

AMERICAN LEGION AUXILIARY

DEPARTMENT OF DELAWARE

CONSTITUTION, BYLAWS, AND STANDING RULES

UPDATE/REVISION DATES:

**July 19, 2019 Bylaws Article X-Finance, Standing Rules Dues and
Assessments and Committee on Credentials**

**November 2017 Standing Rules Finance and Audit Committees, Officer
Duties**

**July 2015 Constitution Article IV and V, Bylaws Article III and VI and
Standing Rules #2**

**April 2015 Standing Rules Finance Committee and Special Purpose
Committee**

REVISION – Final July 11, 2014

2012(3) Complete Revisions (in progress)

2012 Bylaws Article IX, Section 3

2010 Bylaws Article VI, Section 6

2009 Constitution Article V, Section 1
2005 Constitution Article VI, Section 1
2002 Bylaws Article IX, Section 3
2002 Bylaws Article IX, Section 4
1990 Standing Rules

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 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.

CONSTITUTION

ARTICLE I - NAME

The name of this organization shall be American Legion Auxiliary, Department of Delaware, Inc.

ARTICLE II – NATURE

Section 1. The American Legion Auxiliary is a civilian organization of women that supports the mission of The American Legion, incorporated under the laws of Delaware.

Section 2. The American Legion Auxiliary shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principle or for any promotion of candidacy of any party seeking public office or preferment.

ARTICLE III – ELIGIBILITY

Membership in the, American Legion Auxiliary, Department of Delaware, Inc. shall be limited to

Section 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 the grandmothers, mothers, sisters, wives, and direct and adopted female descendants of all men and women who were 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 line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.

(a) Senior membership shall be composed of members over the age of eighteen; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen years and married shall be classified 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 seniors for life.

ARTICLE IV– DEPARTMENT OFFICERS

Section 1. The Department Convention shall elect annually a President, a 1st Vice President, a 2nd Vice President, an Executive Secretary, a Treasurer, a Historian, a Chaplain and Sergeant-at-Arms, and every two years a National Executive Committeewoman. The President will be ratified at the end of her term as the alternate National Executive Committeewoman.

Section 2. Term of office shall begin at the close of the annual Department Convention, at which time officers are elected, through the next successive annual meeting; except the National Executive Committeewoman whose term begins and ends with the dates of the National Convention.

Section 3. The officers shall be installed at the discretion of the newly elected President.

Section 4. The President shall be empowered to fill any vacancies in the Department Chairmen.

Section 5. In the event of a vacancy in the office of the President, the 1st Vice President shall become President and shall assume the duties and authority of the office. Vacancies occurring between Department Conventions in department offices other than Department President shall be filled by the Department Executive Committee, and any member of the American Legion Auxiliary, in good standing, shall be eligible for election to such vacancy.

Section 6. All questions affecting the eligibility, election, and conduct of a Department officer shall be referred to the Department Executive Committee where a decision by two-thirds vote in said committee shall be the final authority.

ARTICLE V DEPARTMENT CONVENTION

Section 1. The legislative body of the American Legion Auxiliary, Department of Delaware, Inc. shall be the Department Convention held annually at the same time and place as the Convention of The American Legion, Department of Delaware, and shall be called by the Department President.

Section 2. Representation in the Department Convention shall be by Units. Each Unit shall be entitled to delegates based upon the number of members whose dues are paid up-to-date as provided in the Standing Rules. Changes to the formula for delegate voting strength and the manner for casting votes may be determined only by action of the Department Convention delegates.

Section 3. Each delegate shall be entitled to one vote. If the delegate is not present, the alternate will cast her vote.

Section 4. The Department President and 1st Vice President shall serve as Convention Chairperson and Vice Chairperson respectively.

ARTICLE VI DEPARTMENT EXECUTIVE COMMITTEE

Section 1. Between Department Conventions, the administrative power shall be vested in the Department Executive Committee which shall be composed of the Department officers, Chairmen of Standing Committees and Unit Presidents. All Past Department Presidents shall be members of the Department Executive Committee for life, with vote, providing they are members in good standing of a duly chartered Unit of this Department.

ARTICLE VII AMENDMENTS

Section 1. This constitution may be amended by a two-thirds vote of the members present and voting, at the annual Convention duly convened and held, provided the amendments have been recommended by either the Executive Committee or provided notice of the proposed amendment shall have been duly submitted in writing by the authorized officers of the Unit proposing such amendment to the Department. Such proposed amendments shall be included in the Call to Convention and sent to Units 30 days before convention.

Section 2. Necessary amendments proposed after distribution as shown in Section 1, maybe adopted by a two-thirds vote of the delegates present, provided they have been read at one meeting of the session prior to taking the vote.

