

CONSTITUTION
of the
AMERICAN LEGION AUXILIARY
DEPARTMENT OF INDIANA
(Revision adopted at the 2014 Department Convention)
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 the great wars;
To inculcate a sense of individual obligation to the community, state and nation;
 To combat the autocracy of both the classes and the masses;
 To make right the master of might;
 To promote peace and good will on earth;
To safeguard and transmit to posterity the principles of justice, freedom and democracy;
To participate in and contribute to the accomplishment of the aims and purposes of The American Legion;
 To consecrate and sanctify our association by our devotion to mutual helpfulness.

ARTICLE I-NAME

The name of this organization shall be American Legion Auxiliary, Department of Indiana

ARTICLE II-NATURE

Sec. 1. The American Legion Auxiliary is a civilian, patriotic service organization of women who supports The American Legion.

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

ARTICLE III-ELIGIBILITY

Sec. 1. Membership in the American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, wives and direct and adopted female descendants of members of The American Legion and to grandmothers, mothers, sisters, wives, and direct and adopted female descendants of all men and women in the Armed Forces of the United States during any of the following periods: April 6, 1917 to November 11, 1918; December 7, 1941 to December 31,1946;

June 25,1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 to

The date of cessation of hostilities as determined by the government of the United States: all dates inclusive, or who being citizens of the United States at the time of their entry therein, served on active duty in the Armed Forces of any of the governments associated with the United States during any of said periods, and died in 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.

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

- a) Senior membership shall be composed of members over the age of eighteen years, provided, however, that a wife under the age of eighteen years, who is eligible under Section I of this article, shall be classes as a Senior Member.

- b) Junior membership shall consist of that group under the age of eighteen years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.
- c) Dues of both classes shall be paid annually or for life.

ARTICLE IV-DEPARTMENT OFFICERS

Sec. 1. The elective officers of this Department shall be a President, President-Elect, Vice-President, Chaplain and Historian.

Sec. 2. The office of Secretary/Treasurer shall be an employed position which carries all the duties of an "elected" Secretary/Treasurer.

Sec. 3. The appointive officers shall be Parliamentarian and two (2) Sergeants-at-Arms who shall be appointed by the President.

Sec. 4. Should a vacancy exist in the office of Department President for any cause, the office shall be filled by the President-Elect upon approval of the Executive Committee. If the unexpired term of the office of President is less than six (6) months, the President-Elect shall then serve a full term as President.

Sec. 5. Should a vacancy exist in the office of President-Elect, the office of President shall be elected by the delegates at Department Convention.

Sec. 6. A vacancy existing in any elective office in the Department except those of Department President or President-Elect, for any cause other than the expiration of a term, shall be filled for the unexpired term by a majority vote of the Department Executive Committee.

Sec. 7. The retiring President shall become the National Executive Committeewoman and the President shall be her alternate. The National Executive Committeewoman shall assume her office immediately following the National Convention. In the event of resignation or death of the National Executive Committeewoman, the Department President shall appoint a successor beginning with the most recent Past Department President and continuing in order of their service.

ARTICLE V-EXECUTIVE COMMITTEE

Sec. 1. Between Department Conventions the administrative power will be vested in the Department Executive Committee, which shall be composed of the Department President, National Executive Committeewoman, President-Elect, Vice President, Chaplain, Historian, the current District Presidents or their alternate, and the immediate past District Presidents. The Department Parliamentarian and the Secretary/Treasurer shall be ex-officio members without vote.

Sec. 2. All Past Department Presidents in good standing in their Units shall be members of the Department Executive Committee without vote. For a period of five years following her term as National Executive Committeewoman, she shall have a vote.

ARTICLE VI-DEPARTMENT CONVENTION

Sec. 1. The legislative body of the American Legion Auxiliary, Department of Indiana, shall be the Department Convention

Sec. 2. In case of emergency, the Department Executive Committee shall be empowered to call a Convention.

Sec. 3. Representation in the Department Convention shall be by Units.

Sec. 4. Delegate-at-large to the Department Convention shall be elective and appointive officers, members

of the Department

Executive Committee, the chairmen of Standing Committees, Hospital Representatives, Hospital Associate Representatives, Poppy Production Managers, and all Past Department Presidents who are in good standing in their Units, with the vote to be exercised with their District.

Sec. 5. Only certified delegates or their alternates to the Department Convention shall be permitted to make motions or vote.

Sec. 6. Each delegate shall be entitled to one vote. The manner for casting votes shall be as provided in the Department Convention Standing Rules.

Sec. 7. A Quorum shall exist at a Department Convention when twenty-five percent (25%) of the duly elected and accredited delegates are present.

ARTICLE VII-AMENDEMENTS

Sec. 1. This Constitution may be amended at any Department Convention by a two-thirds (2/3) vote, provided that notice of the Proposed amendment shall have been submitted through a Department bulletin to Units, Department officers, and all categories of the Delegates-at-large at least sixty (60) days prior to the Department Convention.

