

American Legion Auxiliary Department of Kansas



Constitution, Bylaws, Standing Rules and Policies

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Constitution
of the
American Legion Auxiliary, Department of Kansas

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, Department of Kansas.

ARTICLE II

Nature

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

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

ARTICLE III

Eligibility

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

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

- a) Senior membership shall be comprised 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) years and married shall be classified as a Senior member.
- b) Junior membership shall be comprised of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18) years, Junior members shall automatically be admitted into Senior membership with full privileges.
- c) Dues of both classes shall be paid annually or for life.

ARTICLE IV

Membership

Section 1. The American Legion Auxiliary, Department of Kansas shall be composed of duly constituted Units, which shall be organized into Districts corresponding to the Districts of The American Legion, Department of Kansas.

¹ Membership in the American Legion Auxiliary shall be limited to the:

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

ARTICLE V

Department Officers

Section 1. The Department Convention shall elect annually a President, Vice President, Secretary/Treasurer, Chaplain, Historian, and a District President and Vice President from each District who shall each serve a one-year term.

Section 2. The Department Convention shall elect biennially (every two years) a National executive Committee person and Alternate National Executive Committee person who shall each serve a two-year term.

A member may not serve as National Executive Committee person or Alternate National Executive Committee person for more than two consecutive two-year terms.

Section 2. The Department President assumes her duties immediately upon her election at Department Convention. The President will wear the President's pin. The immediate Past President wears the Past President's pin. The Past President is the Chairman of the Delegation at National Convention. The Department President will be installed at the installation of the National Officers.

Section 3. The National Executive Committee person, or the Alternate National Executive Committee person, if the National Executive Committee person is unable to attend, will be the voting member of the National Executive Committee from Kansas.

ARTICLE VI

Department Executive Committee

Section 1. The Administrative and Executive powers shall be vested in the Department Executive Committee, which shall be composed of the Department President, Department Vice President, Department Secretary/Treasurer, Department Chaplain, Department Historian, the President from each District, (or in the absence of a District President, the District Vice President shall act in behalf of the District President) the National Executive Committee person (in the absence of the National Executive Committee person, the Alternate National Executive Committee person shall act in behalf of the National Executive Committee person).

All Past Department Presidents in good standing in their Units, who are members of the Department of Kansas and who served as President in the Department of Kansas, shall be members for life of the Department Executive Committee, with all rights (right to attend Department Executive Committee Meetings and those held in Executive Session) except the right to vote.

Section 2. The District Vice Presidents and the Alternate National Executive Committee person may attend for learning and awareness of current issues in the Auxiliary with a voice but no vote.

Section 3. Members of the Department Executive Committee may not serve the Department of Kansas as a hired employee.

ARTICLE VII

Convention

Section 1. The legislative body of the organization shall be a Department Convention to be held annually at a place and time to be determined by The American Legion, or in the event The American Legion does not fix a time and place, or an emergency situation demands additional consideration, it shall be fixed by the Department Executive Committee.

Section 2. Representation to the Department Convention shall be by Units. Each Unit shall be entitled to three delegates and one additional delegate for each fifty (50) members or major fraction thereof, who are members in good standing, for the meeting for which they are elected and whose current dues have been paid and recorded by the ALA national membership tracking system thirty (30) days prior to the convening of said Department Convention. An equal number of alternates shall be elected.

Section 3. Delegates-at-large to the Department Convention shall be the members of the Department Executive Committee who are members of the Department of Kansas, and are in good standing in their Units.

Section 4. The delegates and alternates to the Department Convention shall be elected not less than two (2) weeks prior to the convention. Alternates shall have priority in the order of their election.

Section 5. Each registered delegate shall be entitled to one vote. The vote of any registered delegate absent and not represented by an alternate shall be cast by the majority of the delegates present from the Unit.

Section 6. A quorum shall exist at a Department Convention when ten (10%) percent of the Units of the Department are represented in whole or in part.

ARTICLE VIII

Incorporation

The American Legion Auxiliary, Department of Kansas shall be incorporated. The corporation Board of Directors shall be: Department President, Department Vice President, Department Secretary/Treasurer, Department Chaplain, Department Historian, National Executive Committee person, the District Presidents and Department Finance Committee.

ARTICLE IX

Amendments

Section 1. This constitution, or any part thereof, may be amended at any Department Convention by a vote of two-thirds (2/3) of the total votes cast, provided the proposed amendments shall have been submitted through the Department Secretary to the Units and members of the Department Executive Committee by mailing same to them at least forty-five (45) days prior to the convening of the next Department Convention; and provided further that all proposed amendments shall be read at a regular meeting of the convention at least four hours (4) before the vote is taken thereon, if a copy has not been given to each delegate at registration or if the delegate does not retain or have access to a copy of the amendment packet.

Section 2. All Amendments must be submitted to the Department of Kansas Constitution and Bylaws Chairman at least sixty (60) days prior to the convening of the Department of Kansas convention and must contain rationale for the proposed change. Amendments may be submitted by a unit, district or any two (2) members in good standing in the Department of Kansas. Amendments can come from the Constitution & Bylaws Committee providing they have been published and sent to the Units and members of the Department Executive Committee at least forty-five (45) days prior to the convening of the next Department Convention and providing a rationale.

Section 3. Proposed amendments submitted after distribution or revision as shown in Section 1, may be adopted by a two-thirds (2/3) vote of the delegation, provided they have been read at one meeting of the session prior to taking the vote.

Section 4. Proposed amendments not having been previously read or distributed as required in Section 1, may be adopted by the unanimous vote of the convention body.

Section 5. This Department Constitution shall be automatically amended to conform to any amendment to the National Constitution.

Bylaws

of the

American Legion Auxiliary, Department of Kansas

ARTICLE I

Election of Officers

Section 1. The officers, except for the National Executive Committee person and Alternate National Executive Committee person, of the American Legion Auxiliary, Department of Kansas shall be elected annually at the Department Convention. Nomination shall be made from the floor and the vote shall be taken by written ballot. A majority vote of the delegates present shall be necessary for election. If there is but one nominee, election may be by acclamation.

- a) The National Executive Committee person (NEC) and Alternate National Executive Committee person shall be elected biennially (every two years) to a two-year term.
- b) A member may not serve as National Executive Committee person or Alternate National Executive Committee person for more than two consecutive two-year terms.

Section 2. All officers thus elected shall enter upon the duties of their respective offices immediately upon their election and installation. The Department President begins the duties upon election at Department Convention but is formally installed at National Convention.

- a) Outgoing Officers shall finish their commitments through June.

Section 3. All Department officers, members of the Department Executive Committee, and Department Committee Chairmen shall be in good standing in their Units.

Section 4. No person shall be eligible for re-election to the office of Department President or Department Vice President.

Section 5. No person shall be elected to the office of National Executive Committee person (NEC) for more than two (2) terms.

Section 6. No candidate for Department Office shall announce more than one year before election. Announcements shall be made at Fall Conference and additional announcements may be made at Mid-Winter Forum and Department Convention. Candidates should have their Unit and District endorsements.

ARTICLE II

Duties of Officers

Section 1. It shall be the duty of the Department President to:

- a) Preside at all meetings assembled and at the Department Executive Committee meetings.
- b) Appoint members of the standing committees, and to create such other committees, and appoint members thereon, as deemed advisable, and shall make appointments not otherwise provided for, all with the approval of the Department Executive Committee.
- c) Be an ex officio member of all committees with a voice and vote. The Department President shall be notified of all called Committee meetings.
- d) Make arrangements for Department Executive Committee meetings.
- e) If the President fails to make arrangements for a Department Executive Committee meeting, the Vice President shall have the authority to make meeting arrangements.

The Department President shall:

- f) Have the authority to be one of the two signatories on Department checks;
- g) Have the privilege of having a vote of the Department Executive committee by referendum.

Section 2. It shall be the duty of the Department Vice President to:

- a) When called upon, assist the President, and in the President's absence perform the President's duties.
- b) Assume other duties as are assigned by the Department President.
- c) May serve as the ALA Department Membership Chairman
- d) Through active participation in department activities, shall familiarize with the purpose, process, and the programs of the American Legion Auxiliary.
- e) Succeed the President in office in case of death, resignation, or removal.
- f) If having succeeded the President, still be eligible for election by regular process to the office of Department President
- g) Be invited to attend, without vote, the meetings of the Finance Committee and the Constitution and Bylaws Committee.

Section 3. It shall be the duty of the Department Secretary/Treasurer to:

- a) Act as Secretary for the Department Convention, Executive Committee and Finance Committee, and is the Corporate Secretary for the American Legion Auxiliary, Department of Kansas.
- b) Keep a record of the proceedings of the Department Convention, Department Executive Committee and Department Finance Committee meetings.
- c) Oversee and direct distribution of minutes of all meetings. Department Executive Committee Executive Session minutes and all closed session minutes shall originate and be sent from the Department Secretary / Treasurer.
- d) Oversee and manage emblem usage.
- e) Send and give notice of all meetings.
- f) Serve as Compliance Officer. Duties to include, but not limited to filing of all government required documents (including but not limited to monthly and quarterly taxes, 990 filing), and assure compliance of the policies of the American Legion Auxiliary, Department of Kansas. Works collaboratively with department committees to assure stability and compliance. Serves as ex-officio member of Risk and Compliance Committee.
- g) Serve as primary liaison to the Audit Committee.
- h) In collaboration with the Department Office Director, file for retention of all documents related to the American Legion Auxiliary, Department of Kansas at the department office.
- i) Assure all Department files to include but not limited to, written, recorded, electronic, or audio are delivered and archived at the ALA Department of Kansas office no later than 30 days following event or meeting.
- j) Perform all other duties incident to the office.
- k) Oversee and manage all required Department Executive Committee board members compliance paperwork including, but not limited to distribution and retention of the Confidentiality Agreement.