Section 3. An amendment not having been previously read or distributed as required in Section 1 may be adopted by the two-thirds vote of the Convention body.

BYLAWS

ARTICLE I - DEPARTMENT ORGANIZATION

Section 1. The American Legion Auxiliary, Department of Delaware, Inc. shall be composed of duly constituted Auxiliary Units attached to Posts or former Posts of The American Legion within the State of Delaware.

Section 2. The Department of Delaware shall have the authority to create and charter 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.

Section 3. The Department of Delaware Executive Committee shall define the authority of such intermediate groups, but in no event shall authority invade the prerogatives now vested either in the Unit or Department or National Organization.

ARTICLE II - ELECTION OF OFFICERS

Section 1. Officers shall be elected by ballot. The candidate for each office receiving the majority votes cast shall be declared elected by the Department President.

Section 2. In case of a tie, voting shall continue until a candidate is elected.

Section 3. In the event that one or more Department Offices are uncontested, the nominee may be elected by voice vote.

ARTICLE III - DUTIES OF OFFICERS

Section 1. The President shall preside at all sessions of the annual Convention and all meetings of the Department Executive Committee; to appoint a Parliamentarian(s), appoint members of standing committees; appoint other committees as she deems advisable and appoint officials not otherwise provided for in these Bylaws; all subject to confirmation by the Executive Committee. She shall perform all duties pertaining to her office and shall be a member ex-officio of every Department Committee.

Section 2. In the event the Department President becomes incapacitated or is otherwise unable to discharge the duties of Department President, the Department Executive Committee may declare the position vacant.

In the event there is a vacancy in the office of the Department President, the Department 1st Vice President shall become President and shall assume the duties and authority of the office.

Section 3. The Department 1st Vice President shall be the presiding officer at an organizational meeting in the absence of the Department President. She shall assume other duties as assigned by the Department President

In the event there is a vacancy in the office of Department President, the Department 1st Vice President assumes the office of Department President.

In the event the Department 1st Vice President thus assumes the office of Department President, the Department 2nd Vice President shall become 1st Vice President and assume the duties and authority of the office.

Section 4. In the absence of the Department President, the Department 1st Vice President and Department and Department 2nd Vice President, a Chairman Pro Tempore shall be appointed by the Department Executive Committee.

Section 5. The Department Executive Secretary or appointed official shall record proceedings of the Department Convention, Executive meetings, have charge of the Departments correspondence, keep a record of membership, and perform such other duties as assigned.

Section 6. The Department Treasurer shall be custodian of the funds of the American Legion Auxiliary, Department of Delaware, Inc. and keep a correct account of all monies received and expended.

Section 7. The Historian shall be responsible for maintaining a record of significant Auxiliary activities or events, and other duties as assigned.

Section 8. The Chaplain shall be the spiritual leader of the Department and will offer prayers, and perform divine but non-sectarian services as required and adhere to the ceremonial rituals as recommended by the National Organization and other duties as assigned.

Section 9. The Sergeant-at-Arms shall be responsible for order at all meetings of the Department and for the advancement and retirement of the colors and other duties as assigned.

Section 10. The National Executive Committeewoman will represent the Department at all meetings of the National Executive Committee. She shall report all actions of each meeting at the following Department Executive Committee Meeting.

ARTICLE V - NOMINATION AND ELECTION OF DELEGATES TO NATIONAL CONVENTION

Section 1. Representation in the National Convention shall be based upon the number of members whose dues are paid up-to-date as provided in the Standing Rules of the National Organization.

Section 2. The National allotment of delegates shall be filled with those nominees receiving the highest plurality of delegate votes at the annual Department Convention. Our national allotment of alternates shall be filled with those nominees receiving the next highest plurality of delegate votes at the annual Department Convention.

ARTICLE VI - THE EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall consist of all the Officers of The American Legion Auxiliary, Department of Delaware, Inc. and the Chairmen of Standing and Special Committees, the Unit presidents, and all Past Department Presidents who are members in good standing of a duly chartered Unit of the Department of Delaware.

Section 2. The Executive Committee shall meet as provided in the Standing Rules.

Section 3. Voting Members of the Department Executive Committee will be the Department President, 1st Vice President, 2nd Vice President Executive Secretary, Treasurer, Chaplain, Historian, Sergeant-at-Arms, the National Executive Committeewoman, all Past Department Presidents and all Unit Presidents or their designated Unit representative and Chairmen of Standing and Special Committees.

Section 4. A quorum shall consist of a minimum of 15 voting members present.

