

**AMERICAN LEGION AUXILIARY
UNIT NAME AND NUMBER
CONSTITUTION**

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 in all wars;
- To inculcate a sense of individual obligation to the community, State and nation; to combat the autocracy of both the classes and the masses;
- To make right the master of might;
- To promote peace and goodwill on earth;
- To safeguard and transmit to posterity, the principles of justice, freedom and democracy;
- To participate in and contribute to the accomplishment of the aims and purposes of The American Legion;
- To consecrate and sanctify our association by our devotion to mutual helpfulness.

**ARTICLE I
Name**

Section 1: The name of this organization shall be American Legion Auxiliary, _____
Unit No. _____, Department of Oklahoma
and shall in its entirety hereinafter be referred to as the Unit. ***(NOTE FROM THE CHAIR:
Your Unit Name is displayed on your Unit Charter put the same unit name found on the
unit Charter.***

Section 2: The Unit shall be located at _____

**Article II
Nature**

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

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

**Article III
Object**

Section 1. The object of the Unit shall be as stated in the Preamble of the Constitution.
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Article IV Membership

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

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

- a) Senior membership shall be composed of members age eighteen (18) and older; provided, however, a member eligible under Section 1 of this Article and who is under the age of eighteen (18) and married shall be classified as a Senior member.
- b) Junior membership shall be composed of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen 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.

Section 3. A member whose dues are paid up-to-date and who is not subject to suspension or expulsion shall be considered in good standing and the member shall be entitled to full membership rights, privileges, and benefits in the Unit.

Section 4. Each Unit of the ALA, except department headquarters units, has the authority to decide its membership and shall be responsible for verifying eligibility of prospective members, transfer or new.

Section 5. No person who is a member of an organization which has for its aim the overthrow of the United States Government 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.

¹Membership in the American Legion Auxiliary shall be limited to the: Section 6. Membership can only be offered upon the affirmative vote of the unit members unless an alternate procedure is set forth in the unit bylaws.

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- 1. grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and
 - 2. grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November, 11, 1918, and any time after December 7, 1941 who being a citizen of the United States at the time of their entry therein served on active duty in the Armed Forces

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of any of the governments associate with the United States during their eligibility periods and died in the line of duty or after honorable discharge.

3. grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918, and any time after December 7, 1941, who served on active duty in the Armed Forces of the United States during either eligibility period and died in the line of duty or after honorable discharge; and
4. to those women who of their own right are eligible for membership in The American Legion.

ARTICLE V Unit Officers

Section 1. The Unit shall elect annually the:

- a) President
- b) Secretary
- c) Treasurer
- d) The offices of Secretary and Treasurer may be a combined office. The offices of Secretary and Treasurer may be a combined office.

Section 2. The Unit may elect a:

- a) First Vice President
- b) Second Vice President
- c) Chaplain
- d) Historian, and
- e) Sergeant-at- Arms

Section 3. Unit officers shall begin their one (1) year term of office at the adjournment of the Unit Annual Meeting convened in the fiscal year they were elected, and end at the adjournment of the next Unit Annual Meeting.

Section 4. The installation of Unit officers shall be at such time following the election and prior to the National Convention as the President and Secretary arrange for the ceremony to occur.

ARTICLE VI Executive Committee

Section 1. Between Unit meetings the administrative and strategic authority for the Unit shall be vested in the Unit Executive Committee which shall consist of the officers and additional members-at-large elected by the Unit. *(Suggest that there be an odd number and three additional members depending on your unit size)*

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Section 2. A vacancy on the Unit Executive Committee shall be filled by Presidential appointment with ratification by the ratified by the Unit Executive Committee..

Section 3. The term of office of the Unit Executive Committee members shall start at the adjournment of of the Unit Annual Meeting convened in the fiscal year they are elected and end at the adjournment of the next Unit Annual Meeting. An appointed Unit Executive Committeeperson shall serve until their successor is confirmed.

ARTICLE VII Quorum

Section 1: At any meeting, whether in person, electronically, online, or by audio, a quorum shall be the number of those members present since they represent the membership at that time, so long as due notice has been given to the membership.

ARTICLE VII Amendments

Section 1. This Constitution may be amended by a two-thirds (2/3) vote of the members present at a regular Unit meeting, provided the proposed amendments shall have been read at the previous meeting, or distributed at least thirty (30) days prior.

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

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BYLAWS

ARTICLE I

Unit Executive Committee

Section 1. Between meetings, the government and management of this Unit shall be entrusted to the Unit Executive Committee and all proceedings of said committee shall be presented to the Unit at the next meeting for approval.