Section 4. It shall be the duty of the Department Chaplain to offer prayer at the opening and closing of each meeting, and to perform such other duties as the President may direct. The Department Chaplain shall be responsible for the Department Convention Memorial Services. The Department Chaplain shall send cards to those in the hospital. The Department Chaplain shall submit all required National reports.

Section 5. The Department Historian shall compile the historical records of the Department organization and shall make an annual report at the Department Convention, and to the National Historian.

Section 6. It shall be the duty of the National Executive Committee Person to attend all National Executive Committee meetings and serve as the voting member from Kansas. This member also serves as the official host to visiting national guests. The National Executive Committee person will report to the membership at Fall Conference, Department Convention and other events as requested by the Department Executive Committee or Department President.

- a) The National Executive Committee person shall report at Fall Conference all information received at the National Executive Committee meeting that would be necessary for the operation of our Department. The National Executive Committee person will share all information with the Alternate National Executive Committee person.

Section 7. In the event of absence of the National Executive Committee Person from a required function, the Alternate National Executive Committee Person will serve as the voting member from Kansas or official host as deemed necessary by the Department President.

Section 8. District Presidents under the supervision of the Department President shall

- a) Encourage and promote the programs of the ALA.
- b) Preside at all District meetings during the year and at District caucuses of the District at Department Convention.
- c) Submit to the Department President approval by the Department Executive Committee, the District President's project and District's budget before initiating activity.

Section 9. District Vice Presidents shall be the District Membership Chairman and shall work with the Department Membership Chairman. The District Vice President shall assist the District President and act for the District President in the District President's absence.

Section 10. Any officer, who shall neglect or improperly perform the duties incumbent upon the office, may be removed by a vote of three-fourths (3/4) of the members of the Department Executive Committee present, provided such officer shall be served with notice of the charges made against the member, and provided further that the member be afforded the opportunity of a fair and impartial trial in such manner as the Department Executive Committee shall prescribe.

ARTICLE III

Department Executive Committee

Section 1. The Department Executive Committee shall have the supervision and control over all property belonging to the Department and shall supervise the administration of the Department according to its Constitution and Bylaws, and under such other rulings as the Department may prescribe.

Section 2. Vacancies in any Department elective office shall be filled by the Department Executive Committee. A vacancy in the office of District President or District Vice President shall be filled by a member from that respective district.

Section 3. Meetings:

- a) The Department Executive Committee shall meet at the time of the Fall Conference, and within twenty-four (24) hours preceding the Department Convention and immediately following the Department Convention.
- b) Special meetings may be called by the Department President, who gives notice to all members stating the date, time, location, and purpose. Notification may be by email or mail five days prior to the meeting unless the urgency of business demands a shorter time period.
- c) A Department Executive Committee meeting shall be called upon the written request of three (3) members of the Executive Committee. A written or email confirmation response will be sent within forty-eight (48) hours stating date and time of meeting to be held at Department Headquarters or via electronic means within three (3) weeks of notification.
- d) Meetings may be held in person or via electronic means. Voting may be by voice, ballot, email, or other electronic means.

Section 4. Quorum: A quorum shall consist of 2/3 of voting members of the Department Executive Committee. No person will be entitled to more than one (1) vote.

Section 5.

Suspension:

Any member of the Department Executive Committee may be suspended from the Department Executive Committee, with good cause, following written notice by certified mail and a three-fourths (3/4) affirmative vote of all members of the Department Executive Committee present at any regular or special meeting called expressly for that purpose. Good Cause shall be if a member of the Department Executive Committee is charged with any serious act of misconduct including (but not limited to) an act of dishonesty, theft or misappropriation of property, or any act injuring, abusing or endangering others.

Removal:

After adjudication of formal charges, any suspended member of the Department Executive Committee may be permanently removed from the Department Executive Committee following written notice by certified mail and a three-fourths (3/4) affirmative vote of all members of the Department Executive Committee present at any regular meeting or special meeting called expressly for that purpose. At this meeting, the suspended member shall have the right to speak or otherwise present reasoning for reinstatement to the Department Executive Committee.

- a) The member subject to the suspension or removal action shall not be entitled to vote on such action or be counted as a member of the Department Executive Committee when calculating the required three-fourths (3/4) vote.

Section 6.

Resignation:

Any member of the Department Executive Committee may resign from the Department Executive Committee at any time by giving notice in writing to the Department Executive Committee. Resignation shall take effect at the time specified therein, and unless otherwise specified, no acceptance of such resignation shall be necessary to make it effective.

ARTICLE IV

Appointment of Committees

Section 1. The Department President shall appoint chairmen and members of standing committees, which are named by the National President, and such other committees as deemed advisable, subject to the approval of the Department Executive Committee. The Department President shall be an ex officio member of all committees.

Section 2. The Department Standing Committees shall be Advisory, Americanism, Auxiliary Emergency Fund, Cavalcade of Memories, Children and Youth, Community Service, Constitution and Bylaws, Education, Finance, Junior Activities, Leadership, Legislative, Membership, National Security, Past President's Parley, Poppy, Public Relations, Risk and Compliance, Strategic Planning, ALA Sunflower Girls State, Technology and Veterans Affairs and Rehabilitation. Each Department President shall have the privilege of naming the chairman of these Standing Committees for the year.

- a) The National Security Chairman is to be the immediate Past President. If the immediate Past President is unable to serve, the President will appoint a member to serve as Chairman, subject to ratification by the Department Executive Committee.
- b) The Past President's Parley Chairman is to be the Past President the second term out of office. If the Past President the second term out of office is unable to serve, the President will appoint a member, who will have been a Past Department President in Kansas, to serve as Chairman, subject to ratification by the Department Executive Committee.
- c) No member shall serve on a committee more than three (3) consecutive years with the exception of Finance, Junior Activities, Community Service, Constitution and Bylaws, ALA Sunflower Girls State, Poppy, Public Relations, Technology, the third member of the Americanism Committee (Oratorical Liaison), the second member of the Children & Youth Committee (Cadet Law) and the third member of the Children & Youth Committee (Liaison to the Child Welfare Foundation).

Section 3. Duties of Committees not specifically outlined in these Bylaws and Standing Rules shall be assigned to them by the Department President.

Section 4. Department Committee Chairmen requesting Units to contribute to new or additional program funds, shall submit request in writing to the Department President, who will present to the Finance Committee for recommendation to the Department Executive Committee.

Section 5. The Department Executive Committee shall have the power to remove any Department Committee Chairman or Committee Member, who fails to perform the duties of the office, or whose conduct is prejudicial to the best interest of the American Legion Auxiliary, providing the member is furnished with written notice of the charges against them, and provided further that the member shall be afforded the opportunity to be heard in such manner as the department Executive Committee may prescribe.

ARTICLE V

District Organization

Section 1. Districts shall function in accordance with National, and Department Constitution, Bylaws and Standing Rules. Organization and administration of Districts shall be in accordance with the National and Department Constitutions and Bylaws and such Standing Rules as are prescribed by the Department Convention. A District shall act as a liaison between the Department and assigned units for the purpose of promoting the programs of the American Legion Auxiliary.

Section 2. Each District shall nominate a candidate for President and Vice President at the District Convention. Additional candidates may be nominated for District President and District Vice President at the Department Convention. All candidates for District President and District Vice President shall be members of that respective District. District Presidents and District Vice Presidents shall be elected by the voting body at the annual Convention of the Department.

Section 3. The District President shall appoint chairmen corresponding to the committees named by the Department, and shall appoint other officers, chairmen, and any committees necessary in the District, not otherwise provided for by the District Bylaws, all subject to the ratification by the Department Executive Committee.

Section 4. The District President and Vice President shall be under the supervision of the Department President.

Section 5. Each District shall nominate a Vice President in the same manner to assist the President in the President's duties.

Section 6. The Department Executive Committee shall have the power to remove any District President or Vice President, or any appointed positions ratified by the DEC, who fails to perform the duties of the office, or whose conduct is prejudicial to the best interest of the American Legion Auxiliary, providing the member is furnished with written notice of the charges against them, and provided further that the member shall be afforded the opportunity to be heard in such manner as the Department Executive Committee may prescribe.

Section 7. The Department Executive Committee may discipline a District or cancel the charter of a District for any good and sufficient cause. All such actions must be imposed in accordance with the principle of fundamental fairness, which includes notice and the opportunity to be heard, in such manner as the Department Executive Committee may prescribe.

Section 8. The number of delegates to the District Convention shall be determined by each District Constitution and Bylaws.

Section 9. The Units of each District shall bear the expenses of the District Convention. The manner of providing the funds shall be determined by each District.

Section 10. Each District may draft its own Constitution and Bylaws, but it must not conflict with the National and Department Constitution and Bylaws.

Section 11. The District President shall inform the District Chairmen of their duties, including distribution of the Department Program Action Plan to the District Chairmen for distribution to the Units, and return of the reports to meet dates required by the Department deadlines.

ARTICLE VI

Unit Organization

Section 1. Units shall be chartered by the National President and the National Secretary upon receipt of the charter application properly executed, with handwritten signatures on the original page of the application (white sheet), 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 of the American Legion Post to which it is attached.

Section 4. A Unit charter shall not be canceled until such action is first approved by the Department and National Executive Committees.

