



## Department of Ohio Plan of Action



### CONSTITUTION & BYLAWS

#### CHAIRMAN

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**REPORT DUE: NONE**

#### Key Program Statements

- The Constitution & Bylaws program informs and educates members of the American Legion Auxiliary on the importance and power of having properly written and regularly reviewed and updated governing documents at all levels of the organization.
- Your governing documents include your articles of incorporation (if incorporated), constitution, bylaws, standing rules, and policies.
- These fundamental rules of the organization state how the membership agrees to govern itself, how it will choose its leaders, hold its meetings, and policies of the administration of the organization.
- Knowing the non-profit laws in your state provides the essential foundation for your governing documents at the department, district, county, and unit level.
- The importance of having governing documents in place to allow operations to continue in an emergency has become absolutely vital.
- Keeping your governing documents up to date and making them available to all members are key to a healthy organization that functions as a team to support our veterans, military, and their families. Department can only accept, not approve, all Constitution & Bylaws and Standing Rules.
- Remember that department, district, county, and unit constitution, Bylaws, and standing rules cannot be in conflict with national governing documents.
- When the national constitution, Bylaws, and standing rules change, departments, districts, counties, and units should automatically update their governing documents.
- Contact your Department Constitution & Bylaws Chairman for assistance. The National Association of Parliamentarians is a good resource to find a professional registered parliamentarian near you.

As the new year begins, it's important to review your organization's constitution and bylaws if you haven't already. These rules are considered essential by your organization and can only be modified after informing the members and obtaining a large majority vote. Additionally, they are a permanent corporate record that must be preserved.

To ensure timely distribution to members, it is recommended to start drafting proposed amendments in advance. It is important to review your C&B and locate the article titled "Amendment," which outlines the necessary notice period required for proposed amendments to be given to members.

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Attached is an example of Constitution and Bylaws. It is just a GUIDE. Robert's Rules of Order, Newly Revised, provides guidance on the items to include.

## **Constitution:**

### **PREAMBLE**

**ARTICLE I: NAME**

**ARTICLE II: NATURE**

**ARTICLE III: ELIGIBILITY**

**ARTICLE IV: UNIT OFFICERS**

**ARTICLE V: UNIT EXECUTIVE COMMITTEE**

**ARTICLE VI: AMENDMENTS**

## **Bylaws:**

**ARTICLE I: MEETINGS** -Regular, special, electronic, and quorum needed

**ARTICLE II: EXECUTIVE BOARD** — Composition, duties and powers, meetings, and quorum.

**ARTICLE III: OFFICERS** — Officers and duties, nomination and election process, term of office, removal from office, filling a vacancy, limitations on holding office.

**ARTICLE IV: FINANCE**

**ARTICLE V: ELECTIONS**

**ARTICLE VI: INITIATION**

**ARTICLE VII: COMMITTEES** — Composition and purpose of standing committees; special committees and how they are appointed; ex-officio members.

**ARTICLE VIII: FISCAL YEAR**

**ARTICLE IX: DISCIPLINE**

**ARTICLE X: PARLIAMENTARY PROCEDURES** — The ALA uses Robert's Rules Newly Revised.

**ARTICLE XI: AMENDMENT OF BYLAWS** — Advance notice of amendments, how it is to be given, approval vote needed.

To ensure a successful adoption process, it's important to have a small group of experienced members who are knowledgeable in writing governing documents and reviewing them. Going solo is not recommended. Bylaws for units must be tailored to meet the specific needs of the organization's level, but they cannot conflict with national bylaws. For instance, larger units may appoint chairmen for each program, while smaller active units may focus on just a few programs. It's crucial to use "may" instead of "must" when flexibility is needed. Amending governing documents can be done through a motion.

Every nonprofit that is incorporated has to abide by the laws of the state in which they are incorporated. To ensure compliance with state laws, it's advisable to get a professional registered parliamentarian to review your documents and identify any areas that may need attention.

It's important to maintain proper records of when changes are made and update the official governing document as needed. This document serves as a corporate record and should be accessible to all members, not just the leadership. It's a wise decision to ensure that the governing documents are readily available to your membership.