Sec. 2. This Constitution may be amended without notice at any Department Convention by a unanimous vote, provided that such Amendment shall have been read at a regular meeting of the Convention at least twelve (12) hours before the vote is taken thereon.

Sec. 3. Any Unit or District may propose amendments to the Constitution and Bylaws Committee for consideration by a Department Convention.

Proposed amendments shall be received into Department Headquarters by March 15th of the current year.

Sec. 4. This Constitution shall be automatically amended to conform to the National Constitution.

BYLAWS of the AMERICAN LEGION AUXILIARY DEPARTMENT OF INDIANA (Revision adopted at the 2014 Department Convention)

ARTICLE I – ORGANIZATION

Sec. 1. The Department of Indiana, American Legion Auxiliary, shall be composed of Units which shall be organized into Districts corresponding to District of the Department of Indiana of The American Legion.

Sec. 2. Districts and Units shall function in accordance with National and Department Constitutions and Bylaws and such Standing Rules as shall be prescribed by the Department.

ARTICLE II – ELECTION OF OFFICERS

Sec. 1. The Department Convention shall elect a President-Elect, a Vice-President, a Chaplain, and a Historian. The election of these officers shall be by ballot. A plurality of the votes cast shall be necessary to elect, except when the number of candidates does not exceed the number to be elected, election shall be by voice vote.

Sec. 2. The appointive officers shall be Department Parliamentarian and two (2) Department Sergeants-at-Arms, appointed by the Department President.

Sec. 3. All Department Officers, members of the Department Executive Committee and members of all

Department Standing Committees shall be in good standing in their Units.

Sec. 4. Department Officers shall assume the duties of their respective offices at the close of the Department Convention. Terms of office shall be for one (1) year or until their successors are elected. No officers may serve consecutive years in any one office.

ARTICLE III – DUTIES OF OFFICERS

Sec. 1. **Department President:** It shall be the duty of the Department President to preside at all meetings of the Department Convention assembled and the Department Executive Committee, to appoint members of the Standing Committees, and to create such other committees and appoint members thereon as she deems advisable, and to appoint all officers not otherwise provided for with the approval of the Department Executive Committee. She shall be ex-officio member of all committees and shall perform such other duties as are usually incident to the office. She may sign Department checks. She shall be charged with the responsibility of executing the mandates of the Department Convention and the Department Executive Committee. The Department President shall not waive her rights to the Department Secretary/Treasurer or to any other person by permitting the signing of her name to applications for charters, to charters issued by the National Headquarters, or any other legal documents pertaining to her year in office.

Sec. 2. **National Executive Committeewoman:** She shall serve as the Department Representative to the National Executive Committee. She shall serve the Department of Indiana as National Security Chairman.

Sec. 3. **Department President-Elect:** The Department President-Elect shall, when called upon, assist the President and in her absence perform her duties; in case of death, resignation or removal from office of the Department President, the President-Elect shall succeed her. She shall serve as ex-officio member of the Department Finance Committee without vote.

Sec. 4. **Department Vice President:** The Department Vice President shall, when called upon, assist the President, and shall chair a committee at the discretion of the Department President.

Sec. 5. **Department Secretary/Treasurer:** The Department Secretary/Treasurer shall conduct all official correspondence under the direction of the Department President. She shall keep a record of the proceedings of the Department Convention, of the Department Executive Committee meetings, and of all money received from the Units and other sources. She shall be ex-officio member of all committees at the official call of the Department President. She may sign Department checks. She shall keep all records and perform all other duties incident to the office. The Secretary/Treasurer's books shall be closed June 30 prior to the Department Convention, and the books shall be audited by a Certified Public Accountant.

Sec. 6. **Department Chaplain:** It shall be the duty of the Department Chaplain to offer prayer at the opening of each day's meeting at the Department Convention, and perform such other duties as the Department President may direct.

Sec. 7. **Department Historian:** It shall be the duty of the Department Historian to compile the historical records of the Department organization and to make such other reports as are required.

Sec. 8. **Department Parliamentarian:** IT shall be the duty o the Department Parliamentarian to advise, when requested by the Department President, the Department Executive Committee, or any officer, committee of member on parliamentary questions concerning this Auxiliary. She shall serve as ex-officio member of the Department Executive Committee, Department Constitution and Bylaws Committee and Department Finance Committee.

Sec. 9. **Department Sergeants-at-Arms:** It shall be the duty of the Department Sergeants-at-Arms to assist in maintaining order at meetings and perform such other duties as are assigned to them by the Department President.

Sec. 10. **District Presidents:** Each District President shall be in charge of the affairs of the American Legion Auxiliary in her District, under the direction of the Department President. It shall be her duty to encourage and promote in every way the growth, welfare, and accomplishments of the Units. She shall be charged with the responsibility of coordination the activities of the Units and assisting in the organization of new Units in her District. She shall preside at all District meetings during the year and be her District Delegation Chairman at the Department Convention.