Section 5. When a Unit ceases to function, or its charter has been canceled, the charter and all Unit records and funds shall be forwarded immediately to Department Headquarters.

Section 6. No person may, at any time, be a member of more than one (1) Unit.

Section 7. Any member in good standing in a Unit shall be entitled to transfer to another Unit.

Section 8. A member not subject to suspension or membership revocation under due process is eligible to transfer their membership to another Unit if they have paid the current membership dues to the current Unit for either the current year or the immediate past membership year. A member transferring to a new Unit must pay current year dues to their current Unit or the Unit into which they wish to transfer to. Transfer is final upon verification of eligibility, evidence of paid membership, and acceptance of the transferee by the new Unit. Evidence of Paid Membership includes:

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

Section 9. A Unit member may withdraw provided their current dues are fully paid. Upon withdrawal, however, the member shall be prohibited from joining any other Unit as a new member during the remainder of the current year for which said dues are paid. In the event a member wishes to remove their membership from one Unit to another during the current year, it shall be done by transfer and not by withdrawal.

Section 10. Per the American Legion Auxiliary National Bylaws, the Unit has the responsibility for the discipline of its members. A member disciplined by said member's Unit may appeal the Unit's disciplinary action in writing to the Department Executive Committee. The Department Executive Committee shall review the appeal and 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 due process and equal protection. A Department may discipline a Unit for failure to discipline a member.

Section 11. A person may not be admitted or retained as a member without the person's or the person's legal representative's consent.

- a) Junior members must have consent by a parent or legal guardian.
- b) Verification of consent from the Unit secretary or Unit membership chairman must be provided to the American Legion Auxiliary, Department of Kansas Secretary / Treasurer if requested.

Section 12. Per the American Legion Auxiliary National Bylaws, the Department Executive Committee may discipline a Unit or cancel the charter of a Unit for any good and sufficient cause. All such actions must be imposed in accordance with the principle of fundamental fairness, which includes notice and the opportunity to be heard. The Department shall permanently keep a record of all disciplinary actions, communications, or meetings.

Section 13. Any Unit failing to meet the obligations imposed upon it by the Constitution and Bylaws, or by rulings of the Department Convention or Executive Committees, Department of Kansas, 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, shall, upon order of the Department President, after a vote by the Department Executive Committee, surrender its charter.

- a) The hearing and trial of any cause involving the cancellation, suspension, or revocation of the Charter of any Unit of the American Legion Auxiliary, Department of Kansas shall be had and held under rules of procedure to be adopted by the Department Executive Committee.

- b) Upon SUSPENSION of the charter of any Unit of the American Legion Auxiliary, Department of Kansas, the Department Executive Committee is authorized, directed by and through its duly authorized agent, to take possession, custody, and control of all the records, property, and assets of and belonging to such Unit, and to provide for the government and administration of such Unit during said suspension.
- c) Upon CANCELLATION or revocation of the charter of any Unit of the American Legion Auxiliary, Department of Kansas, the Department Executive Committee is authorized, empowered, and directed, by and through its duly authorized agents, to take possession, custody and control of all records, property, and assets of such Unit, and to take all necessary and proper steps and proceedings to wind up and close the affairs of the Unit. The Department Executive Committee may provide for such continued recognition and activities of members in said Unit as it may deem proper.

Section 14. An American Legion Auxiliary Unit whose charter has been canceled may appeal from the decision of the Department Executive Committee to the National Executive Committee, as provided in Article XI, Section 4 of the National Bylaws.

Section 15. The Department Executive Committee may order the suspension of a Unit charter, for a period not to extend beyond the closing of the next succeeding Department Convention, as a disciplinary measure of pending action relative to final revocation, provided such suspension of a Unit Charter shall be completed after the offending Unit has been given written notice of the charges against it, and has been afforded a fair and impartial hearing by the Department Executive Committee under such rules of procedure as may be adopted by the Department Executive Committee to assure due process.

Section 16. A cancellation of a Unit charter shall be in order where two or more Units merge, where a Unit ceases to function, or under such other conditions as might make such action necessary. In the event a Unit charter is canceled without the consent of such Unit, it shall have the right to appeal to the National Executive Committee.

Section 17. Each Auxiliary Unit, except Unit 58, shall elect a President, one or more Vice Presidents, Secretary, Treasurer (or Secretary-Treasurer), and any other positions. Unit officers shall be members of the Unit Executive Committee. Units may elect three (3) additional members to the Executive Committee if they so choose. Unit Executive Committees should have no less than five members.

Section 18. All officers shall be elected annually, and shall assume office immediately following their election and installation (no later than July 1) and shall hold office for one year or until their respective successors are chosen and qualified. New officers automatically become custodians of all property and records.

Section 19. Each Unit Secretary and Treasurer (or Secretary/Treasurer) must be bonded under position bond available. The fee of the aforesaid bond shall be paid by the Unit to the Department upon receipt of invoice.

Section 20. Unit 58 is a "Holding Unit" set up by National for those members whose Unit has ceased to function or are new to the state and have not yet transferred to another Unit. Unit 58 dues are paid into Department. Unit 58 is not assigned to a District and has no officers. The Department Executive Committee shall be responsible for the discipline of members of Unit 58. Any disciplinary actions must be imposed in accordance with the principle of fundamental fairness, which includes notice and the opportunity to be heard, in such a manner as the Department Executive Committee may prescribe.

ARTICLE VII

Office Director

Section 1: Role: The ALA Department of Kansas shall have an Office Director.

Section 2. Authority: The Office Director shall be responsible for implementing the policies and directives of the Department Executive Committee.

Section 3. Duty: The Office Director shall be responsible for supervising staff and operations at Department Headquarters. The Office Director shall make such reports at the Department Executive committee meetings as requested by the Department Executive Committee. The Office Director shall perform other such duties as listed in the Standing Rules and Employee Handbook or as assigned.

ARTICLE VIII

Finance Director

Section 1: Role: The ALA Department of Kansas shall have a Finance Director.

Section 2: Authority: The Finance Director shall be responsible for implementing the financial policies and directives of the Department Executive Committee and Department Finance Committee.

Section 3: Duty: The Finance Director shall be responsible for acting as custodian of the funds for the American Legion Auxiliary, Department of Kansas and maintaining required financial records and documents. The Finance Director shall make such reports to the Department Executive Committee meetings and as required by the Department Finance Committee. The Finance Director shall perform other such duties as listed in the Standing Rules and Employee Handbook or as assigned.

ARTICLE IX

Finance

Section 1. The revenue of the American Legion Auxiliary, Department of Kansas, shall be derived from annual membership dues of Senior and Junior members, and from such other sources as may be ratified by action of the Department Convention or by the Department Executive Committee. Modification to the Department dues for membership shall require a two-thirds vote in the affirmative by the Department Convention delegates.

Section 2. Dues shall be payable annually for the succeeding year, following Department Convention. Dues shall be payable in amounts as provided in the Standing Rules.

Section 3. The amount of the calendar year dues sent to Department for Senior membership and Junior membership will be what is required by Department and National.

Section 4. Dues shall be payable annually for the succeeding year, following the Department Convention. A member failing to pay such annual dues by January 31 shall be classed as delinquent and shall be suspended from all membership privileges, provided however, such suspended member shall be notified by the Secretary of the Unit of such suspension prior thereto. Payment of back dues after suspension shall reinstate such member to active membership. Any member delinquent to December 31 of the year of delinquency shall automatically be dropped from the rolls and may not thereafter be reinstated without vote of the Unit, where the Constitution of the Unit requires a vote on application for membership and the payment of all past dues, or by re-establishing eligibility and making application as a new member.

Section 5. The expenses necessary for the performance of official duties shall be paid from Department funds according to rules prescribed by the Department Convention or the Department Executive Committee and the Department Finance Committee.

Section 6. All matters of finance (including asking Units for contributions to any project or fundraisers open to the public) shall be referred to the Department Finance Committee through the Department President, for consideration and recommendation before being presented to the Department Executive Committee or the Convention Assembly for action. This includes the District President's project.

Section 7. No member or group of members shall subject the Department to liability without the approval of the Finance Committee and the authorization of the Executive Committee.

Section 8. The Office Director and Finance Director shall be bonded with a surety bond at Department expense.

Section 9. There shall be no salaried elected officers. The Department President shall receive a monthly contingent fund, which shall partially cover the duties performed as Department President, upon submission of receipts.

Section 10. All books of the American Legion Auxiliary, Department of Kansas shall be reviewed and taxes filed annually by a Certified Public Accountant. The American Legion Auxiliary, Department of Kansas shall have an outside audit by a Certified Public Accountant at the vote of the Department Executive Committee.

Section 11. The following shall have the authority to be one of two signers on checks: Office Director, Finance Director, Finance Chairman, Department President, and Department Vice President. The Office Director and Finance Director cannot be the only two (2) signatures on a check.

Section 12. The fiscal year shall be from July 1 to and including June 30 of the following year or to comply with National.

ARTICLE X

Delegates to National Convention

Section 1. The Department shall be entitled to seven (7) delegates; and one (1) additional delegate for each one thousand two hundred (1,200) members, or major fraction thereof, whose current dues have been received by the National Treasurer thirty (30) days prior to the meeting of said Convention, and to one (1) alternate for each delegate.

Section 2. Delegates and alternates to the National Convention shall be elected by the Department not less than two (2) weeks before the National Convention.