Section 5. The Department Executive Committee shall adopt, polices and standing rules, unless otherwise noted in the Constitution, and have the authority to review financial statements, and audits, confirm committees and the appointment of officials not otherwise provided for in these Bylaws; ratify the cancellation of charters; receive reports from intermediate bodies, subsidiary and other duties and responsibilities that are the normal function of a corporate board of directors.

Section 6. Any intermediate governing body established by Department action shall be subordinate to the Department Executive Committee and shall report to, be accountable to, and its actions ratified by the Department Executive Committee.

Section 7. Questions affecting the election, eligibility, conduct, and capacity of Department Officers shall be referred to and determined by the Department Executive Committee. The Executive Committee shall be responsible for establishing the process and procedure for making the determination that a Department Officer or committee member serving is incompetent, incapacitated, or otherwise unable to discharge the duties of office.

Section 8. The Department Executive committee shall fill vacancies of Executive Officers, in case of vacancies in the offices of Department Secretary, or Department Treasurer, the Department Executive Committee within thirty (30) days of such vacancies, shall fill the unexpired term. The Department Executive Committee may call a special meeting as provided in the Standing Rules.

Persons filling unexpired terms for a period of less than (6) month are eligible to run for a full term office at the next convention.

Section 9. Executive power of the Department between annual conventions shall be vested in the Department Executive Committee.

ARTICLE VII - COMMITTEES

Section 1. The Department President shall appoint Chairmen for all Department Committees. In the case of a vacancy in any committee, she shall appoint a member to fill the unexpired term. All appointments are subject to the ratification of the Department Executive Committee.

Section 2. There shall be the following Standing Committees: Americanism, Auxiliary Emergency Fund, Children & Youth, Community Service, Constitution and Bylaws and Policy, Distinguished Guest, Education, Finance, Girls State, Junior Activities, Leadership, Legislative, Membership, National Security, Past Presidents Parley, Poppy, Public Relations, Veterans Affairs and Rehabilitation and other mission and member support committees as directed.

ARTICLE VIII – SUBSIDIARY ORGANIZATIONS

Section 1. A separately incorporated American Legion Auxiliary subsidiary organization shall conform and comply with all legal, Department and National organizational requirements. Subsidiary organizations of the Department of Delaware shall be subject to regulation of the Department Executive Committee.

ARTICLE IX - UNIT ORGANIZATION

Section 1. Units shall be chartered by the National President and National Secretary upon receipt of the charter application properly executed and accompanied by the per capita dues and individual membership record forms. Application for Unit charters shall be signed by the Department President and 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 the application has been signed by the Commander of said American Legion Post.

Section 2. The minimum membership of a Unit shall be ten (10) senior members.

Section 3. A Unit shall be given the name and number of The American Legion Post to which it is attached.

Section 4. Each Auxiliary Unit may prescribe its own Constitution and Bylaws, provided they do not in any way conflict with the Department Constitution and Bylaws or the National Constitution and Bylaws.

Section 5. The qualifications and process for establishing and existing as a Unit in good standing shall be provided in the Standing Rules.

Section 6. Each Unit of the American Legion Auxiliary shall be the judge of its own membership, subject to the restrictions of the Constitution and Bylaws, except that no person who is a member of an organization which has for its aim the overthrow of the United States government by force or violence, or who subscribes to the principles of any group opposed to our form of government, shall be eligible to become or remain a member of the American Legion Auxiliary.

ARTICLE X - FINANCE

Section 1. The revenue of the American Legion Auxiliary, Department of Delaware, Inc., shall be derived from the annual membership dues and from such other sources as may be approved by the Department Executive Committee. Modifications to the Department per capita dues for members shall require a two-thirds vote in the affirmative by the Department Convention delegates. 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.

Section 2. The Fiduciary responsibilities of the Department Finance Committee is to create the Departments budget, review and accept financial statements and reports, conduct periodic audits of the books and records as provided in the Standing Rules.

Section 3. The Department shall ensure that all persons handling funds of the Organization shall be bonded by a reputable, solvent bonding and surety company or shall be covered by fidelity/crime insurance as approved by the Finance Committee.

ARTICLE XI - CHARTERS

Section 1. The Department Executive Committee may revoke, cancel, or suspend Unit charters.

Section 2. Any Unit failing to meet the obligations imposed upon it by the Constitution and Bylaws or by rulings of convention or ceasing to function from one Department Convention to the next as an American Legion Auxiliary Unit, or refusing to pay the per capita tax due Department and National Organizations and their assessments, shall upon order of the Department President, surrender its charter. Upon failure to surrender such charter, immediate steps may be taken by the Department Convention body for the revocation of same.

Section 3. Any Unit suffering the revocation of its charter may appeal the decision of the Department to the National Executive Committee.

Section 4. The Department Executive Committee may order the suspension of a charter for a period not to extend beyond the closing of the next succeeding Department Convention as a disciplinary measure or pending action relative to final revocation.