ARTICLE IV – DEPARTMENT EXECUTIVE COMMITTEE

Sec. 1. The Department Executive Committee shall have general supervision and control over all property belonging to the Department according to the Department Constitution and Bylaws between Department Conventions.

Sec. 2. The Department President shall call a special meeting upon the written request of no fewer than eleven (11) members.

Sec. 3. The Department President may, at her discretion call for a vote of the Department Executive Committee by mail. She shall request ratification of such mail vote at the next meeting of the Department Executive Committee.

Sec. 4. A quorum shall exist when twenty-two (22) members of the Department Executive Committee are present, providing that a majority of the Districts are represented.

ARTICLE V – COMMITTEES

Sec. 1. The Department President shall name such Standing Committees as are recommended by the National Organization and the Department of Indiana and such special committees as she deems advisable, with all appointment to be subject to the ratification of the Department Executive Committee.

Sec. 2. There shall be the following core Department Standing Committees: Veterans Affairs & Rehabilitations, Children & Youth, Americanism, National Security, Membership, Constitution & Bylaws, Finance, Audit, and such other mission and member/organizational support committees as provided in the Standing Rules.

Sec. 3. The composition, terms and purposes of the Department Standing Committees and Department Committees shall be as provided in the Standing Rules. Amendments to the composition, terms, or purpose of such Department committees may be determined only by a two-thirds (2/3) vote of the Department Convention delegates.

ARTICLE VI – DEPARTMENT ORGANIZATION

Sec. 1. Department shall be chartered by the National Executive Committee and shall be comprised of the Units within their respective areas. A minimum of five hundred (500) adult members shall be required to issue a Department charter. Each Department charter shall be signed by the National President and National Secretary.

Sec. 2. Each Department shall have such officers as the governing documents of the Department may prescribe.

Sec. 3. Departments shall have authority to create intermediate bodies between the Units and Department to act as a liaison between such organizations and for the purpose of promoting the programs of the American Legion Auxiliary. An intermediate body shall be administratively subject to the Department and totally under Department jurisdiction.

ARTICLE VIII – DISTRICT ORGANIZATION

Sec.1. Organization and administration of Districts shall be in accordance with both National and Department Constitutions and Bylaws and with the uniform Standing Rules as prescribed by Department Convention action.

Sec. 2. Each District and Unit Constitution and Bylaws shall comply with the Department constitution and Bylaws.

Sec. 3. There shall be a least five (5) District meetings held during the year between Department Conventions.

Sec. 4. The District Presidents and their alternates, the District Vice-Presidents, shall be elected at a District meeting held within their respective Districts prior to the Department Convention.

ARTICLE IX – UNIT ORGANIZATION

Sec. 1. Units shall be chartered by the National President and National Secretary upon the receipt of the charter application properly executed and accompanied by the per capita dues and individual membership record forms. Application for a unit charter shall be signed by the Department President, and by the Commander and Adjutant of The American Legion Post to which the Unit is attached, and said charter shall be closed thirty (30) days after same has been signed by the Commander of said American Legion Post.

Sec. 2. The minimum membership of a Unit shall be ten (10) Senior members.

Sec. 3. A Unit shall be given the name and number of The American Legion Post to which it is attached, and there shall be but one Unit attached to each Post.

Sec. 4. The qualifications and process for establishing and existing as a Unit in good standing shall be as provided in the Standing Rules.

Sec. 5. Each Unit of the American Legion Auxiliary shall be responsible for verifying eligibility and deciding its membership, subject to the restrictions of the National and Department governing documents.

Sec. 6. All persons handling funds of the Unit shall be bonded by a reputable, solvent bonding and surety company; or shall be covered by fidelity/crime insurance in an adequate amount as determined by the Unit.

Sec. 7. No Unit nor any member thereof shall circularize any other Unit of member thereof without the consent of the Department Executive Committee.

Sec. 8. No member or group of members shall subject the Unit to liability without authorization of the Unit.

ARTICLE X – FINANCE

Sec. 1. The revenue of the American Legion Auxiliary, Department of Indiana, shall be derived from annual membership dues and from such other sources as may be determined by action of the Department Convention or by the Department Executive Committee. Dues shall be payable in amounts as provided in the Standing Rules. A member's status is dependent upon timely payment of dues as provided in the Standing Rules.

Sec. 2. The fiduciary responsibility of the Department Executive Committee shall include the adoption of the Department's budget, and review and acceptance of financial reports and the annual audit.

Sec. 3. The Department Organization shall ensure that all persons handling funds of the Department Organization shall be bonded by a reputable, solvent bonding and surety company.

Sec. 4. All funds shall be administered as directed by the Department Finance Committee. All resolutions suggesting expenditures of money must be presented to this committee for its recommendation.

Sec. 5. Necessary expenses incurred by Department Officers or Department chairmen of Standing Committees in the exercise of their duties to the American Legion Auxiliary may be paid from the Department treasury when authorized by the Department budget, the Department President and confirmed by the Department Executive Committee.