Section 3. The delegates shall be elected as follows:

- a) The first three (3) delegates shall be the outgoing Department President, the incoming Department President and the incoming Department Vice President. Beginning with the fourth designated delegate, members serving the Department of Kansas as ALA National Children & Youth Chairman, ALA National Veterans Affairs and Rehabilitation Chairman or a national officer candidate (ALA National Central Division Vice President, ALA National Chaplain, ALA National Historian) will be designated delegates in the order listed above.
- b) The next ten (10) delegates shall be the duly nominated first delegate from each District according to membership ranking as of the end of business on the Monday preceding Department Convention. The remaining delegates shall be assigned in the following order: National Committee Chairmen (excluding ALA National Children & Youth Chairman and ALA National Veterans Affairs and Rehabilitation Chairman); nominated delegates according to membership rankings as of the end of business on the Monday preceding Department Convention.

Section 4. The alternates shall be elected as follows:

- a) If the duly elected first delegate and their alternate cannot attend National Convention, the duly elected second delegate and their alternate from the District will represent that District. All delegates and alternates must be in good standing in their District and Units. If the duly elected second delegate and their alternate resign, the positions will be filled by duly elected delegates and alternates according to ranking in membership as of the end of business on the Monday preceding Department Convention.
- b) The alternates to the Department Designated Delegates shall be nominated from the floor of the Convention and shall be elected by the individual votes of the delegates. Alternates shall be ranked according to the number of votes received.
- c) The alternates to the remaining delegates shall be nominated at the District Conventions and elected by the Department Convention in the same manner as the delegates are elected.

Section 5. Units in each District shall vote for the specified number of delegates and alternates to the National Convention, out of those nominated, and shall not vote for a lesser number.

Section 6. National Convention Delegates and Alternates elected from the Kansas districts shall be members of units that reside within that specified district.

Section 7. The outgoing Department President shall be Chairman of the Delegation to the National Convention.

ARTICLE XI

Subsidiary Organizations

Section 1. Incorporated Districts will function as a Subsidiary of the American Legion Auxiliary, Department of Kansas, with its own Articles of Incorporation.

- a) The District shall submit their budget to the Department Executive committee for approval.
- b) The Office Director and Finance Director shall be a signatory on all bank accounts.
- c) The District shall submit a monthly financial report and an annual financial statement to Department Headquarters.

Section 2. Sunflower Girls State will function as a Subsidiary of the American Legion Auxiliary, Department of Kansas, with its own Articles of Incorporation.

- a) The Board of Directors shall be the American Legion Auxiliary Department President, American Legion Auxiliary Department Vice President, Director of Sunflower Girls State, Assistant Director of Sunflower Girls State and the Secretary/Treasurer of Sunflower Girls State.
- b) The Department Secretary/Treasurer shall be a signatory on all bank accounts.
- c) Sunflower Girls State shall submit a monthly financial report and an annual financial statement to Department Headquarters.

ARTICLE XII

Parliamentary Authority

Section 1. The Department organization shall be governed by Robert's Rules of Order, Newly Revised in all points not covered by this Constitution and Bylaws.

ARTICLE XIII

Amendments

Section 1. These Bylaws may be amended at any Department Convention by a vote of two-thirds (2/3) of the total authorized representation thereat, provided the proposed amendments shall have been submitted through the Department Secretary to the Units and members of the Department Executive Committee by mailing same to them at least forty-five (45) days prior to the convening of the next Department Convention; and provided further that all proposed amendments shall be read at a regular meeting of the convention if a copy has not been given to each delegate at registration or if the delegate does not retain or have access to a copy of the amendment packet.

Section 2. All Amendments must be submitted to the Department of Kansas Constitution and Bylaws Chairman at least sixty (60) days prior to the Department of Kansas convention and must contain rationale for the proposed change. Amendments may be submitted by a Unit, District or any two (2) members in good standing in the Department of Kansas. Amendments can come from the Constitution & Bylaws Committee providing they have been published and sent to the Units and members of the Department Executive Committee at least forty-five (45) days prior to the convening of the next Department Convention and providing a rationale.

Section 3. Proposed amendments submitted after distribution or revision as shown in Section 1, may be adopted by a two-thirds (2/3) vote of the delegation, provided the amendments have been read at one (1) meeting of the session prior to taking the vote.

Section 4. Proposed amendments not having been previously read or distributed as required in Section 1, may be adopted by the unanimous vote of the convention body.

Section 5. These Bylaws shall be automatically amended to conform to any amendment in the National Bylaws.

Standing Rules

of the

American Legion Auxiliary, Department of Kansas

Preface

These American Legion Auxiliary Standing Rules are duly adopted by the appropriate governing body of the American Legion Auxiliary, Department of Kansas to provide guidance to the Department, its Units, Subsidiaries, and affiliated entities. Standing Rules have the same importance as the Department Constitution & Bylaws and may be amended as frequently as needed.

The Standing Rules of the American Legion Auxiliary, Department of Kansas are:

I. Office

1. The Department President of the American Legion Auxiliary, Department of Kansas will be the signatory for all legal documents including, but not limited to, contracts, tax documents, and other legal documents related to the operation of the American Legion Auxiliary, Department of Kansas. If the President is unable to perform this duty, the Finance Committee Chairman shall have the authority to serve as signatory on documents.
2. All passwords for the American Legion Auxiliary Department of Kansas owned programs, software, hardware and/or other office equipment or access requiring passwords or passcodes necessary for business operations shall be retained in a physical folder stored in a locked file cabinet in the office. The Department President shall have access to the folder and full knowledge of its stored location.
3. Employees will be eligible for Paid Time Off (PTO) benefits as outlined in the employee handbook.
4. Any paid employee who has been terminated for cause by the American Legion Auxiliary, Department of Kansas is not eligible for rehire and cannot work as an office administrative volunteer in the Department office.
5. The Office Director is responsible to:
 - a) Conduct the duties at the permanent headquarters in Topeka.
 - b) Receive and answer all correspondence under the direction of the President.
 - c) Countersign all checks in disbursing the funds of the Department.
 - d) As directed by the Department Secretary / Treasurer, Email or mail copies of the minutes of the Department Executive Committee meetings; Department Finance Committee meetings, and Department Convention to the voting members of the Department Executive Committee within three weeks of said meeting.
 - e) Assist the Department President in making arrangements for all Department Executive Committee meetings.
 - f) Complete and send forms for the visitation of National guests after consulting with the Department President.
 - g) Notify the family of the deceased within one week when a memorial gift has been sent to the Department office.
 - h) Notify the Department President and Department Chaplain immediately upon learning of the death of a Past Department President or Past Department Commander.
 - i) Implement the policies and directives of the Department Executive Committee.
 - j) Provide effective management of Department Headquarters.
 - k) Lead the organization in a manner to accomplish the mission, vision, and strategic direction of the organization in conjunction with the Department Executive Committee.
 - l) Sign all notes, agreements, and other instruments made and entered into and on behalf of the organization, according to established office protocol.
 - m) Communicate and report to the Department Executive Committee at Department Fall Conference, Pre-Convention Meetings or Department Convention and/or as requested by the Department President. Communicate and report to other stakeholders as requested.

- n) Manage ALAMIS membership transmittal and payment.
 - o) Manage and facilitate daily office operational requirements.
 - p) Complete other administrative duties.
6. The Finance Director is responsible for:
- a) Acting as custodian of the funds of the Department Organization and shall account for the same.
 - b) May be a second signature on all checks disbursing the funds as prescribed by the Department.
 - c) Making monthly reports of the condition of the Department finances to the Department Finance Committee by the 20th of the following month.
 - d) Upon the approval of the Finance Director's successor's bond, the Finance Director shall turn over to their successor all money, vouchers, books, papers, and supplies belonging to the Department.
 - e) Distributing quarterly Department Finance Reports, including Veterans Affairs and Rehabilitation quarterly reports, to the Department Executive Committee.
 - f) Distributing the subsidiary organization's monthly report to the Executive Committee.
 - g) Doing all work and handling all monies at the Department Headquarters office.
 - h) Assuring all books and records are retained and kept at the Department Headquarters office.
 - i) Complete other financial duties.
7. The Office Director and Finance Director's continued employment shall be approved by the Department Executive Committee at the meeting immediately following Department Convention. Termination of employment of the Office Director and Finance Director must also have the approval of the Department Executive Committee.
8. In the absence of either the Office Director or Finance Director, the other shall have the authority to handle necessary business.
9. The American Legion Auxiliary, Department of Kansas office will be closed under the following conditions:
- a) When offices are closed by The American Legion – Department of Kansas employees will be paid normal compensation (wages).
 - b) Should the Office Personnel be unable to work during times open by The American Legion, they shall work in tandem with other officers and members to secure appropriate office coverage and notify (text, email, or phone) the Department President of their absence and office coverage as soon as possible, and not later than 8:00am of the day absent.
10. The American Legion Auxiliary, Department of Kansas eleven (11) paid holidays are: New Year's Day, Martin Luther King Day, Presidents Day, Memorial Day, 4th of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and the day after Thanksgiving and Christmas Day.
11. Non-exempt employees of the American Legion Auxiliary, Department of Kansas, will be reimbursed one-half of the hotel cost, business travel mileage at a rate of \$.25 per mile and \$35.00 per diem per day when mandated to perform work outside of the normal 40 hours per week office work time.
12. Employee Review
- a) The Finance Committee will individually perform a yearly evaluation in March on the Finance Director on a standardized form provided by the Department President. The results will be given to the Department President.
 - b) The elected department officers and elected district presidents will individually perform a yearly evaluation in March on the Office Director on a standardized form provided by the Department President and approved by the Department Executive Committee. The results will be given to the Department President.
 - c) The Department President will then discuss the reviews with each employee.