Section 5. With regard to suspensions, cancellations, and revocation of Unit charters, in no event shall the Department be required to assume any financial obligation with regard to records, assets, property and belongings.

ARTICLE XII – PARLIAMENTARY RULING

Section 1. The Department shall be governed by the current edition of Robert’s Rules of Order, Newly Revised, in all points not covered by the Constitution and Bylaws.

ARTICLE XIII– AMENDMENTS

Section 1. The Bylaws may be amended by a two-thirds vote of the members present and voting, at the annual Convention duly convened and held, provided the amendments have been recommended by either the Executive Committee or notice of the proposed amendment shall have been duly submitted in writing by the authorized officers of the Unit proposing such amendment to the Department Secretary. Such proposed amendments shall be included in the Call to Convention.

Section 2. Necessary amendments proposed after distribution as shown in Section 1, maybe adopted by a two-thirds vote of the delegates present, provided they have been read at the session prior to taking the vote.

Section 3. An amendment not having been previously read or distributed as required in Section 1 may be adopted by a two thirds vote of the Convention body.

**AMERICAN LEGION AUXILIARY
DEPARTMENT OF DELAWARE
STANDING RULES
ADOPTED July 11, 2014
PREFACE**

Standing rules are rules and regulations for the guidance of an assembly, which have been adopted, the same as ordinary resolutions, by a majority vote without previous notice. Standing Rules have the same importance as the Departments Constitution & Bylaws and may be amended as frequently as needed.

Certain Standing Rules can only be amended or rescinded by action of the Department Convention delegates. Standing Rules that specifically state “As provided in the Department Bylaws” can only be amended by action of the Department Convention delegates.

Except when otherwise specified in the Bylaws or these Standing Rules, a standing rule may be amended or rescinded by a two-thirds vote, of the Department Executive Committee, 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. (Robert’s Rules of Order, Newly Revised)

Supplementary rules and regulations may be adopted by the Department of Delaware Executive Committee and shall be designated as Standing Rules. These shall include Standing Rules governing the annual Convention adopted by the convention delegates at such a meeting.

CODE OF ETHICS

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

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

Department leaders are expected to abide by all laws and demonstrate their ongoing commitment to the core values of integrity, honesty, fairness, openness, responsibility and respect.

- Will comply with the laws and regulations related to financial accountability, taxation, fundraising, and adhere to trademark protections
- Ensure that resources are responsibly managed and preserved; that volunteers understand their fiduciary responsibilities so that the charitable purposes of the organization are properly safeguarded.
- Avoid the appearance of impropriety by those who could benefit directly or indirectly from any action of the Department, avoid associations that would materially impact a leader's fiduciary obligation to the organization.

DEPARTMENT OF DELAWARE

1. The Department of Delaware of the American Legion Auxiliary shall be established and maintained in the State of Delaware.
2. The birth date of the American Legion Auxiliary has been designated as November 10, 1919.
3. Contact between The American Legion and the American Legion Auxiliary maybe maintained in all work which is similar.
4. The Judge Advocate of The American Legion shall be the Counsel General of the American Legion Auxiliary on all matters pertaining to the Constitution & Bylaws. All requests for information from and opinions by the Counsel General MUST come through the Department Secretary or Department President to the National Secretary, and then referred to the Counsel General for his ruling, and said ruling will be sent by the National Secretary to the Department Officer
5. The candidate for National Eastern Division Vice President shall be elected at the Department Convention 2 years prior to Delaware's turn for Eastern Division.

DEPARTMENT CONVENTION

1. The date and place of the Department Convention of the American Legion Auxiliary shall conform to that of the American Legion.
2. Representation in the Department Convention shall be by Units. Each Unit shall be entitled to one delegate and one alternate for each twenty-five paid-up members or the majority fraction thereof, in addition to the Unit President, or, in her absence, the Unit Vice President, who shall be a Delegate-at-Large with vote. Every Unit shall be entitled to at least one elected delegate and one elected alternate.

As provided in the Department Constitution, amendments to the Department Convention delegate voting strength and the manner for casting votes shall be by action of the Department Convention delegates.

Members of the Department Executive Committee in good standing in their Units shall be delegates-at-large with vote to be exercised with their Units.

3. The Department President shall be the Chairman of the Convention. The Department 1st Vice President shall be the Vice Chairman of the Department Convention; and in compliance with Constitutional requirements, may act in the place of the Department President, the Department Secretary shall be the Secretary of the Department Convention.

4. The Department President in addition to a Convention Planning committee; may appoint a Department Convention Chairman who is charged with preparation of the preliminary plans and arrangements for the Department Convention in consultation with and with the approval of the Department President.
5. The Department Officers of the Convention who are present and the Chairmen of the Special and Standing Committees required to report at the Convention shall be permitted to sit with the Convention body.