ARTICLE XI – CHARTERS

Sec. 1. Any Unit failing to meet the obligations imposed upon it by the National and Department Constitutions and Bylaws, and by the National and Department Executive Committees, District Organizations, or ceasing to function as an American Legion Auxiliary Unit from one Department Convention to the next, or refusing to pay the per capita membership dues to National, Department, or District organizations, shall, upon order of the Department President, surrender its charter. The Department Secretary/Treasurer shall notify each delinquent Unit by January 15 that membership and assessment requirements have not been met. Each Unit shall comply within thirty (30) days or notice will be given to recall its charter. Upon failure to surrender such charter, immediate steps may be taken for its revocation. Any such Unit may appeal from the decision of the Department President and the Department Executive Committee to the National Executive Committee.

Sec. 2. In addition to the revocation as provided in the Bylaws, charters may be cancelled or suspended. The Department Executive Committee may order the suspension of a charter for a period not to exceed beyond the closing of the next succeeding Department Convention as a disciplinary measure or pending action relative to final revocation. A cancellation shall be in order where two or more Units merge, where a Unit voluntarily ceases to function, or under such conditions as might make action necessary within the Department.

Sec. 3. When a Unit ceases to function or its charter has been revoked or cancelled, the charter and all Unit records and funds shall be forwarded immediately to Department Headquarters.

Sec. 4. With regard to suspensions, cancellations, and revocations of Unit charters, in no event shall the Department organization be required to assume any financial obligation with regard to records, assets, property, and belongings.

ARTICLE XII – FISCAL YEAR

The fiscal year of the Department shall be from July 1 through June 30 of the following year.

ARTICLE XIII - PARLIAMENTARY AUTHORITY

The Department organization shall be governed by the current edition of Robert's Rules of Order. Newly Revised on all points not covered by the Department Constitution and Bylaws.

ARTICLE XIV – AMENDMENTS

Sec. 1. These Bylaws may be amended at any Department Convention by two-thirds (2/3) vote, provided that notice of the proposed amendment shall have been submitted through a Department bulletin to Department Officers, Units, and all categories of Delegates-at-Large at least sixty (60) days prior the Department Convention.

Sec. 2. These Bylaws may be amended without notice at any Department Convention by a unanimous vote, provided that such amendment shall have been read at a regular meeting of the Convention at least twelve (12) hours before the vote is taken thereon.

Sec. 3. Any Unit of District may propose amendments to the Bylaws. Proposed amendments shall be received into Department Headquarters by March 15 of the current year.

Sec. 4. These Bylaws shall be automatically amended to conform to the National Constitution and Bylaws.

STANDING RULES The American Legion Auxiliary Department of Indiana (Revision adopted at the 2014 Department Convention)

Preface

The following rules are the Standing Rules for the Department of Indiana. They supersede all resolutions, recommendations, and motions adopted by Department Convention and/or Executive Committee action previous to 1975.

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

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

1. Any resolution or motion of a continuous nature adopted by Department Convention shall be listed as a Standing Rule in the Unit Guide. Rules and Regulations may be adopted by the Executive Committee and such rules or proposed amendments shall be referred to the Constitution and Bylaws Committee for presentation and vote by the delegates at the next Department Convention.

2. **AWARDS AND TROPHIES** shall be named after Past Department Presidents.

a) A Past Department President can replace her designated trophy or award which no longer has space on it for engraving names of winners.

b) A Past Department President may sponsor an award upon approval by the Department Executive Committee of her written request.

c) Plaques of deceased Past Department Presidents and all filled and retired awards shall be returned to Department Headquarters unless written notice has been recorded by the donor to the Department Secretary/Treasurer prior to the retirement that she wishes it to go elsewhere.

d) All Department Junior awards shall be presented at Junior Department Convention of Conference.

3. COMMITTEES:

Standing Committees as recommended by the National Organization and any special committee deemed advisable shall be named by the Department President, with all appointments being subject to ratification of the

Department Executive Committee. *The appointed chairmen and committee members serve a one year, a two year or a three year term as described, until their successors are appointed.*

a) As provided in the Bylaws in addition to the core Standing Committees – Veterans Affairs and Rehabilitation (3), Membership (4), Constitution and Bylaws (3), and Finance (5), and the Department Core Chairman-Children and Youth, Americanism, National Security and Audit (the annual audit is done by an outside firm)-there shall be the following Department Outreach Committees: Education (3), Girls State (15), and Past Presidents Parley (3); and the Department Mission Outreach Chairmen-Junior Activities, Legislation, Poppy, Community Service, Auxiliary Emergency Fund, History, Leadership and Public Relations; and the Special Purpose Committees-Convention Site Committee (3), Conference and Convention Committee (3), Distinguished Guests (6), Resolutions (3), Strategic Planning (6), Advisory (3), and Bowling (1).