II. Department

1. All adults working directly with youth through an American Legion Auxiliary Committee or are on the Audit and Finance Committees or overseeing the assets of the Department, must allow the Department of Kansas to complete a background check before being allowed to perform their duties. The cost of the background check will be the responsibility of the American Legion Auxiliary, Department of Kansas. Forms will be distributed by the Office Director and securely held at Department Headquarters. The Chairman of the committee will be informed of any irregularities in the check. This includes, but is not limited to, personnel working ALA Sunflower Girls State, Cadet Law, and Junior Activities.
2. The Department shall be districted as follows for contributions to the Gift Shops and Cheer Funds:

Units assigned to send gifts and cheer funds to DWIGHT D. EISENHOWER VA at LEAVENWORTH:

Atchison #6 – 1, Lawrence #14 – 2, Gardner #19 – 2, Seneca #21 – 1, Leavenworth #23 – 1, Ft. Scott #25 – 2, Tonganoxie #41 – 1, Oskaloosa #36 – 1, Holton #44 – 1, Troy #55 – 1, Leavenworth #94 – 1, Barnes #145 – 1, Olathe #153 – 2, White Cloud #154 – 1, Paola #156 – 2, Frankfort #181 – 1, Quindaro #199 – 2, Osawatomie #204 – 2, Argentine Eagles #213 – 2, Baldwin City #228 – 2, Linn #237 – 1, Beattie #244 – 1, Louisburg #250 – 2, Blue Mound #279 – 2, Wetmore #282 – 1, Effingham #285 – 1, Fairview #322 – 1, Bern #326 – 1, Shawnee #327 – 2, Spring Hill #350 – 2, Summerfield #362 – 1, Overland Park #370 – 2, Powhattan #373 – 1, Winchester #387 – 1, Lenexa #407 – 2, Lansing #411 – 1, Horton #415 – 1

Units assigned to send gifts and cheer funds to COLMERY-O'NEIL VA at TOPEKA:

Topeka #1 – 1, Manhattan #17 – 4, Rossville #31 – 1, Alma #32 – 4, Abilene #39 – 4, Leonardville #40 – 4, Junction City #45 – 4, Salina #62 – 6, Norton #63 – 9, Concordia #76 – 6, Hunter #77 – 6, Washington #91 – 1, Clay Center #101 – 4, Waverly #119 – 4, Sabetha #126 – 1, Maple Hill #130 – 4, Belleville #133 – 6, Perry #142 – 1, Wathena #161 – 1, Marysville #163 – 1, Blue Rapids #169 – 1, Wamego #172 – 4, Ellsworth #174 – 6, St. Mary's #178 – 4, Lebanon #185 – 6, Westmoreland #186 – 4, Scandia #193 – 6, Osage City #198 – 4, Centralia #216 – 1, Ozawkie #225 – 1, Clifton #227 – 1, Greenleaf #235 – 1, Chapman #240 – 4, Tescott #255 – 6, St. George #260 – 4, Wilson #262 – 6, Burr Oak #263 – 6, Lucas #267 – 6, Hanover #306 – 1, Melvern #317 – 4, Topeka #319 – 1, Lebo #323 – 4, Waterville #332 – 10, Dorrance #334 – 6, Sylvan Grove #359 – 6, Esbon #368 – 6, Allen #389 – 4, Topeka #400 – 1, Mayetta #410 – 1, Topeka #421 – 1.

Units assigned to send gifts and cheer funds to WICHITA VA at WICHITA:

Newton #2 – 5, Wichita #4 – 5, Herrington #12 – 4, McPherson #24 – 5, W Anthony #54 – 7, Whitewater #65 – 5, Hutchinson #68 – 7, Medicine Lodge #69 – 7, El Dorado #81 – 5, Peabody #95 – 4, Isabel #98 – 7, Sterling #128 – 7, Stafford #131 – 7, Mulvane #136 – 5, Lindsborg #140 – 5, Kiowa #146 – 7, Hardtner #175 – 7, Canton #192 – 5, Holyrood #200 – 6, Halstead #231 – 5, Geneseo #241 – 7, Marquette #253 – 5, Wichita #256 – 5, Little River #258 – 7, Sedgwick #268 – 5, Wichita #273 – 5, Attica #298 – 7, Lincolnville #347 – 4, Hope #365 – 4, Hillsboro #366 – 4, Wichita #401 – 5, Andover #406 – 5, Derby #408 – 5, Maize #419-5, Wichita #424 – 5.

Units assigned to send gifts and cheer funds to FT. DODGE SOLDIERS HOME at FT. DODGE:

Pratt #86 - 7, Garden City #9 – 8, Atwood #46 – 9, Dodge City #47 – 8, Macksville #52 – 7, Oberlin #70 – 9, Ulysses #79 – 8, Liberal #80 – 8, Alton #87 – 6, Russell #99 – 6, Larned #106 – 7, Natoma #109 – 6, Ness City #152 – 8, Kensington #166 – 6, Hays #173 – 9, Great Bend #180 – 7, Dighton #190 – 8, Wakeeney #197 – 9, Smith Center #220 – 6, Bucklin #269 – 8, Santana #276 – 8, Kirwin #277 – 9, Burdett #280 – 7, Logan #281 – 9, Hoisington #286 – 7, Jetmore #290 – 8, Garfield #300 – 7, Grainfield #301 – 9, Ellinwood # 320 – 7, Jennings #351 – 9, Bird City #352 – 9, Agra #357 – 9, Colby #363 – 9, Copeland #369 – 8, Utica #380 – 8

Units assigned to send gifts and cheer funds to THE WINFIELD VETERANS HOME in WINFIELD:

Columbus #3 – 3, Emporia #5 – 4, Winfield #10 – 3, Yates Center #13 – 4, Iola #15 – 2, Arkansas City #18 – 3, Coffeyville #20 – 3, Girard #26 – 3, Cherokee #35 – 3, Burlington #38 – 4, Garnett #48 – 2, Wellington #90 – 5, Erie #102 – 3, Caney #138 – 3, Independence #139 – 3, Howard #149 – 3, Chanute #170 – 3, Mulberry #176 – 3, Arma #182 – 3, Cedar Vale #201 – 3, Baxter Springs #206 – 3, Mound City #248 – 2, Weir #272 – 3, Gridley #296 – 4, Leroy #313 – 4, Toronto #325 – 4, Moran #385 – 2, Pittsburgh #394 – 3.

3. Each Department President shall be presented their ribbon, which may be worn each year when they attend Department Convention.
4. Complimentary tickets to the Past Presidents Parley Luncheon at Department Convention shall be limited to the Department President and the National President (or their representative).
5. When funds are deemed sufficient by the Finance Committee, all persons traveling out-of-state at Department expense, with the exception of National Convention, shall be required to furnish a complete accounting of all expenses, including receipts for transportation and hotel bills before payment is made.
6. All officers and committee communications must be sent to Department office by the 15th of the month, giving time for the office staff to mail or email them to the Units prior to the first of the next month.
7. The POW/MIA flag should be draped on a chair in a place of honor and remembrance at all District, Department and National Conventions and Conferences.
8. Seating at Department Convention shall be based on District membership as of the end of business on the Monday preceding Department Convention. Membership must be into Department Headquarters by the end of business on the Monday preceding Department Convention.
9. The Kansas “Member of the Year” will be recognized at Department Convention and will receive their luncheon ticket to the “Public Spirit” luncheon at National Convention.
10. When the Department Convention occurs in an even numbered year, Districts 2, 4, 6, 8 and 10 will help host the Convention under the direction of a local (location of convention) Convention Chairman. When the Department Convention occurs in an odd numbered year, Districts 1, 3, 5, 7, and 9 will help host the convention under the direction of a local (location of convention) Convention Chairman.

III. Department Convention

1. The “Call to Department Convention” will be mailed or emailed to the Units and members of the Department Executive Committee postmarked or time stamped no later than 45 days prior to the convening of the Department Convention.
 - a) Unit representatives and Department Executive Committee members must sign acknowledgment and acceptance for receipt of Call to Convention via email.
 - b) A valid email address must be on file at the Department Office or documents will be mailed via U.S. Postal mail service.
2. The Department of Kansas Call to Convention will be signed by the Department President and Department Secretary.
3. All award certificates distributed to winning entities will be signed by the Department President and Department Secretary.

IV. Membership

1. Email verification and other electronic acknowledgments will be considered acceptable forms of signature verification for member transfers within American Legion Auxiliary Kansas units. Copy of electronic communication shall be attached as verification to transfer form.
2. The American Legion Auxiliary, Department of Kansas will pay for three full ALAMIS permission access accounts. The Department Office Director, the Department President and the Chairman of the Department Membership Committee will each be allowed one user access after completing the full user training from National membership.

V. District Operations

1. Districts shall serve as a liaison for reporting and communication between the Department and Units who are located within their own district boundaries.
2. Districts shall have no authority over Unit management, shall not interfere in Unit business or disciplinary proceedings, and shall remain neutral on Unit governance issues.
3. Districts shall share Department approved processes necessary for efficient operation and reporting purposes of American Legion Auxiliary program activities to units.

4. Districts shall not usurp the prerogatives or activities of a unit whose authority resides with the membership of that unit.
5. Two members from each unit shall supply a valid email address annually by September 1 each year to the American Legion Auxiliary, Department of Kansas office for the purpose of receipt of information, forms, and reporting alignment. If two valid email addresses cannot be retained, a valid USPS mail address must be supplied to assure delivery of critical information for reporting requirements and compliance.