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## **Standing Rules:**

Standing Rules are focused on the procedures and are more specific and administrative compared to bylaws. They provide additional information about the provisions mentioned in the bylaws. Along with the Constitution and Bylaws, Standing Rules hold significant importance. They must be adhered to but can be amended more frequently as per the requirements to ensure the unit's productivity.

The following is the required beginning of your standing rules document:

### **Preface**

These American Legion Auxiliary Standing Rules are duly adopted by the appropriate Unit governing body to provide guidance. Standing Rules have the same importance as the Unit Constitution & Bylaws and may be amended as frequently as needed.

Except when specified in the Bylaws or these Standing Rules, a standing rule may be amended or rescinded by a two-thirds vote of the membership or, if notice has been given, by a majority vote.

### **Mission Statement**

In the spirit of Service, Not Self, the Mission of the American Legion Auxiliary is to support The American Legion and to honor the sacrifice of those who serve by enhancing the lives of our veterans, military, and their families, both at home and abroad. For God and Country, we advocate for veterans, educate our citizens, mentor youth, and promote patriotism, good citizenship, peace, and security.

### **Vision Statement**

The vision of the American Legion Auxiliary is to support The American Legion while becoming the premier service organization and foundation of every community providing support for our veterans, our military, and their families by shaping a positive future in an atmosphere of fellowship, patriotism, peace, and security.

### **Purposes**

In fulfillment of our Mission, the American Legion Auxiliary adheres to the following purposes:

- To support and advocate for veterans, active military, and their families.
- To support the initiatives and programs of The American Legion
- To foster patriotism and responsible citizenship
- To award scholarships and promote quality education and literacy
- To provide educational and leadership opportunities that uphold the ideals of freedom and democracy and encourage good citizenship and patriotism in government.
- To increase our capacity to deliver our Mission by providing meaningful volunteer opportunities within our communities.
- To empower our membership to achieve personal fulfillment through Service Not Self

### **Values**

Our statement of values is predicated on the founding purposes:

- Commitment to the four founding principles: Justice, Freedom, Democracy, Loyalty
- Service to God, our country, its veterans, and their families
- Tradition of patriotism and citizenship
- Personal integrity and family values
- Respect for the uniqueness of individual members
- Truthful open communication in dealing with the public and our members.

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- Adherence to the adopted policies and rules

Additional paragraphs that are required in your standing rules:

## **Membership**

Membership eligibility in the American Legion Auxiliary is as stated in the Constitution Article III Eligibility.

Membership eligibility through the service of a deceased veteran may be established by certification by the post adjutant or other post official of the deceased veteran's documents. Joining online requires an affidavit of eligibility; the Unit may request a copy of the veteran's documents. Eligibility for membership in a Unit (widow unit) without a post may be established by certification by the Department Adjutant.

A Unit member can challenge the membership eligibility of a current member, or a person being considered for membership. Eligibility decisions by the Unit may be appealed to the Department Executive Committee, which shall be the final authority.

A member failing to pay annual dues by January thirty-first of the current membership year shall be delinquent and suspended from membership privileges.

A member deemed delinquent for failing to pay dues by December thirty-first of the current membership year shall be classified as expired. Such expired member may rejoin as an active member under the member's original join date without interruption of continuous years of membership, and membership privileges reinstated by payment of all past dues.

A member deemed expired for failing to pay dues by December thirty-first of the current membership year may rejoin, with a new join date, at any time in the future by re-establishing eligibility and making an application as a new member. Membership cards will reflect the most recent join date.

The American Legion Auxiliary may use and distribute the names and contact information of its membership for official use only within the American Legion Auxiliary.