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

Section 3: It shall be the duty of the Unit Executive Committee to:

- a) Ensure the Unit has adequate resources to fulfil its mission and adheres to legal standards and ethical norms
- b) ratify all Presidential appointments
- a) approve expenditures between Unit meetings not included in the budget or previously approved

Section 4. Special meetings may be called by order of the President or on written request of at least three (3) members of the Unit Executive Committee. Uniform notice of such special meeting shall be given to all members of the Executive Committee; and, except in extreme emergency, shall be given at least forty-eight (48) hours in advance. At special meetings only business specified shall be transacted.

ARTICLE II

Duties and Powers of Officers

Section 1. *Duties of the Unit President:* It shall be the duty of the President to:

- a) Preside at all meetings of the Unit and Unit Executive Committee
- b) To enforce strict observance of the Constitution and Bylaws and Code of Ethical Conduct
- c) To appoint members of the Standing Committees and other committees
- d) To create such other committees and appoint members thereof as the President deems advisable
- e) To perform such other duties as custom and parliamentary usage require
- f) Serve ex-officio on all committees
- g) To appoint all officers not otherwise provided for
- h) Coordinate with the Unit Secretary to create the Agenda for meetings
- i) Coordinate with the Unit Secretary to plan the installation of officers

The President may be a signor on the Unit's bank accounts as provided in the Unit Standing Rules.

Section 2. *Duties of the Vice President:* The First and Second Vice President in the order named shall, when called upon:

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- a) Assist the President and in absence of the President
- b) Perform the President's duties, and
- c) Shall succeed to office in case of death, resignation or removal.

Section 3. *Duties of the Secretary:* It shall be the duty of the Secretary to:

- a) Record the proceedings and transactions of all the meetings of the Unit
- b) To act as custodian of all books, papers, and records
- c) To keep a record of names and addresses of the members, showing the source of their eligibility
- d) To send out such notices as are directed by the President
- e) Coordinate with the President the preparation of meeting agendas
- f) Coordinate with the President the planning of the installation of offers ceremony
- g) To process the correspondence of the Unit
- h) To keep on file in a comprehensive manner copies of all the correspondence sent and received
- i) Prepare Unit reports for District Conventions
- j) Prepare and submit the Annual Unit Officer and Committee Chairman report to Department
- k) Coordinate with the Treasurer to submit the Unit's ALAMIS registration and enrollment
- l) Perform such other duties as shall be required by the President.
- m) The Secretary shall turn over to the succeeding Secretary all records, whether photographic, electronic, or hard copy within thirty (30) days of leaving office. Unit records are the property of the Unit, not to an individual member.

Section 4. *Duties of the Treasurer:* It shall be the duty of the Unit Treasurer to:

- a) create a budget based on historical expenditures to be approved by the membership at a Regular Unit meeting
- b) ensure that all expenditures that arise after the budget has been adopted by the membership and is duly documented in the minutes
- c) receive all money belonging to the Unit and to account in detail for them
- d) shall maintain two separate funds, namely a general and a Poppy fund. All Poppy donations shall be placed in the Poppy fund and be used to help veterans or active-duty military and their families following the poppy guidelines of the national organization
- e) keep all receipts and account for expenditures in a monthly report and such other reports as may be deemed necessary by the Unit Executive Committee
- f) Unit accounts shall be reviewed annually.
- g) The Treasurer shall pay all current bills before transferring all funds, books, and papers belonging to the Unit, regardless of their format, to the Treasurer's successor within thirty (30) days of leaving office. Unit records are the property of the Unit, not to an individual member.

Section 5. The office of Secretary may be combined with that of Treasurer and called Secretary-Treasurer. The duties of the Secretary-Treasurer shall be as outlined in Sections 3 and 4 of this Article.

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Section 6. *Duties of the Chaplain:* It shall be the duty of the Chaplain to:

- a) Be the spiritual leader of the Unit
- b) To offer prayer at the opening and closing of each meeting
- c) To perform such other duties as the President may direct.
- d) The Chaplain may prepare a Book of Prayers to be presented to the President at the end of their term of office.

Section 7. *Duties of the Historian:* It shall be the duty of the Unit Historian to:

- a) Compile historical records of the Unit
- b) To make a report to the District and to the Department using the same format provided in My Auxiliary
- c) Historical records may be in digital, electronic, photographic, or hard copy format.

Section 7. *Duties of the Sergeant-at-Arms:* It shall be the duty of the Sergeant-at-Arms to:

- a) Prepare the room for meetings
- b) Preserve order at the meetings of the unit
- c) Perform such other duties as may be requested by the President.

Section 8. Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to perform select duties normally performed by the Secretary.

ARTICLE III Unit Organization

Section 1. A Unit shall be chartered by the National President and National Secretary upon receipt of a properly executed charter application. A properly executed charter application shall include the legibly printed or typewritten names of at least ten (10) new or current senior members and be accompanied by the dues for each new member, plus the unit charter fee. Application for a unit charter shall be signed by the Department President and the Department Commander or Adjutant of The American Legion post to which the unit is attached.