VI. National Convention

1. Pages at National Convention shall be based on District membership at the close of the Department Convention. The District with the greatest percent of goal will have the first page. The District with the second greatest percent of goal will have the second page.
2. Corsages/Boutonnieres for the States Dinner at National Convention shall be presented to the outgoing Department President, and to the spouse of the Department Commander. A corsage/boutonniere will be presented to the Department Commander.
3. Duties of the National Convention Chairman of the Delegation:
 - a. Will assign delegates to attend pre-convention meetings. Delegates should align with their program knowledge and expertise as appropriate.
 - b. Will serve as Chairman at the Department of Kansas Caucus.
 - c. Will attend the Constitution & Bylaws pre-convention meeting and any other pre-convention meetings as necessary, Central Division Caucus, all scheduled sessions of the National Convention, the Public Spirit luncheon, the States Dinner, the Kansas Party and any other convention meetings as appropriate.
 - d. Will determine the seating of delegates in the convention hall.
 - e. Provide oversight to the delegation and is the ultimate authority for approved excuses related to delegate attendance.
 - f. Will appoint a secretary for the Kansas delegation from the Kansas delegates attending
 - g. National Convention delegate/alternate registration fees shall be received to the ALA Department of Kansas by the assigned due date, or the delegate/alternate will forfeit their delegate/alternate rights to attend National Convention as a member of the Kansas delegation.
4. Duties of National Convention Secretary of the Delegation:
 - a. Work with The American Legion Adjutant to secure and distribute credentials.
 - b. Support logistical requirements and assure the delegates have necessary information related to convention activities.
 - c. In the absence of the Chairman to the Delegation, the Secretary will serve as Chairman.
 - d. Document proceedings of the Kansas Caucus.
 - e. Document attendance at all meetings and prepare other written reports as needed.
5. Duties of National Convention Delegates:
 - a. Attend assigned pre-convention committee meetings and complete report of proceedings to include all recognition and awards. Report to be submitted to the Secretary of the Delegation no later than one (1) week following the close of the convention.
 - b. Attend the Kansas Caucus, Constitution & Bylaws pre-convention meeting, Central Division Caucus, and all scheduled sessions of the National Convention.
6. Duties of National Convention Alternates:
 - a. Attend scheduled sessions of the national convention to serve as alternates to seated delegates as required.
 - b. Fulfill responsibilities as required due to absence of delegate(s).
7. Financial Policy for National Convention:
 - a. Financial distribution of funds for activities at National Convention is determined by the Department Finance Committee.

- b. All National Convention Delegates will be allowed the budgeted amount. Payment allowed to each delegate shall be determined by the Department Finance Committee and approved by the Department Executive Committee.
- c. All delegates will attend their assigned meetings and be seated on the Convention floor for the entirety of the Convention unless excused by the Chairman of the delegation. Payments will be disbursed after attending National Convention.
- d. Any delegate who fails to attend a required event, may have a reduction applied to their approved delegate budgeted financial allowance.
- e. If an alternate is required to attend a National Convention event due to failure of a delegate to attend, the Finance Committee may appropriate a portion of that delegate's budgeted financial allowance to the alternate.
- f. National Convention delegate/alternate registration fees shall be received to the ALA Department of Kansas by the assigned due date, or the delegate/alternate will forfeit their delegate/alternate rights to attend National Convention as a member of the Kansas delegation.

VII. Duties of Chairmen & Committees

1. The Department Chairmen shall add to the Committee Notebook, any helpful information collected during the year, and bring the notebook to the Department Convention to be given to the new Chairman. The Department President shall designate a person at Department Convention who shall oversee the Committee Notebooks as they are checked in from one administrative year and checked out by the persons responsible for the next administrative year.
2. Each Department Chairman will present program content at Department Fall Conference. The Chairman shall make two (2) folders containing the Plan, a Unit report, and a District report. These folders are for the Department Office Director and Department Webmaster. Each District Chairman is responsible to provide a hard copy of the Plan and Report Forms to the District's Units with the option to download the information from the Department website.
3. At Department Executive Committee meetings, Chairmen of Department Committees, who are not members of the Department Executive Committee, shall have the privilege to make motions on behalf of the committee they chair.
4. All Department Chairmen required to submit American Legion Auxiliary National Mid-Year and End of Year reports will email or mail a copy of the report to the Department President and to the Department of Kansas office.
5. The Advisory Committee shall consist of three (3) members whose responsibility shall be to mentor, support and advise the officers. At least one (1) member of the committee must be a Past Department President.
6. The Americanism Committee shall consist of three (3) members. The Chairman and the committee shall cooperate with other organizations of a kindred nature in the community and shall establish relations with the civic societies seeking to promote Americanism, Patriotism, and Loyalty to home and government. The second member shall be responsible for promoting the Americanism Essay Contest. The third member will be the Oratorical Contest Liaison.
7. The Auxiliary Emergency Fund committee shall consist of three (3) members. The Chairman of the Auxiliary Emergency Fund and the committee members shall promote donations from the Units for the American Legion Auxiliary Emergency Fund at National and the Kansas Disaster Fund which stays in the state.
 Upon receipt of a Kansas American Legion Auxiliary Emergency Fund application (Kansas Disaster Fund) for assistance, the three (3) member Kansas AEF Committee will review the application within seven (7) working days. The committee, with approval of the Department President and Department Finance Chairman, will allow up to a maximum amount of five hundred (\$500.00) per assistance application based on need. Funds allowed will be paid to the provider of needed services, not the applicant.
8. The Cavalcade of Memories Committee shall consist of one (1) member whose responsibility shall be to locate, display and preserve important memorabilia related to the American Legion Auxiliary, Department of Kansas.

9. The Children and Youth Committee shall consist of three (3) members. The Chairman and the committee shall cooperate with The American Legion in the Children and Youth program, and contribute to the care, welfare, and happiness of families of all veterans. The second member will be the Cadet Law Liaison. The third member shall be the liaison to the Child Welfare Foundation.
10. The Community Service Chairman and the committee shall promote activities in the Units for the promotion of the principles of our organization and the improvement of all conditions of the community. This shall be a three (3) member committee, each serving one (1) year. One member shall be the chairman, the second member named from the Bowling Association, which consists of American Legion Auxiliary members, who participate in an American Legion Auxiliary Bowling Tournament. The third member shall serve as the Eisenhower Pilgrimage Liaison. The Community Service Chairman will oversee all activities of the committee. The Chairman will give an annual attendance and financial report of the bowling tournament and community activities at Department Convention. The report will include all income and disbursements of monies.
11. The Constitution & Bylaws Committee shall consist of three (3) members. The Constitution & Bylaws Committee shall inform and educate the members on the importance and power of properly written, reviewed, and updated documents, policies, and procedures at all levels.

The Constitution and Bylaws committee will be charged with oversight and consistent review, maintenance, and revision of all policies, manuals, and handbooks annually. They shall work collaboratively with other committees where necessary. All changes are subject to the approval of the Department Executive Committee or other approval entity as authorized in the Bylaws.
12. The Education Committee shall consist of three (3) members. The Education Committee shall award scholarships, except the scholarship under jurisdiction of the Past Presidents Parley.

The Department, under the direction of the Education Committee, shall offer eight (8) two-year scholarships to be used in the schools of Kansas. Each scholarship shall be \$500.00 payable in two (2) payments, provided the scholarship recipient(s) have achieved the requirements for the award.

Scholarships shall be awarded to children, grandchildren, great-grandchildren, spouse, or un-married widows/widowers of veterans.
13. The Finance Committee shall consist of three (3) members. The Department Finance Committee shall oversee the general financial policy of the Department organization subject to the approval of the Department Executive Committee. It shall meet when the Department Executive Committee is called or at the call of the Department President. It shall be charged with the preparation of the yearly budget, shall supervise the expenditure of funds under the budget, including supervision of the expenditure of funds pertaining to the Headquarters Building fund. The Department shall pay monthly our share (one-third) of the expenses for maintaining the Headquarters Building. Payment shall be made on the presentation of an itemized statement.
14. The Junior Activities committee shall consist of two (2) members and promote the activities of the Juniors as outlined in the Junior Handbook. A Department Junior Meeting will be held annually the second weekend in March. Each District will send twenty-five dollars (\$25.00) annually to Department Headquarters for financial support of the meeting. An annual financial report shall be presented at Department Convention.
15. The Leadership Committee shall consist of two (2) members. The Chairman shall develop activities for training present and future leaders.
16. The Legislative Chairman shall cooperate with The American Legion in securing legislation beneficial to the veterans, their families, and the community at large.
17. The Membership Committee shall consist of a chairman, vice chairman and one representative from each District who shall be recommended by the District President, subject to ratification by the Department Executive Committee. The purpose of the Membership 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.

The chairman along with the committee, shall be responsible to investigate, answer, and manage the department membership activities not related to ALAMIS, to include but not limited to inquiries, issues, and discrepancies at the unit, district, and department level.

18. The National Security Chairman is to maintain and promote a strong National Defense by providing the necessary means to strengthen our military families and prepare for response to natural and man-made disasters.
19. The Past Presidents Parley Chairman shall promote the Licensed Practical Nurse Scholarship project as well as other activities the group may choose.
20. The Poppy Committee shall consist of three (3) members. The Poppy Chairman shall oversee the production of poppies. The Chairman will be in charge of inventory, supplies, and the shipping of Poppy orders. The Poppy Chairman will send information for the Poppy Workers Payroll to Department Headquarters by the 15th and the 30th of each month. The Committee Members will help with the bi-monthly pick-up of made poppies and other tasks assigned to them for the success of the Poppy Program.