## **Transfer of Membership**

- Any member presenting a membership card for the current year may request a transfer to another Unit. Upon acceptance by the transferee Unit, the member shall be entitled to active membership in said Unit. No dues shall be transferred.
- The Unit may receive members by transfer from another Unit at any time during the administration year. The Executive Committee shall recommend the acceptability of transferred members.
- A unit member may withdraw, providing her current year's dues are fully paid. However, upon withdrawal, the member shall be prohibited from joining any other Unit as a new member during the remainder of the current year for which her dues are paid. In the event a member wants to move their membership from one Unit to another during the current year, it shall be done by transfer and not withdrawal.
- A member who is not subject to suspension or membership revocation under due process is eligible to transfer her membership to another unit if a member has paid her membership dues to her current Unit, either the current year or the immediate past membership year. A member transferring to a

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new unit must pay the current year dues to either their current Unit or the Unit the member wants to transfer.

- Evidence of paid membership includes:
  - (a) American Legion Auxiliary Membership Card
  - (b) Verification of membership by ALA Department or National Headquarters membership records.
  - (c) Other documentation verifying payment of current or immediate past year membership dues, such as a canceled check or receipt.
  - (d) When verifying documentation is not available, a sworn statement that the member's membership dues payment was tendered.

The transfer is final upon verification of eligibility, evidence of paid membership, and acceptance of the transferee by the new Unit.

NOTE: If there is ever a conflict between your governing documents, the Constitution supersedes Bylaws, and Bylaws supersede Standing Rules. Your governing body or Bylaws committee must review the governing documents periodically to ensure that the Constitution, Bylaws, and Standing Rules are compatible and do not conflict with each other or with the Department or National Constitution, Bylaws, and Standing Rules.

### RESOURCES:

- National Constitution, Bylaws, and Standing Rules (available on [www.ALAforVeterans.org](http://www.ALAforVeterans.org))
- National Auxiliary website: [ww.ALAforVertrans.org/resources](http://ww.ALAforVertrans.org/resources). Go to Department/Units column, click on DEC/Board and Responsibility.
- Roberts's Rules of Order, Newly Revised, <https://robertsrules.com>
- ALA Department of OH [www.ALAohio.org](http://www.ALAohio.org)

Attachments are only a guide to assist with writing the unit's constitution and bylaws and standing rule. The role of the Department Constitution and Bylaws Chairman is to review your submitted Constitution and Bylaws, as well as your Standing Rules, to ensure accuracy and alignment with the requirements of both the Department and National. If everything is in order, the chairman will accept them and send them to Department Headquarters. If there are any issues, the chairman will return them with a letter of recommendation.

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## CONSTITUTION OF

*Unit Name Unit Number*

*City, State*

*District Number*

**American Legion Auxiliary  
Department of Ohio, Inc.**

*Date*

## PREAMBLE

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

## ARTICLE I

### NAME

Section 1. The name of this organization shall be (*Unit Name and Unit No.*) American Legion Auxiliary, Department of Ohio, Inc.

## ARTICLE II

### NATURE

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

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

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## ARTICLE III

### ELIGIBILITY

Section 1. Eligibility for membership in the American Legion Auxiliary is determined by The American Legion. The eligibility requirements from The American Legion governing documents shall be provided as a footnote to this Constitution for information purposes and shall be updated as appropriate. <sup>1</sup>

Section 2. There shall be two classes of membership, Senior and Junior.

- (a) Senior membership shall be composed of members eighteen (18) and older; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen (18) years and married shall be classified as a Senior member.
- (b) Junior membership shall be composed of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18) years, Junior members shall automatically be admitted into Senior membership with full privileges.
- (c) Dues of both classes shall be paid annually or for life.

## ARTICLE IV

### UNIT OFFICERS

Section 1. The Unit shall elect, at a meeting in May, a President, First Vice-President, Second Vice-President, Secretary, and Treasurer for a term of one year. These officers may be installed immediately following elections or at a meeting held as soon as possible in accordance with provisions for "Installation of Officers" in the current ALA Unit Handbook.

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<sup>1</sup> Membership in The American Legion Auxiliary shall be limited to the:

- 1) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and
- 2) 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;
- 3) 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 periods and died in the line of duty or after honorable discharge; and
- 4) to those women who of their own right are eligible for membership in The American Legion.



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Section 2. To participate in the election or appointment of Unit officers, a member shall have paid their dues for the current fiscal year within which the election is held, be in good standing, and not be in violation of current governing documents or under suspension.

