** The accuser or accusers must be members of the same Unit as the accused, and they must set forth charges of disloyalty, neglect of duty, dishonesty, conduct detrimental to the reputation, integrity or community standing of the American Legion Auxiliary, in terms of simplicity and understanding in order that the accused may properly prepare for a defense.
4. **Appearance-** Before the accused member defends themselves in person or by counsel, they shall enter a plea, guilty or not guilty, in writing, to the said charges, on or before the date on which they have been summoned to appear. If a guilty plea is entered, the process may advance to the penalty recommendations. If the plea is not guilty, the trial will proceed as scheduled.

5. **Failure to Answer-** If the accused member fails to answer the charges in the manner and form as set forth, a plea of not guilty will be entered and the trial will proceed as scheduled.
6. **Continuance-** Either party may apply for a continuance, in writing, before the day set for the hearing or 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 will be the duty of the Unit Executive Committee to pass upon the motion and determine, from the pleadings, whether or not sufficient cause exists for continuance.
7. **Trial-** The Unit President or their designee shall preside at the trial and shall have the power and authority to pass upon the material relevance of all evidence presented, and shall have the 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.
8. **Unit Members to Act as Jurors-** Members of the Unit shall act as jurors, to ascertain the truth of the charges preferred. The Unit Standing Rules should state the number of jurors to be seated. Their province is strictly limited to questions of fact, and within the province they are 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 the Unit, acting as jurors, shall determine by ballot (2/3 majority vote) whether or not the accused is guilty as charged, and shall produce their decision, in writing, signed by the President and attested by the Secretary. Each charge must be voted on separately. A separate vote, by the jurors, will make a recommendation on the response level.

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 (e.g. additional training), suspension from participation in or exercising voting rights for a defined period of time (not to exceed one (1) year or termination of Auxiliary

membership. A recommendation for the appropriate level of response shall be presented to the Unit for acceptance, rejection or modification. This final decision is a separate motion from guilty or not guilty.

Any discipline 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 a member's standing on a Unit level.

9. **Challenge-** If either party shall make written affidavit that a certain member of the Unit cannot fairly and impartially try the case, and render a fair and impartial verdict, and the individual assigned to oversee the trial shall be satisfied as to the truth of such statement, said member or members shall be challenged for cause and dismissed from service as jurors. An additional appointment as jurors shall be made to fulfill the Unit Standing Rules requirement. Neither the accused or the accuser shall be permitted to sit as jurors.
10. **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 individual assigned to oversee the trial if such terms are just and reasonable.
11. **Appeal to the Department Executive Committee-** Any member who has been officially disciplined has the right to appeal to the Department Executive Committee. Consideration of any appeal must be based on procedural error as defined in the criteria previously referenced. The appeal must be taken by preparation of a record of the proceedings within forty (40) days after the judgement has been communicated, in writing, and sent certified mail, return receipt requested to the appellant. Such record packet shall contain a copy of the charges, all notices to the appellant with return receipts, and a record and copies of all other actions or pleadings introduced, together with a statement of evidence, in substance, to be prepared by the party appealing. The Unit must provide copies of all documents requested. The filing must include the nature of the procedural error the appellant believes to have occurred.

As an alternative, either party may demand a stenographic report, providing that a timely request before trial is made, and provided further that the party requesting the stenographic report shall pay for same. An unedited audio and/or video recording will be accepted to verify disciplinary procedures.

Once an appeal packet has been received in the Department office, the Department Secretary will notify the Department President and begin the appeal contact log. The Department President will appoint a sub-committee of the Department Executive Committee (1 Officer, 1 District President, 1 Past Department President minimum and up to 2 additional members of the Department Executive Committee at the discretion of the Department President) to investigate and make a written finding of fact and recommendations regarding the matter. The sub-committee must be appointed with fifteen (15) business days of the receipt of the appeal. The investigation and the presentation of recommendations should be completed within ninety (90) days of the appointment of the sub-committee. The Department President may grant the sub-committee a continuance of thirty (30) days if circumstances warrant.

The sub-committee will determine if the appeal request meets the proper criteria as listed above. The sub-committee will investigate parties on both sides of the appeal. The sub0committee will review all documents submitted. They may conduct interviews with the appellant and any witnesses they might find beneficial for the finding of fact. All interviews will be conducted in the presence of at least 2 members of the sub-committee. The interviews should be recorded when possible and detailed, written minutes of the interviews should be kept. Witness statements may be submitted in writing, signed and dated, with follow-up interviews if needed. All statements need to come from personal knowledge. Include the date, time, place and the names of those present during any interview. Interviews may be conducted in person or by electronic means.

If it is determined, by the sub-committee, that it does not meet the criteria for appeal, the sub-committee will notify the Department President and the

Department Secretary. The Department Secretary will notify the appellant and the Unit b certified mail, return receipt requested, that the investigation has been completed and no violation of procedure has been found.

Following the finding of fact by the sub-committee, it will prepare a report outlining its findings and recommended remediation or disciplinary actions. If it is determined that a hearing on the appeal, before the full Department Executive Committee, should be held, the Department President will schedule a meeting of the Department Executive Committee, to be held in executive session, not more than 45 days after the completion of the investigation, to be held at Department Headquarters. The Department Executive Committee is responsible for reviewing and voting on those recommendations. The Department Secretary will notify the appellant of all pertinent information for the meeting by certified mail, return receipt requested, not less than 15 business days before the meeting. The notification will state that the decision will be made based on the record submitted, but the appellant will be given the opportunity to present their case and answer clarifying questions from the Board members.

Following the presentation, all non-members of the Department Executive Committee will be excused. The Department Executive Committee will discuss the case and vote to sustain the appeal, reject the appeal, accept the specific recommendations of the sub-committee, reject the recommendations or modify the recommendations.