There shall be the following named Department Convention committees. The general duties of the committees shall be to consider matters assigned to such committees, to consider matters specifically referred to them by the Department Convention, and to conduct other business as described in this section.

Committee on Credentials: The purpose of the Committee on Credentials is to receive and verify the credentials of the Units and to handle all matters pertaining to the contestation of delegates. Each Unit is required to pay a \$10.00 delegate fee for those attending the Convention to the Department Treasurer with a list of names for the badges.

Committee on Rules: The purpose of this committee is to formulate the rules under which the Convention shall operate. The Rules shall provide for the orderly organization and operation of the Department Convention. The Department Convention Standing Rules shall be adopted by a majority vote of the Department Convention delegates with continuing power of revision.

Resolutions: The Department Secretary receives resolutions prior to the Department Convention and reports all resolutions to the Convention body.

Any other special Department Convention Committee as deemed appropriate by the Department President.

Constitution Amendments: The Department Chairman of Constitution and Bylaws is to receive and consider all suggested amendments to the Constitution and Bylaws, and to draft into the Constitution and Bylaws amendments adopted by the Convention.

- Each proposed amendment shall be presented in writing by a member and any delegate may ask a clarifying question.
- Upon conclusion of open discussion regarding the proposed amendment, the convention may discuss the merits of the proposal and may vote either
 - a) that a proposed amendment be adopted
 - b) that a proposed amendment not be adopted

REGISTRATION

Delegates will register with the Credentials Committee on the time and date agreed to by the American Legion Time and Place Committee. Delegates fees (if not already paid) will be deposited with the Department Treasurer and badges will be issued. Each Unit is required to pay registration fees for the delegation list, received in the Department office. In the event of a contested election, delegates must be re-affirmed by a roll call conducted by the Credentials Committee prior to election. If a delegate leaves the convention session for any reason, she shall pass her badge to her alternate, who will have the privilege of a delegate thereafter.

NATIONAL CONVENTION

Selection of delegates, alternates and pages shall be chosen at Department Convention.

Each Department shall be entitled to five (5) delegates, and one (1) additional delegate for each fifteen hundred (1,500) members or major fraction thereof, whose current dues have been received by the National Treasurer thirty days prior to the meeting of said National Convention, and to one alternate for each delegate. The votes of any delegate absent and not represented by an alternate may be cast by the majority of the delegates present from her Department.

Duties of delegates and alternates:

- Delegates are expected to be present at all Convention sessions.
- If it is necessary for a Delegate to be away from the Convention floor, must give delegate's badge or electronic device to alternate or secretary so that department can vote.
- Delegate and alternate will be expected to attend the Pre-Convention Committee meetings as assigned by the Department Secretary.
- Pages are expected to attend meetings as called by the National Chairman of Pages and disseminate information to delegates present.
- Delegates and alternates are expected to attend the Eastern Division Caucus.

NOMINATION AND ELECTION OF OFFICERS

The Department President shall appoint a Nomination Chairman to secure candidates for the ballot and present a slate of qualified, acceptable candidates. She shall serve as Judge of the Election at the Department Convention responsible for the proper and orderly voting. The Department President shall also appoint an Elections Committee, to assist in conducting the election.

The Nomination Chairman shall distribute nomination forms to the President of each Unit with a request for names of qualified candidates for Department Offices. It is recommended that such persons have the endorsement of the Unit of which they are a member, and give their consent in writing. These properly completed forms and resumes should be returned no later than the March Executive Committee Meeting.

The pre-convention nomination process does not preclude nominations from the floor of the convention; on the first business meeting. Such nominations may be for: President, Vice President, Executive Secretary, Treasurer, Historian, Chaplain, and Sergeant-at-Arms.

Election Process

The President calls upon the Executive Secretary to read the sections of the Bylaws pertaining to nominations and elections; once completed the Nominations Chairmen presents the slate of candidates. The President presents each nominee individually for office and calls for nominations from the floor. If no additional nominations are made and there is only one nominee for each office, the election may be by voice vote. If additional nominations are made for any office, elections must be by ballot.

DUTIES OF DEPARTMENT OFFICERS

The Department President

1. Presides at Department meetings and requires adherence to the Constitution and Bylaws, and rules and regulations established by the National and Department Organizations.
2. The Department President may appoint (3) three members to the Advisory Board, a minimum of one who is a Past Department President, who will help her select her Chairmen for her Committees.
3. The President will appoint a 3-year Finance Committee person.
4. Will appoint Standing Committee Chairmen, any Special Committees and oversees the business of the Department during term of office.
5. She is ex-officio Chairman of all Committees and has the authority to replace any Department Chairman who becomes incapacitated or is otherwise unable to discharge their duties subject to the consent of the Executive Committee.
6. She is responsible for official Unit visits, attending the Washington Conference and the Department Convention.
7. Prepares and submits a column for the Delaware Legionnaire.