Poppy Rules:

- a) All poppy orders and payment shall be sent to Department Headquarters. All Units must pay for poppies when they are ordered. The expected poppy delivery date will be given upon receipt of poppy order and payment.
 - b) The poppy books shall be kept in Department Headquarters.
 - c) Poppy materials shall be ordered through Department Headquarters.
 - d) All Units shall remit to Department Headquarters fifty percent (50%) of the net profits of their poppy donations for Department Veterans and Rehabilitation and Children and Youth Funds.
 - e) The fifty percent (50%) retained by the Unit shall be used for Unit Veterans and Rehabilitation and Children and Youth Funds.
 - f) Poppies made by the Poppy workers will be received from the workers by a member of the Poppy Committee bimonthly. Poppies received from a Poppy Worker the 27th to the 12th of the following month will be submitted for payment the 15th of the month. Poppies received from a Poppy Worker the 13th to the 26th of the month will be submitted for payment the 30th of each month. Checks for the Poppy Workers will be mailed within ten (10) days following the date of the submitted payment. All Poppy Workers are required to have a W-4 on file in the Department Headquarters.
21. The Public Relations Committee shall consist of three (3) members. The Department Public Relations Chairman and the committee are to place the program of the American Legion Auxiliary and the achievements of the organization before the public. The second member shall help with the Department newsletter. The third member shall create a Department President's scrap book.
 22. The Risk & Compliance Committee shall be a four (4) person committee comprised of a chairman, two (2) members and the Department Secretary / Treasurer.

The Risk & Compliance Committee responsibilities are to:

1. Review the integrity of financial statements and financial disclosures;
 2. Along with the Department Secretary / Treasurer, ensure compliance with legal and regulatory requirements;
 3. Engage the independent auditor and review and approve the financial audit and IRS Form 990;
 4. Oversee the organization's internal controls and risk-management procedures;
 5. Meet periodically with management and auditors to gain an understanding of the potential significant risks and exposures facing the organization; and propose needed internal controls to reduce risks.
23. The Strategic Planning Committee shall consist of 3 members. The Department Strategic Planning Committee will be responsible for documenting and establishing a roadmap for long-term goals and an action plan to achieve them.

24. ALA Sunflower Girls State shall be a five (5) member continuing committee. The President shall appoint one three (3) year member and two (2) one-year members. The Chairman will serve as Director of ALA Sunflower Girls State. The Secretary/Treasurer will be appointed by the Director of ALA Sunflower Girls State with the approval of the Board of Directors of ALA Sunflower Girls State.
 - a) The Director/Chairman of ALA Sunflower Girls State shall have served at least one (1) year as Assistant Director preceding the appointment to the office of Director/Chairman.
 - b) The Assistant Director of ALA Sunflower Girls State shall have served at least two (2) years on the ALA Sunflower Girls State Executive Board as an appointed member and shall have served as counselor or assistant counselor at ALA Sunflower Girls State preceding the appointment to the office of Assistant Director.
 - c) A Liaison shall be appointed to act as a communication agent between the Department of Kansas and ALA Sunflower Girls State
25. The Technology Committee shall consist of three (3) members. The Department Technology Committee will be responsible for oversight and management of the Department website, electronic archiving of meetings and other duties as related to technology.
26. The Department Veterans Affairs and Rehabilitation Committee shall consist of three (3) members. The Chairman shall, with the assistance of the committee, carry out the Department program in Rehabilitation among the veterans and their families.
 - a) The Department President shall appoint a VA Representative and two (2) Deputies at each Veteran's facility in Kansas.
 - b) Each VA&R representative will submit a quarterly financial statement to Department Headquarters accompanied by bank statements for that period.
 - c) There shall be two (2) names listed on each VA&R facility's checking account along with the required signature of the Office Director or Finance Director.
 - d) All VA&R bank accounts must use the Department's EIN and the account name of American Legion Auxiliary Department of Kansas with the facility's name.
 - e) Each VA facility shall retain a balance of \$3,000. All amounts over that shall be sent to Department to be earmarked for that VA facility in the Rehabilitation account. Funds will be sent upon request.
 - f) VA Representatives will keep an accounting of all monies donated directly to them. A financial statement will be made quarterly to the Finance Director to be forwarded to the Department Executive Board and the Department Finance Committee. Upon request from the VA Representative, donated funds for functions will be paid by the Finance Director.
 - g) The American Legion Auxiliary, Department of Kansas person on the account or Office Director will have access to online bank statements for each of the five VA/Kansas Veterans Home facilities American Legion Auxiliary bank accounts. Direct deposits of Department funds from the American Legion Auxiliary, Department Rehabilitation VA / Kansas Veterans home accounts will be used instead of paper checks.

VIII. Finance

1. The Office Director shall be allowed to use funds from the miscellaneous funds, in the General Fund, for entertainment of visitors.
2. Rules of the Finance Committee:
 - a) Department Convention, Forum and Conference Registration Fees:
 - 1) A registration fee of fifteen (\$15) dollars shall be paid by each delegate, alternate, and visitor attending the Department Convention and by each person attending the Forums and Conferences. A registration fee of five (\$5.00) dollars shall be paid by each Junior member attending the Department Convention, Forums or Conferences.
 - 2) Registration fees for Distinguished Guests (National President or their Representative and Central Division Vice President) shall be paid by the Department.
 - 3) All fees shall go to the Department to defray Conference and Convention expenses. (2004)

b) Conference and Convention Tax:

A tax for Conference and Convention expenses shall be levied upon each Unit, based on the previous year's membership as of close of books on June 30th, according to the following classification:

- 10 to 50 members, inclusive \$2
- 51 to 100 members, inclusive \$4
- 101-150 members, inclusive \$6
- 151-200 members, inclusive \$8
- 201 members, or more \$10

c) A per capita tax of twenty cents (\$.20) per member shall be levied upon each Unit, based on the previous year's membership as of close of books on June 30th.*

d) Rehabilitation Tax: A Rehabilitation tax, of fifteen cents (\$.15) per member based on the previous year's membership as of June 30th.

e) All obligations shall be due upon notification from the Department.

3. The Department of Kansas approved reimbursable rate for mileage will be twenty-five (\$.25) per mile.
4. When a Past Department President passes away, a fresh single red rose will be sent to the service with a ribbon "AMERICAN LEGION AUXILIARY DEPARTMENT OF KANSAS" and a sympathy card stating that a memorial has been given. A memorial of fifty dollars (\$50.00) in the Past Presidents name will be made to the Department Memorial Fund and their name will be placed on a special page. Upon the death of a Past Department President's spouse, a twenty-five dollar (\$25.00) memorial will be made in their name to the Auxiliary Memorial Fund. A twenty-five dollar (\$25.00) memorial upon the death of a Department Officer and the spouse of a Department Officer will be made to the Auxiliary Memorial Fund. When a Department President or Past Department President passes away, the family may request the Department Colors to be used at their funeral. Colors are to be shipped at Department expense. Upon being notified by the Office Director of the death, the Department President will contact the family. The Department President will instruct the Secretary concerning the flags, rose, etc.
5. The Department Convention Book of Reports may be ordered through the Department Office. Order and payment must be received by August 1.
6. The Finance committee shall budget funds for the Department President or Department Vice President or Department representative to attend all District Conventions. The District President will appoint a Distinguished Guest Chairperson from the District to accompany the Department President and the Department Vice President.
7. The Department President will be allowed funds budgeted by the Finance Committee to attend Washington Days Conference. If the Department President is unable to attend, the National Executive Committee person will attend and receive the allowed budgeted funds.
8. The amount of \$250 shall be available annually to each participating V.A. and/or Veterans Homes for Arts and Craft Programs upon request of the VA representative for the facility.
9. The Department President shall be allowed up to two thousand (\$2000) dollars from the Veterans Affairs and Rehabilitation account to be evenly divided between the five (5) Veterans' facilities in Kansas for providing for the welfare of the Veterans in these five (5) facilities.
10. All Kansas VA Facilities donations sent to the Kansas Department Headquarters will be donated by VA facility location. Funds raised for a VA function or activity shall be donated to the facility's function.
11. The Incoming Department President, Incoming Department Vice President and Department Secretary/Treasurer shall be allowed up to the budgeted amount of funds to attend the Leadership Workshop if expenses exceed allocated funds from National.