Section 3. The Unit may elect or appoint a Sergeant-at-Arms, Historian, and Chaplain.

Section 4. The Executive power shall be vested in an Executive Committee comprised of the President, First Vice-President, Second Vice-President, Secretary, Treasurer, and at least three (3) additional members in good standing elected by the Unit. The term of office for members of the Executive Committee will be one year.

Section 5. An audit report shall be approved at a regular meeting before installing new officers. The audit shall be completed between the May meeting and the end of the month.

Section 6. Each officer, committee chairperson, and committee member of a Unit shall be a member of the Unit they serve.

Section 7. The office of Secretary may be combined with that of Treasurer and called "Secretary-Treasurer."

## ARTICLE V

### UNIT EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be comprised of the President, First Vice-President, Second Vice-President, Secretary, Treasurer, and at least three (3) other members in good standing to serve on this Committee. This Committee shall meet as needed prior to regularly scheduled meetings. This Committee shall act in emergencies between meetings of the Unit and may offer recommendations to be acted upon at the Unit meetings. **This Committee shall act during emergencies such as state and community shutdowns, pandemics, etc. until mandated to reopen for business.** All proceedings of said Committee shall be presented to the Unit at the next regular meeting for approval.

Section 2. A vacancy existing in the Executive Committee from any cause other than the expiration of a term shall be filled by a majority vote of the entire Committee. A person so elected shall hold office for the unexpired term of the member they succeed.

Section 3. The President may call a meeting of the Executive Committee as needed or on the written request of at least three (3) members. Uniform notice of special meetings shall be given to all members of the Executive Committee.

Section 4. A majority of the members of the Executive Committee shall constitute its quorum.

Section 5. Unexcused absence from three (3) regular Unit meetings or Executive Committee meetings shall be sufficient cause for the removal of an Executive Committee member from office.



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## ARTICLE VI

### AMENDMENTS

Section 1. This Constitution may be amended by a two-thirds vote of the members in good standing present at a regular Unit meeting, provided the entire membership has been notified of the proposed amendments by the medium of the press, Unit notice, newsletter, or email and read at the previous meeting.

Section 2. This Constitution shall be automatically amended to conform to the National and Ohio Department Constitution and Bylaws, Standing Rules, and Policy Statement of the American Legion Auxiliary.

Section 3. The Constitution and Bylaws committee has the authority to make technical changes for readability.

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## BYLAWS

of

*Unit Name, Unit Number*  
*City, State*  
*District No.*  
**American Legion Auxiliary**  
**Department of Ohio, Inc.**

## ARTICLE I

### MEETINGS

Section 1. The regular meetings of this Unit shall be held at (*location, street, city, state*) (*month, day, and time*) with exceptions as stated in Standing Rules.

Section 2. The Annual Meeting of the Unit shall be in May for the purpose of electing officers and delegates to the convention.

Section 3. Special meetings of this Unit may be called by the President, by majority of the Executive Committee, or upon written request of at least three Unit members in good standing.

Section 4. (*Quorum number*) members, one of whom can preside, shall constitute a quorum at any Unit meeting.

Section 5. In the event of some great emergency such as war, epidemic, or disaster, the Executive Committee shall have the authority to determine whether or not a meeting shall be held, a two-thirds vote shall decide, and the vote may be taken by mail or email. In the event a meeting is not held, the Executive Committee shall have the authority to plan the procedure for conducting meetings and any elections during the emergency timespan as designated by the city, county, state, or nation.

## ARTICLE II

### EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be comprised of the President, First Vice-President, Second Vice-President, Secretary, Treasurer, and at least three (3) other members, in good standing, to serve on this Committee. This Committee shall meet as needed prior to regularly scheduled meetings. This Committee shall act in emergencies between meetings of the Unit and may offer recommendations to be acted upon at the Unit meetings. **This Committee shall act during emergencies such as state and community shutdowns, pandemics, etc. until mandated to reopen for business.** All proceedings of said Committee shall be presented to the Unit at the next regular meeting for approval.