Section 2. A Unit shall be given the name, location and number of The American Legion post to which it is attached.

Section 3. A post of The American Legion has no authority to regulate a unit or vice versa.

Section 4. Any person handling funds of a Unit shall be bonded under the National umbrella bond. The Unit shall pay the bond fee to the Department annually.

Section 5. The Unit has the authority to establish annual Unit dues. Annual dues collected by the Unit shall include National, Department, District, and Unit dues. The Unit shall remit National and Department dues according to the policies adopted by the National Executive Committee and shall pay to the District the dues according to their District governing documents.

Section 6. Each Unit is required to remit all membership dues and mandatory pledges due to National, Department, and District at least monthly. Unit that fail to remit all required dues and

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mandatory pledge shall be declared not in good standing and shall forfeit the Unit's vote at Department Convention and may encounter additional consequences as set forth in the respective National, Department, or District governing documents. Further, any Unit declared not in good standing in the Department shall forfeit the Unit's privilege of sponsoring eligible candidates to the ALA Oklahoma Girls State Program.

Section 7. The Unit is responsible for the discipline of its members. A member disciplined by their Unit may appeal the Unit's disciplinary action in writing to the _____ District Executive Committee. The District Executive Committee shall review the appeal and respond as it deems appropriate. The Unit Appellant may appeal the District Executive Committee's disciplinary action to the Department Executive Committee. The Department Executive Committee shall review the disciplinary action taken by the Unit and the District and may respond as it deems appropriate. The action of the Department Executive Committee is final. Disciplinary actions against members, including membership suspensions, are not appealable to the National Organization. All discipline must be imposed in accordance with the principles of fundamental fairness.

Section 8. The Unit may be disciplined by the Department Executive Committee if it fails to discipline a member.

Section 9. The Department Executive Committee may order the suspension of a Unit charter for a period not to exceed one (1) year as a disciplinary measure of pending action relative to final revocation, provided such suspension is imposed in accordance with the principles of fundamental fairness which includes notice and the opportunity to be heard, in such manner as may be prescribed by the Department Executive Committee.

Section 10. Upon suspension of the charter of the Unit, the Department Executive Committee, or their duly authorized agents, are authorized to take control of all records, property, and assets of and belonging to such Unit, and to provide for the governance and administration of the Unit during said suspension. The Department shall have no obligation to assume any of the Unit's debt or other obligations.

Section 11. A cancellation of a Unit charter shall be in order where two (2) or more Units merge, where a Unit ceases to function, or under such other conditions as might make such action necessary.

ARTICLE III Finance

Section 1. Membership dues are paid on a calendar year basis rather than a fiscal year. Dues shall be payable annually for the succeeding year following the National Convention, or may be paid for life via a Paid Up for Life (PUFL) membership. The amount of calendar year dues sent to the Department or paid directly through ALAMIS for Senior and Junior membership will be what is required by Department and National. Dues shall be payable in amounts as provided in the Standing Rules.

Section 2. A member failing to pay annual dues, including the Unit, Department, National, and District assessments by January 31, shall be classed as delinquent and not in good standing. As such, the member shall be suspended from all membership privileges. Payment of back dues, after suspension, shall reinstate such member to active membership.

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A member considered delinquent for not paying dues by December 31 of the current membership year shall be classified as expired. Such expired member may rejoin as an active member under the member's original join date without interruption of continuous years of membership, and membership privileges reinstated, by payment of all past dues.

A member considered expired for not paying dues by December 31 of the current membership year may rejoin, with a new join date, at any time in the future re-establishing eligibility any making application as a new member.

Section 3. No member shall have the authority to create indebtedness for the Unit without duly document approval by either the membership or the Unit Executive Committee.

Section 4. Only those items approved by the budget, membership, or Unit Executive Committee and duly documents are deemed authorized expenditures.

ARTICLE V Meetings

Section 1. Meetings of this Unit, whether a regular, special, Executive Committee, or committee, may be held in person, or via electronic means, or a combination of in person and electronic means. The rules governing alternative meetings shall be as stated in the Standing Rules in accordance with *Roberts Rules of Orde, Newly Revised, 12th Edition*.

Section 2. The regular meetings of the Unit shall be held as provided in the Standing Rules.

Section 3. The Annual meeting of the Unit shall be held annually as provided in the Standing Rules for the purpose of electing officers and receiving annual reports. ***(Highly recommended the month of April; most reports are due to Department Chairman by May 1st).***

Section 4. Voting at meetings may be by voice, hand, ballot, teleconference, videoconference, or e-mail. Ballot votes shall be retained by the Secretary for at least one (1) year.