The Department Secretary will notify the appellant, in writing, set certified mail, return receipt requested, of the outcome of the appeals hearing. If the appellant is still on the premises, the results may be verbally communicated, however, verbal communication does not negate the need for the written notification.

- 12. Notice by the Department Secretary-** When an appeal is taken, as herein provided, it shall be the duty of the Department Secretary, to notify all parties of the date, time and place of the appeal hearing, providing at least

a 15-day notice. The notice shall be sent certified mail, return receipt requested.

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 Department Executive Committee. The Department Secretary will provide the members of the Department Executive Committee with the relevant documents in advance of the hearing.

The Department President or their designee shall preside at the hearing and shall have the power and authority to grant continuance to either party upon just cause being shown and shall have the power and authority to make all necessary and reasonable rules and regulations for the orderly procedure of said hearing.

13.No Further Appeal- The decision of the Department Executive Committee shall be final.

14.Effect of Decision- Where an appeal taken by the accused, at the department Executive Committee, sustains the appeal, the member automatically becomes a member in good standing of said Unit, and it is mandatory that the Unit reinstate said member upon the Unit membership role.

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

- All Department requests at National Headquarters for expelling a member must come from the Department Secretary. In the event that the member being expelled is the Department Secretary, the request must come from the Department President.
- The written request must include the following:
 - Name and membership ID number of the person being cancelled
 - 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 the Department files.
- Departments are required to submit this documentation to the National Secretary's mailbox at ALA National Headquarters at NatISecy@ALAVeterans.org

AMERICAN LEGION AUXILIARY
RESOLUTION

SUBMITTED BY: 5th District Association of the American Legion Auxiliary, Department of Michigan
 SUBJECT: Resolution for the American Legion to change eligibility for the American Legion Auxiliary
 DATE: March 17, 2026

RESOLUTION NO. _____

(Assigned by Resolutions Committee)

Whereas, The American Legion, the American Legion Auxiliary, and the Sons of the American Legion are joined in service to our Country's veterans and communities under the banner of "The American Legion Family"; and

Whereas, The American Legion is a veteran service organization chartered by the Congress of the United States, whose membership is limited to veterans of service in the Armed Forces, as defined in Article IV, Section 1 of the Constitution of the American Legion adopted as Resolution No. 1, by the National Convention assembled in Indianapolis, Indiana in 2019; and

Whereas, The American Legion Auxiliary is a separate and independent, but supportive organization, and its membership, as delineated in Article XIII, Section 2 of the Constitution of the American Legion, is limited to the Grandmother, Mother, Sister, Spouse and direct and adopted female descendants of eligible veterans of an existing American Legion member; and grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November 11, 1918 and any time after December 7, 1941 who, being a citizen of the United States at the time of their entry therein served on active duty in the Armed Forces of any of the governments associated with the United States during either eligibility periods and died in the line of duty or after honorable discharge; grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941 who served on active duty in the Armed Forces of the United States during either eligibility period and died in the line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.

Whereas, The Sons of the American Legion is a program of the American Legion, with its own hierarchy, conventions and committees, and its membership is limited to all male descendants, adopted sons, and stepsons of eligible deceased veterans, or an existing American Legion member; and

Whereas, The only members of a veteran's immediate family not eligible for membership in the American Legion Auxiliary are non-veteran male immediate relatives (Grandfather, Father and Brothers); and

Whereas, Some male family members, themselves, have requested an avenue to membership to honor the service of their Grandchild, Child, or Sibling; and

Whereas, The American Legion Auxiliary is a diverse and inclusive organization, whose mission promotes service and support to veterans, the U.S. Military, and their families; and

Whereas, The American Legion Auxiliary seeks to continue to be inclusive of those who support veterans, the U.S. Military, and their families; and

Whereas, The inclusion of male immediate relatives in the American Legion Auxiliary is not a question of increasing membership, but of the creation of a true family organization; now, therefore be it

Resolved, By the 5th District Association of the American Legion Auxiliary, Department of Michigan assembled at Glen Hill Unit #287 in Cedar Springs, Michigan on March 17, 2026, that we support an amendment to Article XIII, Section 2 of the Constitution of the American Legion to include male Grandparents, Parents, and Siblings; and, be it

Resolved, That this resolution be presented to the American Legion Auxiliary, Department of Michigan Annual Convention duly assembled in Battle Creek, Michigan, June 25-28, 2026 for further action and if approved, that it be further

Resolved, That, if such Amendment is passed by the American Legion, the American Legion Auxiliary immediately allow into its membership any currently non-eligible Grandfathers, Fathers, Brothers, natural and adopted Grandchildren and Children, regardless of gender, who are related to members of the American Legion, or to a deceased veteran otherwise eligible for membership as currently outline in Article XIII, Section 2; and, be it finally

Resolved, That this support for an amendment to the Constitution of the American Legion, Article XIII, Section 2, be forwarded to the National Executive Committee of the American Legion Auxiliary, with a request to express support for this amendment to the leadership of the National Executive Committee and the members and delegates of the American Legion, to take effect upon the close of the 2026 National Convention to be held in Louisville, Kentucky, August 28 through September 3, 2026.

Routing:

5th District Association of the American Legion Auxiliary, Department President and Secretary

<u>Nancy Strauss</u>	<input checked="" type="checkbox"/> Recommend	<input type="checkbox"/> Not Recommend	<input type="checkbox"/> Recommend with Amendment
<u>Christine Merlington</u>	<input checked="" type="checkbox"/> Recommend	<input type="checkbox"/> Not Recommend	<input type="checkbox"/> Recommend with Amendment

Amended by the Department of Michigan Constitution and Bylaws Committee

Sharon Schulte