Section 2. A vacancy existing in the Executive Committee from any cause other than the expiration of a term shall be filled by a majority vote of the entire Committee. A person so elected shall hold office for the unexpired term of the member they succeed.

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Section 3. The President may call a meeting of the Executive Committee as needed or on the written request of at least three (3) members. Uniform notice of special meetings shall be given to all members of the Executive Committee.

Section 4. A majority of the members of the Executive Committee shall constitute its quorum.

Section 5. Unexcused absence from three (3) regular Unit meetings or Executive Committee meetings shall be sufficient cause for the removal of an Executive Committee member from office.

## **ARTICLE III**

### **DUTIES OF OFFICERS**

Section 1. Unit President: It shall be the duty of the Unit President to preside at all Unit regular and special meetings and meetings of the Unit Executive Committee; appoint members of core, standing, and other special committees except the Nominating Committee; appoint all officers not otherwise provided for with the approval of the Executive Committee; serve as an ex-officio member of all committees except the nominating Committee; enforce strict observance of the Constitution and Bylaws; bring to the Unit's attention all pertinent communications; and perform such other duties as custom, and parliamentary usage require.

If the Unit President becomes incapacitated or is otherwise unable to discharge her duties, the Executive Committee may declare the position vacant. In the event this should occur directive is found in the standing rules.

Section 2. The First and Second Vice President: In the order named, the first or second vice president shall be the presiding officer at a meeting in the absence of the President and assume such other duties as assigned by the President. In the absence of the President, first vice, and second vice, a chairman pro tempore shall be elected by the Executive Committee. See Standing Rules for the directive of additional duties.

Section 3. Unit Secretary: It shall be the duty of the Secretary to keep a record of proceedings and transactions of all Unit and Executive Committee meetings; shall act as custodian of all books, papers, applications, and records; shall keep a roster of names and addresses of all the members. The Secretary shall send out such notices as are directed by the President; process correspondence of the Unit; keep on file copies of all correspondence sent and received; and perform other such duties as shall be required by the President. In the absence of the President, First and Second Vice President, the Secretary shall call the meeting to order and preside until the Unit members select a temporary chairperson.

Section 4. Unit Treasurer: It shall be the duty of the Treasurer to serve as custodian of all funds received by the Unit and to account for them. The Treasurer shall maintain two separate funds: a General and a Poppy (restricted) Fund. All Poppy donations shall be placed in the Poppy Fund and be used to assist the veteran, active-duty military, and their children. An accounting shall be kept of all receipts and all expenditures, making monthly reports to the Unit and turn in to the audit committee for annual review. Sign all checks in disbursing funds of the Unit (all checks will have two signatures). In the absence of the Treasurer or in addition to the Treasurer, the unit secretary and the past unit president shall be authorized to sign checks (see stand rules). At the end of her term, the Treasurer shall deliver promptly to the successor all money, voucher, books, and papers belonging to the Unit.

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Section 5. Chaplain: It shall be the duty of the Unit Chaplain to offer prayer and to perform such divine and nonsectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by the Unit President, and shall perform other duties as assigned.

Section 6. Historian: It shall be the duty of the Unit Historian to complete a historical record of the current administrative year and shall compile pertinent records of all Unit and American Legion Auxiliary activities having historical value.

Section 7. Sergeant-at-Arms: It shall be the duty of the Unit Sergeant-at-Arms to preserve order at Unit meetings and perform such duties as custodian of Unit colors, property, and other duties as assigned by the President.

## ARTICLE IV

### FINANCE

Section 1. A vote of the membership upon recommendation of the Unit Executive Board shall determine the Annual dues for Senior and Junior membership. These dues include the Department and National per capita, the Department assessments for Veterans Affairs and Rehabilitation, and Children and Youth and are listed in the Unit Standing Rules. The annual Department and National per capita and assessments shall be submitted to the Department.

Section 2. Dues shall be payable annually for the succeeding calendar year or for life. A member failing to pay such annual dues by January thirty-first (31) shall be considered delinquent and suspended from all membership privileges. Payment of back dues, after suspension, shall reinstate such member to active membership. Any member delinquent as of December thirty-first (31) of the year of delinquency shall automatically be dropped from the rolls and may be reinstated only by paying all back dues or by re-establishing eligibility and applying as a new member.