b) The Advisory Committee shall consist of (3) members to serve as special consultants to the President and the members. They shall be responsible for reviewing and updating the Policy and Procedure Manual, with proposed changes to be approved by the Department Executive Committee, and shall carry out the directives as listed in the manual.

c) The Constitution and Bylaws Committee shall consist of (3) members, with one of them being designated as chairman. The Parliamentarian shall be an ex-officio member (without vote) of the committee.

d) The Convention Site Committee shall consist of three (3) members, the current Department President, Department President-Elect and Department Secretary/Treasurer and shall meet annually with representatives for the Department of Indiana, The American Legion and hotel representatives to obtain printed information concerning all future conventions to be held at the same time and place.

e) The Convention and Conference Committee shall consist of three (3) members; a chairman and co-chairman whose duties include setting up for conference or convention, make sure the meeting hall and other locations are ready to use and seeing to it all equipment needed is available and in proper working order. The third member of the committee shall be the pianist who provides music during meetings.

f) The Education Committee shall consist of three (3) members, with the Department President appointing the chairman. They meet annually to pick the scholarship winners.

g) The Finance Committee shall be a committee of five (5) appointed members, with the Department President-Elect, Secretary/Treasurer, and Parliamentarian as ex-officio members without vote. Of the five (5) appointed members, no two (2) shall be from the same District. Each year the Department President shall make a three-year and a two-year appointment and designate the chairman and vice-chairman. The Department Finance Chairman may sign checks in the absence, due to illness or other emergency, of the Department President or the Department Secretary/Treasurer. The Finance Committee shall meet when the Department Executive Committee is called or at the call of the Department President. It shall oversee the general financial policy of the organization, subject to the approval of the Department Executive Committee. The Finance Committee shall be charged with the preparation of the yearly budget and shall supervise the expenditure of funds under that budget.

h) The Hoosier Girls State Board of Directors shall be limited to fifteen (15) members as follows: The Department Girls State Chairman, who shall serve as Director of the Hoosier Girls State program and chairman of its Board of Directors, the Department President, the Department Secretary/Treasurer, the Department President-Elect, and one (1) member from each of the eleven Districts. Each District Board member shall serve as Girls State Chairman in her District. The Department President shall appoint the Girls State Director for one-year (1) term. The eleven (11) District Board member shall be appointed by the Department President for three-year (3) terms on a staggered basis, with each Department President making either four (4) or three (3) three-year appointments.

i) The Membership Committee shall consist of four (4) members appointed by the Department President. The purpose of the committee is to promote the benefits of membership and to promote retaining and recruiting a diverse, active membership to carry out the American Legion Auxiliary mission and programs.

j) The Past Presidents Parley shall be a committee of three (3) Past Department Presidents. Each Past Department President shall serve for three (3) years following her term as President. She shall be chairman of the committee during the second year.

k) The Veterans Affairs & Rehabilitation Committee shall consist of three (3) members: herself, the Field Service Chairman, and the Creative Arts Chairman, all being appointed by the Department President to serve a

one (1) year term. The purpose of the Veterans Affairs & Rehabilitations Committee is to promote programs and services that assist and enhance the lives of veterans and their families and ensuring restoration and/or transition to normally functioning lives.

l) Duties of committees not specifically outlined in these Standing Rules shall be governed by the Unit Guide Book of The American Legion Auxiliary and by assignments given to them by the Department President. Meetings of the committees shall be on call of the Department President.

m) The overall purpose of each Standing Committee is as described in The American Legion Auxiliary National Plan of Action. The Department of Indiana does not have a committee for each program it promotes and when only one person is appointed there, they are listed as chairman.

4. CONVENTIONS: (Department)

a) Each Unit shall be entitled to one (1) delegate and one (1) additional delegate for each one hundred (100) members or major fraction thereof, whose current dues have been received by Department Headquarters thirty (30) days prior to the meeting of the Convention for which they are elected. An equal number of alternates shall be elected.

Delegate strength is determined by membership figures at close-of-books June, as follows:

10 – 50 members.....1 delegate	651 – 750 members..... 8 delegates
51 – 150 members.....2 delegates	751 – 850 members.....9 delegates
151 – 250 members.....3 delegates	851 – 950 members.....10 delegates
251 – 350 members.....4 delegates	951 – 1050 members....11 delegates
351 – 450 members.....5 delegates	1051 – 1150 members....12 delegates
451 – 550 members.....6 delegates	1151 – 1250 members....13 delegates
551 – 650 members.....7 delegates	

b) The delegates and alternates to a Department Convention shall be elected at a Unit meeting held not less than three (3) weeks prior to the Convention, and their names shall be sent to Department Headquarters immediately. Alternates shall have priority in the order of their election.

c) Each delegate shall be entitled to one vote. There shall be no voting by proxy.

d) A quorum shall exist at a Department Convention when twenty-five percent (25%) of the duly elected and accredited delegates are present.

e) The American Legion Auxiliary Department Convention shall be held at the same time and location as The American Legion Department Convention.