The Department 1st Vice President

1. The Department President may authorize the Department 1st Vice President to attend meetings on her behalf, and attend such special meetings or official Department visits as she may authorize.
2. When the Department President so directs, the Department 1st Vice President shall serve as Chairman of a Department Committee.
3. Is responsible for attending the Department Leadership National Conference

The Department 2nd Vice President

1. The Department President may authorize the Department 2nd Vice President to attend meetings on her behalf, and attend special meetings or official Department visits as she may authorize.
2. When the Department President so directs, the Department 2nd Vice President shall serve as Chairman of a Department Committee.
3. She will be the membership chair responsible for recruiting, membership activities and other duties as requested within the Membership Action Plan.

The Department Secretary

1. Shall be the Office Administrator and the primary contact for information disseminated from the National Organization to Department.
2. She will complete required paperwork as requested by National and assign Department representatives for the Pre-Convention meetings and disseminate other information to delegates as required.
3. The Secretary is responsible for all correspondence and maintaining the official files of all Department records. She is responsible for recording and forwarding minutes by email and/or by mail upon request.
4. She coordinates visits of dignitaries in consultation with the President and the NEC.

5. She will provide on an annual basis the updated Department Officers and Chairmen through the American Legion Auxiliary Management Information System (ALAMIS).
6. Serves as the Secretary for the National Convention and the planning coordinator for the Department Convention.
7. She will prepare the Call to Convention and the Book of Reports for the Department Convention and send invitations to invited guests.
8. Secretary is an ex-officio member of the Finance Committee and should be aware of program changes that impact the budget and Department operations.

The Department Treasurer She should have accounting/bookkeeping skills, good communication skills, be proficient with basic computer program and applications, especially those relevant to financial reporting and analysis, and be willing to continuously develop her skills.

1. The Treasurer, working with the Finance Committee, shall oversee and keep the Department Executive Committee informed of the financial condition of the Department.
2. She shall assist the Finance Committee in budget preparation and present the budget at the Department Executive Committee meeting.
3. She shall ensure that all other financial reports and statements are completed and presented to the Finance and Department Executive Committees.
4. She is the custodian of the Department financial records, which are open for inspection of the finance committee.
5. She shall be the Liaison with the independent auditor selected by the Finance Committee and comply with the auditor's request for Department records.
6. Treasurer must be bonded by a reputable solvent bonding and surety company or covered by fidelity/crime insurance.
7. She shall comply with Federal and State law and complete required filings.

The Department Chaplain

1. She shall offer the invocation and benediction at official meetings, banquets and/or services.
2. Participate in the Department combined Memorial Service at the Department Convention, and perform such other duties as the President may direct.
3. She shall compile a Prayer Book for the Department President. She is responsible for conducting a Unit Prayer Books judging and presenting awards at the Department Convention.
4. She is responsible for communicating requirements for the Chaplain of the Year award and presentation at Department Convention

The Department Historian is charged with the responsibility of recording the activities and accomplishments of the Department. She shall keep a scrapbook and history book of the Department President's activities during the year. She is also charged with requiring a complete history book from each unit and shall judge the history books and select one to forward to the National Historian.

The Sergeant-At-Arms shall be responsible for order at all meetings and the care of the Department Flags and to make sure that they arrive at National Convention. She will also show courtesies to guest and such other duties as assigned to her.

All Department Officers should submit a report of their activities at each Department Executive meeting.

All Department Officers must submit an expense report with original receipts attached for reimbursement no later than two weeks after return from an approved Conference or Event.

Additional details of the duties of Department Officers are contained in the Constitution and Bylaws of the American Legion Auxiliary, Department of Delaware, Inc.

The National Executive Committeewoman is the official hostess and will remain with and escort the National President and the Eastern Division National Vice President during their visits.

The NEC and Secretary with the consent of the Department President will make arrangements for their visits

She attends National Executive Committee Meeting in Washington, D.C., National Convention and National Executive Committee Meeting at the close of her term. Travel and per diem for these meetings are paid for by National.