Section 3. The Unit shall transmit annually (on or before December 31) to Department Headquarters money for coverage of the mandatory National Schedule Blanket Position Bond for the loss of money, securities, and other property up to the contracted limit, which the Unit sustains through any fraudulent or dishonest act by handling funds.

Section 4. The President shall appoint an Auditing committee of three (3) members in good standing who shall audit the books of the Secretary and Treasurer. This report shall be presented for approval at a meeting before installing new officers. The final audit shall be between the May meeting and the end of the month.

Section 5. The Unit is required to electronically submit Form 990N, also known as the e-Postcard, to the IRS by the 15<sup>th</sup> day of the 5<sup>th</sup> month after the close of your tax year. In addition, IRS form 8822-B must be filed if there is a change of address or a responsible party on the 990N e-post card.

## ARTICLE V

### ELECTIONS

Section 1. Elections shall be by ballot at the annual meeting in May. A plurality vote shall elect. However, when only one candidate exists, the ballot may be dispensed with, and the nominee elected by voice.

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Section 2. The membership shall elect the Nominating Committee, composed of three (3) members, at the regular meeting held in March. The Nominating Committee shall present a slate of officers for the ensuing year at the regular meeting held in April.

Section 3. The slate will be reread in May, along with accepting nominations from the floor.

Section 4. Delegates and Alternates to represent the Unit at District and Department Conventions shall be elected at the Unit meeting in May. The number of delegates and alternates shall be according to the Department membership roll.

## **ARTICLE VI**

### **INITIATION**

Section 1. New members should be initiated singly or in groups in accordance with the Initiation Ceremony in the current ALA Unit Handbook. However, the initiation ceremony is not mandatory.

## **ARTICLE VII**

### **COMMITTEES**

Section 1. Pursuant to the Article III Duties of Officers, the Unit President may appoint committees as the President deems advisable to further the organization's mission, subject to the Executive Committee's ratification. When a vacancy occurs on a committee, the President shall appoint a member to serve the remainder of the unexpired term, all subject to the Executive Committee's confirmation.

Section 2. The following shall be the core Standing Committees: Veterans Affairs & Rehabilitation, Children & Youth, Americanism, National Security, Membership, Constitution & Bylaws, and Finance – there shall be the following committees: Auxiliary Emergency Fund, Community Service, Education, American Legion Auxiliary Girls State, Junior Activities, Leadership, Legislative, Poppy, and Public Relations.

Section 3. Pursuant to Article III Duties of Officers, the Unit President shall be considered an ex-officio member of all committees.

Section 4. A nominating committee shall be elected to present a slate of officers to the Unit for the ensuing year.

Section 5. The President shall appoint an Auditing Committee of three (3) members in good standing who shall audit the books of the Secretary and Treasurer at the close of each term. This report shall be presented for approval at a regular meeting before installing new officers.

Section 6. Committees shall report as required.

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## ARTICLE VIII

### FISCAL YEAR

Section 1. The fiscal year shall extend from \_\_\_\_\_ to \_\_\_\_\_.

## ARTICLE IX

### DISCIPLINE

Section 1. For willful violation of the National, State, or Unit Constitution & Bylaws for conduct improper and prejudicial to the welfare of the American Legion Auxiliary or The American Legion, any member may be expelled from membership, or any Unit officer removed from office by two-thirds of the vote at a Unit meeting duly called for that purpose, after the member shall have been given at least fifteen (15) days written notice by the Unit Executive Committee of the charges and a hearing thereon. Either party may have the right to appeal to the Department Executive Committee, and their action shall be final. The appellant shall bear the expense of the said appeal.

## ARTICLE X

### PARLIAMENTARY PROCEDURES

Section 1. The Unit shall be governed by the current edition of "Robert's Rules of Order Newly Revised" on all matters to which they are applicable and not covered by the National, the Department of Ohio, and this Unit's Constitutions and Bylaws, Standing Rules, and Policy Statement.