5. CONVENTION: (National)

a) The Department shall be entitled to such number of delegates to National Convention as are prescribed by the National Constitution.

b) Each District shall send the retiring District President as a delegate to the National Convention. Her alternate shall be the retiring District Vice-President or a certified second alternate.

c.) The Department President, the retiring President, the retiring Vice-President, the retiring Secretary/Treasurer, the retiring Chaplain and the retiring Historian shall be delegates. A member or members of the Department who are National Chairmen or committee members, National Convention Chairmen or National Candidates shall also be delegates. All delegates to the National Convention except delegate-at-large as provided herein shall be nominated in the Districts, one from each District, with the remaining number to be prorated to the Districts, based on membership standing (percentage basis) at close of Department books. The Convention body shall elect delegates or alternates to the National Convention when a District does not elect the required number as prescribed in the National Constitution, thereby making vacancies in the voting strength.

d.) Alternates equal to the number of delegates in each District shall be nominated and elected in their respective Districts. Additional alternates to equal the remaining number of delegate shall be nominated on the Convention floor and be elected at the same time as Department Officers. Alternates nominated shall have priority in order of their election. The retiring President shall have charge of the delegation.

e.) All paid delegates to the National Convention shall attend the assigned pre-convention meeting, all sessions, the Indiana and Central Division Caucus, Past Presidents Luncheons and States dinner, unless prevented by illness or other reasonable excuse. In case of absence, the delegate must file her reason for absence with the delegation Secretary/Treasurer or she shall forfeit her expenses.

f.) No Indiana delegate shall take a collection at National Convention.

g.) As soon as possible after National Convention, the chairman of the delegation for the Department of Indiana Shall, by means of a bulletin mailing, make a full report to the membership of all resolutions adopted at the convention.

6. DISCIPLINE:

For any violation of the Unit, Department, or National Constitutions, or for conduct improper and prejudicial to the welfare of the Auxiliary or of The American Legion, any member may be expelled from membership or any officer removed from the office by a two-thirds vote at a Unit meeting duly called for that purpose. A member subject to said expulsion or removal shall have been given at least fifteen (15) days notice in writing by the Unit Executive Committee of the charges and hearing thereon. Either party may have the right of appeal to the Department Executive Committee, whose action thereon shall be final. The expenses of said appeal shall be borne by the appellant.

7. ENDORSEMENTS:

a.) At least thirty (30) days prior to the Department Convention at which they are to be elected, candidates for the Department Office shall be required to file two (2) letters of endorsement with the Department office. One letter shall be from the Unit signed by the Unit President and Unit Secretary, and one shall be from the District signed by the District President and District Secretary.

b.) An endorsement by the Department of Indiana to a member for a National office shall given on an annual basis. Such endorsement shall be by majority vote of the Department Convention delegates and shall be by ballot. Voting shall take place at the same time as election of Department Officers. Districts shall submit endorsement at least thirty (30) days before Department Convention.

8. EXPENDITURES:

a.) The expenses necessary for the performance of official duties shall be paid from Department funds according to rules prescribed by the Department Executive Committee.

b.) A specific sum, as designated by the Finance Committee, with the approval of the Executive Committee, shall be allowed each delegate to National Convention who is delegate by virtue of Department elected Office and the Department Secretary/Treasurer.

- c.) Transportation and per diem for the required number of days, (as determined by the Finance Committee), shall be allowed the members of the Executive Committee, Past Department Presidents, and chairmen of Standing Committee while attending Department Convention and Fall Conference.
- d.) Transportation and per diem for the required number of days, (as determined by the Finance Committee), shall be allowed members of the Distinguished Guest Committee while attending Department Convention and Fall Conference.
- e.) Transportation and one day per diem be allowed the six Department Officers to attend the Mission Training Conference.
- f.) Transportation and per diem for the required number of days, (as determined by the Department President in consultation with the Finance Committee), shall be allowed the Department President, President-Elect, the Department National Security Chairman, and the Department Legislative Chairman, to attend the National American Legion Auxiliary Awareness Assembly.
- g.) Chairmen called in for the JOINT CONFERENCE shall be, Children & Youth, Indiana Veterans' Home, Legislative, National Security, & VA&R Chairmen; each of these shall receive reimbursement for mileage only.
- h.) Each year \$150.00 shall be placed in the National Candidates Fund for future candidates.
- i.) A Department Office, Department Chairman , or Hospital Representative making a request for contributions from Units for any program or project not promoted by the National organization must first submit their request in writing to the Department Finance Committee for approval.
- j.) Contributions to other organizations may be made at the discretion of the Unit from its General Fund only.
- k.) Members shall be bonded under the National American Legion Auxiliary Blanket Bond.
- l.) A complete audit and financial statement by Auditors shall be published in the **Hoosier Auxiliary News**.