The Parliamentarian is a consultant who advises the President, other Officers, Committees and Members on matters of parliamentary procedure. Parliamentarian discreetly calls attention to any error in proceedings that may affect the substantive rights of a member

Parliamentarian should have at hand at least the following:

1. National Constitution and Bylaws
2. Department Constitution and Bylaws
3. Unit Handbook
4. National Policies & Procedures
5. Roberts Rules of Order, Newly Revised

DEPARTMENT COMMITTEES

PAST PRESIDENTS PARLEY

The Past Presidents Parley is to recognize and honor female veterans and to utilize the experience and knowledge of past Auxiliary leaders for the training and encouragement of future Auxiliary leaders.

The Past Presidents Parley consists of women who have served as National, Department, and Unit Presidents. It's objective, "The Care of the Disabled Female Veterans," additionally, the Past Presidents Parley Scholarship has been designated as a Nursing Scholarship and shall be awarded at the Department Convention.

FINANCE COMMITTEE

The Finance Committee shall consist of three members. The incoming Department President shall appoint one member to serve a three-year term, subject to the ratification of the Department Executive Committee. She shall serve with the two (2) members on the committee. The final year of the member's term, she shall serve as Chairman. The Chairman's term shall automatically end upon the election of the new member. The finance committee shall consist of the Department President, Immediate Past President, Secretary, Treasurer, Financial Advisor and 3 appointed finance members. All members, except for the Treasurer, have a vote. Five voting members constitute a quorum and majority rules.

Members having completed a three-year term shall not be eligible for re-appointment to the Department Finance Committee for a period of two (2) years

The fiscal year of the American Legion Auxiliary, Department of Delaware, Inc. shall be from June 1st to May 31st

The Department Finance Committee duties include:

- develop the annual operating budget and monitor adherence to the budget
- the finance committee may authorize non-budgeted expenses not to exceed \$500.00. All other expenses above this amount must be approved by the DEC.
- develop and maintain policies that ensure the assets of the organization are protected
- ensuring compliance and/or develop other policies that further serve to protect the organization and manage its exposure to risk which includes:
 - long-term contracts or leases, loans, lines of credit and credit cards
 - capital purchases, insurance/bonding requirements and reviews
 - financial record retention policy
- Recruit and select the independent auditor every three (3) years to audit the books and accounts of the Department, and at the conclusion of the term of office of the Treasurer, and present the auditor's report to the Department Executive Committee.
- Report the results of the audit to the members at the Department Convention.
- Manage cash to optimize earnings, to include low-risk, short term vehicles. Policy changes which include a full investment portfolio require the approval of the Department Executive Committee, which has the authority to establish all guidelines, level of risk tolerance, execution of transactions, and selection of evaluate the investment managers/advisors.

Managing Use of Bank Card

- Only one card issued in Department Secretary's name.
 - No cash advances.
 - To be used for Budgeted items only. Anything outside of Budget needs prior approval by Finance Committee.
 - Notification of use of card will be sent to Department Treasurer expeditiously by Secretary and receipts mailed for reconciliation and audit purposes.
 - Finance Committee Chairman will review bank statements monthly and deliver to Treasurer.
- (Adopted at DEC Meeting March 14, 2015).

SPECIAL PURPOSE COMMITTEE

Long Range Strategic Planning:

The Department President may appoint a Long Range Strategic Planning Committee subject to ratification by the Department Executive Committee. This committee is comprised of a chairman, Department President, Department Vice President, Department Secretary, Department Treasurer,

Immediate Past Department President and other members at her discretion, subject to confirmation by the Department Executive Committee. (Adopted at DEC Meeting March 14, 2015)

Audit Committee

The Audit Committee shall be comprised of a chairman and two (2) members. The Incoming Department President shall appoint one member to serve a three-year term, subject to ratification by the DEC. She shall serve with the two (2) members on the committee.

Members having completed a two-year term shall not be eligible to be re-appointed to the Audit Committee for a period of three (3) years.

Purpose:

The Audit Committee is to provide oversight and assistance to the Department Executive Committee in fulfilling its responsibilities for accounting practices, and internal controls. Members shall be financially literate, unbiased and without any conflicts of interest. While non-ALA members can serve on the committee, ALA members are preferred.

Duties Include:

The Audit Committee conducts reviews of the financial records/books and statements, budgets, finance committee communications to glean candid information and evaluates policies for potential risk. Additionally, if there is a change in the office of Treasurer the committee is required to review the records within 90 days. The auditors must issue a written report to the DEC expressing their opinion about the organization's financial practices and if there are any inaccuracies or material misrepresentations.

DEPARTMENT CHAIRMEN

1. Department Chairmen shall contact their corresponding Chairmen in Units to promote our programs. Review plan of action for correlating activities/projects that each Chairmen can sponsor.
2. Department Chairman must complete and submit mid/year-end reports based on Unit activities to National Chairmen according to Plan of Action. Copies of the mid/year end reports should also be submitted to the Department President, Secretary and Historian
3. Department Chairmen may conduct contests or competitions. Chairmen must present request for Monetary Awards and/or Plagues to the Department Finance Committee for consideration.