## ARTICLE XI

### AMENDMENTS

Section 1. The Bylaws may be amended by a two-thirds vote of the members, in good standing, present at a regular Unit meeting, provided the entire membership has been notified of the proposed amendments by the medium of the press, Unit notice, newsletter or email and also read at the previous meeting.

Section 2. The Bylaws shall be automatically amended to conform to the National and Department of Ohio Constitution and Bylaws, Standing Rules, and Policy Statement of the American Legion Auxiliary.

Section 3. The Constitution and Bylaws committee has the authority to make technical changes for readability.

Section 4. The Constitution and Bylaws shall be reviewed annually by a committee of three or more members appointed by the President. If changes are made, an update will be done in a timely manner.

- a. Any Unit Member may submit additions or changes to the Bylaws to the Committee for consideration.

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Date Approved by Vote of Unit Membership: \_\_\_\_\_

Signatures Constitution, Bylaws Committee:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

All electronic signatures

Contact Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

Email: \_\_\_\_\_

Department acceptance signature:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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AMERICAN LEGION AUXILIARY

2017-2022 PROGRAMS ACTION PLAN HOW TO GUIDES

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## HOW TO WRITE STANDING RULES

**Committee:** Constitution & Bylaws

**Contact Information for Questions:** constitution&bylaws@ALAforVeterans.org or your department Constitution & Bylaws chairman

### Step-by-Step Instructions:

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

## GUIDELINES FOR WRITING STANDING RULES

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

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

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The (NAME AND NUMBER) of the \_\_\_\_\_ District, American Legion Auxiliary, hereby adopts the Constitution & Bylaws as prescribed by the American Legion Auxiliary, Department of \_\_\_\_\_.

The most recent edition of *Robert's Rules of Order*, in all questions not governed by articles of the National, (department/district/unit) Constitution & Bylaws, shall govern this (department/district/unit).

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AMERICAN LEGION AUXILIARY

2017-2022 PROGRAMS ACTION PLAN HOW TO GUIDES

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1. State time (day and hour) of meeting, place of meeting and information on notification of meeting. Are you meeting all twelve (12) months?
  2. Dues – Senior, Junior, Gold Star Mothers, Life Members.
  3. Process for selecting Life Members.
  4. Election
    - a. When will election be held?
    - b. Secretary and/or Treasurer – elected or appointed?
    - c. A nominating committee – yes or no? Elected per the most recent edition of *Robert's Rules of Order, Newly Revised*.
  5. Election of delegates for department convention, fall conference, district meetings – when and how selected.
  6. Installation of officers – when, where, who is in charge.
  7. Equipment – rules for loaning, maintenance, etc.
  8. Finances
    - a. Rent
    - b. Utilities
    - c. Working funds for officers, chairmen, poppy purchases, ALA Girls State, Veterans Affairs & Rehabilitation, etc.
    - d. Annual gifts for district president's visit, retiring officers, etc.
    - e. Flowers and/or gifts for illness, death, etc.
    - f. Expenses for delegates to department convention, fall conference, district meetings, etc. (registration fee, mileage, per diem)
    - g. How bills are paid and who signs the checks
    - h. Contest prizes – how much for poppy, essay contests, etc.
    - i. Department and district mandatory funds
    - j. Arrangements for special dinners – funerals, etc.
    - k. Annual donations to special programs or charities
  9. The fiscal year of this department/district/unit will be \_\_\_\_\_.
  10. Audit – when and by whom.
  11. This paragraph should appear at the end of your Standing Rules: “Standing Rules are adopted by a majority vote and may be amended by two-thirds (2/3) vote at any meeting, or if notice has been given, by a majority vote.” Standing Rules are usually adopted from time to time, as they are needed, in the form of resolutions.
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# Department of Ohio Plan of Action

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Constitution & Bylaws



AMERICAN LEGION AUXILIARY

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12. The date of the meeting at which these Standing Rules were approved **MUST** be shown. **ALSO** – The signature of the Constitution & Bylaws chairman and president or secretary **MUST** appear on the bottom of the list.

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
President or Secretary

\_\_\_\_\_  
Constitution & Bylaws Chairman