9. FINANCES:

- a.) The revenue of the American Legion Auxiliary, Department of Indiana, shall be derived from annual membership dues and from such other sources as may be determined by action of the Department Convention or by the Department Executive Committee.
- b.) Department per capita dues shall be fifteen (\$15.00) dollars per annum for Senior members and two dollars and fifty cents (\$2.50) for Junior members which shall include National per capita dues of nine dollars (\$9.00) for Senior members and one dollar and twenty-five cents (\$1.25) for Junior members. As National dues to Department are increased, the Department dues automatically shall be raised to conform.
- c.) National and Department dues shall be collected by the Unit and transmitted to the Department Secretary/Treasurer at least monthly, together with such other sums as may be determined. Said moneys shall be deposited in the bank by the Secretary/Treasurer.
- d.) All funds shall be administered as directed by the Department Finance Committee. Therefore, bills and resolutions suggesting expenditures of money must be presented to the Department Finance Committee for its recommendation.
- e.) No officer or committee chairman shall receive compensation for her services except the Department Secretary/Treasurer and the Editor of **Hoosier Auxiliary News**.

10. LIFE MEMBERSHIP:

The Department of Indiana recognizes Life Membership under the following conditions: Order to the Department Secretary/Treasurer for Life Membership shall be accompanied by a letter stating the Unit's action to bestow such Life Membership and said letter must be certified and signed by the Unit President and Secretary. The Life Membership shall lapse on the failure of the Unit issuing such membership to pay the annual Department and National dues. The Department of Indiana assumes no responsibility in the issuance of such Life Membership.

11. MISCELLANEOUS:

- a.) Two (2) copies of the Unit Guide, which includes the Department Constitution and Bylaws and Standing Rules, shall be furnished each Unit and District. One copy shall be furnished each Department Office, Past Department President, and member of a Department Standing Committee. Other copies may be procured from Department Headquarters; remittance must accompany order.
- b.) Each Department President shall receive a set of Desk Flags consisting of two (2) flags: the flag of the USA and the flag of the Auxiliary, Department of Indiana. Flags to be presented at installation.
- c.) A POW/MIA Flag shall be displayed in a place of honor at all Department functions until there are no longer any POW/MIA's.
- d.) The National Judge Advocate has given the opinion that a Post has no power to regulate a Unit, nor Department of Legion to regulate Department of Auxiliary.
- e.) Each District shall have responsibility of setting the dates for Poppy Days to be observed within the District on two days during May of each year.
- f.) Districts or Units inviting any Department Officer or Committee Chairman on Auxiliary business shall bear her expenses except that of the Department President making her official visit to the District.

12. OFFICIAL PUBLICATION – HOOSIER AUXILIARY NEWS

- a.) The Department of Indiana Auxiliary shall have an office publication. The name of this publication shall be **Hoosier Auxiliary News (HAN)**, and the Hoosier Auxiliary News Chairman shall service as it Editor.
- b.) The size, months of publication, and final choice of the publishing firm for Hoosier Auxiliary News shall be decided by the Department Executive Committee.
- c.) Each issue of HAN shall feature the programs of the American Legion Auxiliary and of the Department of Indiana Auxiliary. Additional features from the Districts and Units shall be used as space is available.
- d.) The cost of publication of the HAN shall be met by the amount of sixty cents (\$.60) from each Senior member's dues and by a Unit assessment of sixty-five cents (\$.65) per Senior member at close of books. Non-member subscriptions of HAN may be purchased for two dollars (\$2.00) per year.
- e.) The Editor shall be compensated for her time and expenses in an amount decided by the Finance Committee with the approval of the Department Executive Committee.
- f.) The Editor shall adhere closely to the objectives and policies of the Department of Indiana and the American Legion Auxiliary in the editing of the HAN.

13. UNITS:

- a.) All Units are required to purchase the Conference Packet by November 30.
- b.) A new Unit shall function under the Mandatory Constitution and shall draft its own Bylaws and submit both uniform Constitution and its Bylaws to the District Constitution and Bylaws Chairman for approval sixty (60)

days after closing its charter.

c.) Election of Unit officers shall be held prior to Department Convention and installation shall be at the discretion of the Unit, but no later than September 30.

d.) An eligible woman may apply for membership in any Unit. No person may, at any time, be a member of more than one unit.

e.) Any member in good standing wishing to transfer to another Unit must present to the new Unit her current membership card. Upon acceptance of the transfer by the new Unit, the Unit Officer will complete the transfer section on the Member Data Form. The new Unit Officer and member must sign and date the Member Data Form to be valid. The member shall then be entitled to active membership in said Unit. No dues shall be transferred. (Adopted at the 2006 National Convention)

f.) A member failing to pay annual dues by January 31, shall be classed as delinquent and shall be suspended from all membership privileges, provided, however, that such suspended member shall have written notification by the Secretary of the Unit for such suspension prior thereto. Payment of back dues shall reinstate such membership. Any member delinquent to December 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 making application as a new member.