Section 5. Special meetings of this Unit may be called by the President, by a majority of the Unit Executive Committee, or upon written request of members of the Unit.

Section 6. Unit members in good standing are encouraged to attend all District Convention, Department Fall Conference, and the Department Mid-Winter Conference.

Section 7. Unit members in good standing are eligible to be Unit Delegates or Unit Alternate Delegates to the Department Convention and National Convention. The number of delegates to those respective Conventions is determined by the Unit's membership reflected in the National membership database thirty (30) days prior and as provided in those respective governing documents.

ARTICLE V Election

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Section 1. Election may be by voice vote if there is only one candidate; but where there is more than one candidate for the same office, election shall be by ballot and the majority of votes cast shall be necessary to elect.

Section 2. Delegates and alternates to a Department Convention shall be elected at a Unit meeting held not less than two weeks prior to the convention. Alternates shall have priority in the order of their election.

Section 3. In accordance with Constitution Article V, officers and executive board members shall be elected annually at the (usually April) meeting duly called for that purpose. As dictated by Constitution Article V, some offices may be appointed and ratified by the Unit Executive Committee.

ARTICLE VI Committees

Section 1. Pursuant to the Article on Duties of Officers, the President may appoint committees as deemed advisable to further the mission of the Unit, subject to the ratification of the membership at a Regular Unit Meeting. When there is a vacancy on a committee, the President may appoint a member to serve the remainder of the unexpired term subject to ratification of the membership at a Regular Unit Meeting.

Section 2. The following are Core Oklahoma Standing Committees of the American Legion Auxiliary:

- a) Veterans Affairs and Rehabilitation (VA&R)
- b) Children and Youth
- c) Americanism
- d) National Security
- e) Membership
- f) Governing Documents
- g) Finance
- h) Risk and Compliance (Audit)
- i) Poppy
- j) ALA Oklahoma Girls State
- k) Education
- l) and such other mission and member/organizational support committees as deemed necessary.

Section 3. The composition, terms, and purpose of the Core Oklahoma Standing Committees as provided in the Standing Rules.

Section 4. If a member of a committee is a member of the American Legion Auxiliary, they shall be in good standing in their Unit.

Note to Units: A Unit does not *HAVE* to fill all of these committees. However, it is recommended to do more than one. Your Unit membership should determine which Committees (Programs) they are interested in; fill those committees and start working
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those Programs. as your membership grows, you can consider expanding the Programs you work. You may be doing more than you think just check the description out or call department.

ARTICLE VII Transfers

Section 1. A member who is not subject to suspension or membership revocation is eligible to transfer membership to another Unit if they have paid their membership dues to their current Unit for either the current year or immediate past membership year. A member transferring to a new Unit must pay current year dues to their current Unit before transferring.

Section 2. Transfer of membership is final upon verification of eligibility, evidence of paid membership, and acceptance of the transferee by the new Unit.

Section 3. Evidence of paid membership:

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

ARTICLE VIII Discipline

Section 1. For any violation of the Unit, District, 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 office by two-thirds (2/3) vote at a Unit meeting duly called for that purpose. Said expulsion or removal to be binding only in the event said member or officer shall have been given at least fifteen (15) days notice in writing by the Unit Secretary of the charges and the hearing thereon. Either party may have the right of appeal to the District Executive Committee. If dissatisfied with the outcome of an appeal to the District Executive Committee, either party may have the right of appeal to the Department Executive Committee, and their action thereon shall be final. The expense of such appeal(s) shall be borne by the Appellant.

Section 2. Refusal to sign the Code of Ethical Conduct and abide by its provisions may be grounds for disciplinary action to be taken against a member.

Section 3. Disciplinary action shall follow the principles of fundamental fairness, including notice and the right to be heard.

Section 4. Neither this Unit nor any member thereof shall circularize any other Unit or member thereof without the consent of a Department Executive Committee.

Section 5. Liabilities: No member or group of members shall subject this Unit to liability without authorization of the Unit.

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ARTICLE IX Parliamentary Authority

Section 1. The rules contained in the current edition of *Roberts Rules of Order, Newly Revised 12th Edition* shall govern the Unit in all cases in which they are applicable and in which they are nor inconsistent with applicable state statutes, the District, Department, and National governing documents.

ARTICLE X Amendments

Section 1. These Bylaws may be amended by a two-thirds (2/3) vote of the members present at a regular Unit meeting, provided the proposed amendments shall have been read at the previous Unit meeting or distributed at least thirty (30) days prior.

Section 2. These Bylaws shall be automatically amended to conform to the National, Department, and District governing documents of the American Legion Auxiliary.

Signed this _____ day of _____, 20_____

Unit President

Governing Documents Chair

Governing Documents Committee Member

Governing Documents Committee Member

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