4. Department Chairmen should provide an estimated budget for the activities of her committee to the Finance Committee for consideration.
5. Department Chairmen should provide a report of their activities at each Department Executive Meeting.

SUBSIDIARY ORGANIZATIONS

1. All Officers/Directors must be confirmed by the Department Executive Committee.
2. The subsidiary organization must submit financial reports/statements to the Department Finance Committee.
3. The Department Executive Committee must approve the subsidiary's articles of incorporation, Constitution, Bylaws and Standing rules and must approve any amendments.
4. Subsidiary organizations must comply with all legal and regulatory filing requirements.
5. The Department Treasurer must be a signatory on all accounts of the subsidiary.
6. All officers handling funds must be bonded by a reputable solvent bonding and surety company or covered by fidelity/crime insurance.

THE EXECUTIVE COMMITTEE

1. The Executive Committee shall meet four times per year. Special meetings may be called at any time by the President, or by request of ten (10) members of the Executive Committee. In the event of vacancies in the Executive Secretary or Treasurer a special meeting must be called by the Department President.
2. Develops Department policies, including how the committee will operate, suspension, cancellation or revocation of Unit charters. Serves as the last court of appeal within the organization.
3. Executive Committee meetings are open to all Unit members, who do not have a vote and who must submit motions through their Unit President or designated alternate.
4. In the event the Department President, the 1st Vice President, the 2nd Vice President, the Executive Secretary, Treasurer, Historian, Chaplain, or the Sergeant-At-Arms, becomes

incapacitated or is otherwise unable to discharge their duties, the Department Executive Committee may declare the position vacant.

5. Executive Committee members may make recommendations for members in good standing to fill officer vacancies. Committee members must consider the duties as identified in these Standing Rules before recommending potential appointees to positions. Given the responsibilities, the vacancies in Executive Secretary and Treasurer must be filled within 30 Days.

UNITS

1. Unit members, whose dues are paid up to date, are not under suspension or revocation shall be considered in good standing and entitled to full membership rights and benefits.
2. Units have the authority to establish annual Unit dues, which must include the Department and National Dues. Units must remit dues to the Department Secretary in a timely matter
3. As provided in the Department Bylaws, the minimum membership of a Unit shall be ten (10) senior members.
 - a) New members joining prior to the annual National Convention must pay the full current dues to be eligible for full membership rights.
 - b) New members joining after the National Convention may be given by her Unit full membership rights from the date the dues are received through December 31st of the following year.
 - c) No person may, at any time, be a member of more than one Unit.
 - d) Any member in good standing in a Unit shall be entitled to transfer to another 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 applicant by the new Unit, the Unit secretary will complete the certification of transfer. The member shall then be entitled to active membership in said Unit. No dues shall be transferred.
 - f) A Unit member who is not in good standing, their dues are not up to date; may rejoin by completing a new membership application. Such member will retain their prior membership number as long as they rejoin within 3 years. While not required they may also retain her continuous years by paying all current and back dues.

4. Units that cease to function or their charter has been revoked or canceled, the charter and all Unit records and funds shall be immediately forwarded to the Department Secretary, which has no obligation to assume any of the Unit's debt or obligations.
5. Units whose charter have been suspended, canceled or revoked by the Department without their consent may appeal the decision to the National Executive Committee as described in the National Standing Rules.

Unit Charters

1. Applications for Unit Charters shall be signed by the Department President and the Commander and Adjutant of the American Legion Post to which the Unit is attached.
2. Department charter fees should be in proportion to the current charter fee established by the National Organization.
3. The Department Executive Committee after notice and hearing may suspend, cancel, or revoke the charter of a Unit for any good and sufficient cause. All such actions must be imposed in accordance with the principles of due process and equal protection.
4. The Department Executive Committee may order the suspension of a charter for a period not to exceed one year.
5. A Unit whose charter has been suspended, canceled, or revoked without its consent may appeal in writing to the National Executive Committee within sixty days of receipt of notice from the Department Executive Committee.

DUES AND ASSESSMENTS

1. Each Auxiliary Unit shall pay per capita dues for the current year to the Department Treasurer: twenty- two dollars (\$22.00) per senior member per capita dues, and two dollars and fifty cents (\$2.50) per capita dues for each junior member.

The Department will pay per capita of twelve dollars (\$12.00) to National per senior member and two dollars and fifty cents (\$2.50) per capita dues to National per junior member.

The twelve dollar (\$12.00) per capita dues to National per senior member should include a subscription to the American Legion Auxiliary Magazine. Each Department shall remit the National per capita dues weekly or monthly to National Treasurer.