14. Trials and Hearings:

It shall be the responsibility of the Department Executive Committee to determine all questions affecting the election, eligibility, conduct, and capacity of the Department's officers and chairmen. Such matters shall be determined according to due process and shall be specified in the Department's governing documents, to include:

a.) Questions affecting the election, eligibility, conduct, and capacity of the Department's officers and chairmen shall be submitted in writing to the Department Executive Committee.

b.) The Department Executive Committee may designate, appoint, and authorize a subcommittee to hear, try, and make written findings of fact and recommendations regarding such matters.

c.) The Department Executive Committee shall provide due and proper notice of any hearing and trial.

d.) The findings of fact and recommendations of said matters shall be presented to the Department Executive Committee for its approval, rejection or final action.

e.) The action of the Department Executive Committee in such matters shall be final and conclusive without appeal to the National Organization.

15. Vacancies

Vacancies occurring between Department Conventions in an elected office, other than Department President, shall be filled by election of the Department Executive Committee.

a.) Any member in good standing shall be eligible to such vacancy, with the exception of a Past Department President.

b.) An eligible candidate has four (4) weeks to send her endorsement in to the Department Secretary.

c.) In case of multiple candidates, a ballot will be sent to all voting members of the Department Executive Committee by the Department Secretary, with a time limit to have their responses returned. If there is only one (1) candidate, the Department Secretary will send her name with a yes or no box to be checked.

d.) The Department Secretary will notify the winning candidate of the election outcome, who shall take over

the vacant office immediately.

e.) This action by the Department Executive Committee shall be final and conclusive.

16. VA & R:

- a) The expenses of Veterans Craft display and rooms shall be assumed by the exhibitor at the Department Convention and Auxiliary Fall Conference.
- b) Field Service Plans may be purchases by the recipient upon the approve al the Department Field Service Chairman.
- c) Volunteer Hospital Pins purchases by the Department shall be given to regularly scheduled Hospital Volunteers.
- d) Hospital Uniforms shall be purchased by the volunteer.

Code of Ethics

- American Legion Auxiliary members are expected to comply with the organization's governing documents and comport themselves according to the following Code of Ethics adopted by the National Executive Committee.

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

As a matter of fundamental principle, the American Legion Auxiliary and American Legion Auxiliary Foundation will adhere to the American Legion Auxiliary National Constitution, Bylaws, and Standing Rules 25 highest ethical standards to earn and protect the public's trust in our performance to carry out the Auxiliary's mission, uphold rigorous standards of conduct, and be good stewards of our resources.

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

The American Legion Auxiliary strongly recommends that all chartered entities and affiliated organizations at all levels adopt a Code of Ethics and conduct themselves accordingly. In keeping with the best practices of high performing nonprofit organizations, it is the expectation of the American Legion Auxiliary and the American Legion Auxiliary Foundation that its national business standards, operations, and conduct conform to the following Code of Ethics.

Personal and Professional Integrity

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

National officers, board members, staff, and volunteers shall conduct their personal and professional lives in a manner befitting the organization's mission and values, recognizing that their actions reflect upon the creditability and reputation of the American Legion Auxiliary and American Legion Auxiliary Foundation.

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

Legal Compliance

The American Legion Auxiliary and American Legion Auxiliary Foundation are knowledgeable of and comply

with all applicable federal, state and local laws and regulations, including but not limited to: complying with laws and regulations related to human resources, financial accountability, taxation, fundraising, trademark protection, and licensing.

National officers, board members, staff, and volunteers shall exercise due diligence in obtaining information on applicable laws and regulations for their jurisdiction. National officers, board members, staff, and volunteers shall recognize that compliance with applicable laws is a paramount standard.

Governance

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

The governing bodies of both the American Legion Auxiliary and American Legion Auxiliary Foundation shall:

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

Responsible Stewardship

The boards, officers, staff, and volunteers of the Auxiliary and its Foundation are responsible for managing and preserving the organization's assets. Officers, board members, staff, and volunteers are expected to understand their fiduciary responsibilities so that the charitable purposes of the organization are carried out and assets are properly safeguarded and managed.

Officers, board members, appropriate volunteer leaders and staff shall ensure that:

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

Openness and Disclosure

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

Conflict of Interest

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

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

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

Fundraising

The organization shall take care to ensure that all means and materials for solicitation accurately and correctly

reflect its mission and use of solicited funds. The American Legion Auxiliary and its Foundation shall respect the privacy concerns of individual donors and expend funds consistent with donor intent.

To assure that donors and prospective donors can have full confidence in the organization and the causes they are asked to support, the Auxiliary and its Foundation will respect the following rights of donors:

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

Grant Making

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

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

Inclusiveness and Diversity

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

Ethics Violations

Any member may report a violation of ethical conduct or actions contrary to the governing doctrine without fear of retaliation. The organization considers all inquiries and complaints about actions of members to be strictly confidential.

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

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

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

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

Whistleblower Protection

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

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

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

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