12. Junior members, in good standing, for the Department of Kansas and their designated chaperon will be allowed funds to attend a National Junior Meeting. These funds will be dispersed under the direction of the Department Finance Committee upon receipt of expenses. Funds allowed will be equal to or less than the budgeted amount for the National Junior Meeting.
13. All matters of finance (including asking members, Units and the public for contributions to any project or fundraisers open to the public) shall be referred to the Department Finance Committee through the Department President, for consideration and recommendation before being presented to the Department Executive Committee or the Convention Assembly for action. All funds generated shall be deposited with the Finance Director in a predetermined fund.
 - a) The District President shall present their President's Project with the funds to be handled through the District Treasurer.
 - b) District fundraisers are to be overseen by the District Finance Committee.
 - c) Unit fundraisers are to be overseen by the Unit Finance Committee.
14. Profits from the annual Auxiliary Golf Tournament (if held) shall be disbursed in the following manner:
 - ¼ disbursed to areas chosen by the Department President.
 - ¼ disbursed into the Department Veteran & Rehabilitation Fund.
 - ¼ disbursed to the five (5) VA hospitals and Veterans' homes in Kansas.
 - ¼ disbursed to a special Veteran project predetermined by the Department Executive Committee for that year. Submissions for consideration must be submitted by members or Units to the Department Secretary prior to the annual Department Fall Conference.
15. Financial Reports:
 - a) All Districts, along with the Bowling, Community Service functions, and Junior Programs shall submit an annual financial report to Department Headquarters.
 - b) Each of the five (5) VA&R representatives shall submit a financial statement quarterly with bank statements.
 - c) ALA Sunflower Girls State shall submit monthly financial reports due to incorporation as a subsidiary organization. These reports shall be submitted to the Department on or before the 20th of the month following the close of the reporting period.
 - d) All committees and programs of the American Legion Auxiliary, Department of Kansas shall have the Office Director and/or Finance Director as an additional signer to all accounts. Those being American Legion Auxiliary Juniors, Bowling, Golf, ALA Sunflower Girls State and all five (5) VA&R accounts. (2021)
16. The Department shall purchase liability insurance for the Corporation Board of Directors.
17. PUFL money, on-line membership, and any overage paid by Units will be returned to the Unit when the balance, after all monetary obligation to the Department are subtracted, exceeds \$100.00. PUFL money, on-line membership and any overage paid by Units will be returned to the Unit when the balance after all monetary obligation to the Department are subtracted at the close of the Department fiscal year if the balance exceeds one National/Department membership fee.
18. All American Legion Auxiliary Department Chairmen, Department Officers and Department representatives of The American Legion Programs are allowed three (3) American Legion Auxiliary citations without charge to award at the Department Convention, with the exception of the following: Poppy Chairman and Americanism Chairman. These Chairmen will be allowed the same number of citations as entered Divisions for their Programs.
19. Vouchers with receipts or proof of event are to be submitted for reimbursement from the American Legion Auxiliary, Department of Kansas. These must be presented to the Finance Director no later than forty-five (45) days following the event for which reimbursement is being submitted.
20. American Legion Auxiliary, Department of Kansas members who have completed their term as American Legion Auxiliary, Department of Kansas President and presided over an American Legion Auxiliary, Department of Kansas Department Convention shall be entitled to receive an American Legion Auxiliary Past Department President's pin at the expense of the Department of Kansas.

21. When using travel expense for reimbursement from the Department, mileage will be paid at a rate of \$.25 per mile, not gas receipts.

IX. Dues and Assessments

Section 1. The Department per capita dues shall be ten (\$10.00) per annum for Senior members, and one dollar and twenty-five cents (\$1.25) per annum for Junior members.*

Section 2. As provided in the Department Bylaws, modification to the Department per capita dues for Senior and Junior members shall require a two-thirds vote in the affirmative by the Department Convention delegates.

Section 3. Dues shall be payable annually for the succeeding calendar year or may be paid for life via a Paid Up for Life (PUFL) membership.

X. Amendments

Section 1. Standing Rules that do not require action by the convention body, may be adopted at a Department Executive Committee Meeting or a Department Convention by a majority vote.

Amendment Notes:

Constitution, Bylaws, Standing Rules: Department Convention: May 19, 2019

Standing Rules: Fall Conference, September 20, 2019

Standing Rules: Post Convention DEC: May 19, 2019

Standing Rules: Mid-Winter DEC: February 1, 2020

Standing Rules: Special DEC Meeting: June 13, 2020

Standing Rules: Pre-Convention DEC: May 14, 2021

Constitution, Bylaws, Standing Rules: Department Convention: May 16, 2021

Standing Rules, Fall Conference, September 18, 2021

Standing Rules, Referendum, March 8, 2022

Constitution, Bylaws, Standing Rules: Department Convention: June 5, 2022

Standing Rules and Policies, Special DEC Meeting: August 7, 2022

Standing Rules and Policies, Fall Conference DEC Meeting, September 16, 2022

Standing Rules, Special DEC Meeting: February 21, 2023

Standing Rules, Pre-Convention DEC Meeting, June 2, 2023

Constitution, Bylaws, Standing Rules: Department Convention: June 4, 2023

Bylaws: ALA National Convention, August 29, 2023

Standing Rules, Mid-Winter DEC Meeting, February 3, 2024

Standing Rules, Pre-Convention DEC Meeting, May 31, 2024

Constitution, Bylaws, Standing Rules: Department Convention: June 1, 2024

Policies

of the

American Legion Auxiliary, Department of Kansas

American Legion Auxiliary DEPARTMENT POLICY Audit Policy

Adopted By: Department Executive Committee (KS)	Adopted Date: September 17, 2021
Approving Body: Department Executive Committee (KS)	
Reviewing Body: Risk and Compliance	Next Review Date: Spring 2023

Policy Statement

1. The American Legion Auxiliary, Department of Kansas shall conduct an internal audit each year with a financial audit review by an outside accounting firm.
2. Districts and Units shall conduct an internal audit at the end of their fiscal year.
3. All subsidiaries, VAs, Districts, bowling committee, and any other Department committees raising or containing monies related to the American Legion Auxiliary, Department of Kansas, shall submit these listed items each year to the Department of Kansas by July 15 for the internal audit:
 - a. Copy of the approved budget for the fiscal year.
 - b. Copies of meeting minutes for the fiscal year.
 - c. Journals, ledgers, or other transaction logs for the fiscal year.
 - d. Copies of bank statements including:
 - i. Check images
 - ii. Cancelled check images
 - iii. Deposit slip images (if not included as a part of the bank statements)
 - e. Copies of supporting documents for the fiscal year (July 1 to June 30 in most cases) including:
 - i. Receipts
 - ii. Paid Bills
 - iii. Vouchers
 - iv. Invoices
 - v. Reimbursements
 - f. Copy of the bond for the fiscal year.
 - g. Account signature page for all bank accounts
 - h. Copy of the IRS most current 990 form with receipt confirmation.

Do not send originals; send copies as all submitted documents will not be returned.

Date Revised	Description of Revision	Approved by

**American Legion Auxiliary
Department of Kansas
DEPARTMENT POLICY
Complaints Handling Policy**

Adopted By: Department Executive Committee (Kansas)	Adopted Date: June 3, 2022
Approving Body: Department Executive Committee (Kansas)	
Reviewing Body: Risk and Compliance Committee	Next Review Date: 2024

Policy Statement

It is the policy of the American Legion Auxiliary (ALA), Department of Kansas, to provide a procedure to outline a process for the confidential handling and investigation of complaints against department officers, past department presidents and department committee chairmen and committee members.

Policy Definitions

Confidentiality: In this context, confidentiality shall mean the state of keeping or being kept secret or private; The ethical principle or legal right that a board member will hold secret all information relating to complainant and accused as it relates to the specific complaint.

Policy

1. Complaints shall be confidentially submitted in writing via email or U.S. Mail to the President of the ALA, Department of Kansas who will form a special investigative committee, subject to the approval of the American Legion Auxiliary, Department of Kansas Executive Committee, comprised of members who are neutral and will demonstrate confidentiality in their investigative work.
 - a. If the complaint levied is against the Department President, the complaint must be submitted in writing to the Department Secretary/Treasurer who will forward to the Kansas Risk and Compliance Committee for investigation.
 - b. Confirmation and acknowledgment of complaint must be sent confidentially via email or U.S. Mail to complainant within 48 hours (2 business days) of receipt of complaint.
 - c. A Department Executive Committee meeting for the purpose of ratification of selected investigative committee members must occur within fifteen (15) business days of receipt of complaint.
2. All complaints must contain the following information:
 - a. Complete name, address, contact information of person submitting the complaint
 - b. Outline of alleged incident including location, time, date, and witnesses
 - c. Any evidence related to the complaint (photos, documents, etc.)
3. A complaint levied will be considered in the following context:
 - a. Does the action injure the good name of the organization?
 - b. Does the action disturb the organization’s well-being?
 - c. Does the action hamper the ALA, Department of Kansas in its work?

Examples of Complaints:

Example 1: Assaulting another member physically or verbally

Example 2: Repeatedly violating rules in the governing documents

Example 3: Violating confidentiality of Department Executive Committee (Executive Session)

4. Upon completion of the investigation, the committee will report to the ALA, Department of Kansas Executive Committee, their recommendations for outcomes.
 - a. If the recommendation from the committee is no action, a signed report indicating this recommendation will be confidentially retained at the Department office. The complainant will be notified of the findings.
 - b. If the recommendation from the committee is to take further action and prefer charges, the ALA, Department of Kansas will follow rules as adopted by the American Legion Auxiliary, Department of Kansas, Department Executive Committee for process and to be heard in such a manner as the Department Executive Committee shall prescribe.
5. All complaints will be handled confidentially by committees responsible for investigation and those persons who are authorized to handle the complaint.
6. Any discussions related to complaints that require Board review will occur only in Department Executive Committee Executive Session.

Date Revised	Description of Revision	Approved by
6/2/23	Reviewing Body update, added Section 1b and 1c	DEC

**American Legion Auxiliary
DEPARTMENT POLICY
Confidentiality Policy**

Adopted By: Department Executive Committee (KS)	Adopted Date: September 17, 2021
Approving Body: Department Executive Committee (KS)	
Reviewing Body: Risk and Compliance	Next Review Date: Spring 2024

Policy Statement

Definitions:

Employee: in this context, Employee is defined as any individual who receives compensation, either full or part time, from the ALA. The term also includes any consultant or independent contractor who provides services dealing with legal, sensitive business and personnel of the American Legion Auxiliary, Department of Kansas.

Volunteers: In this context, Volunteers are defined as Department of Kansas officers, Department board members, Department Committee Chairmen, and committee members providing non-compensated services to the ALA.

In the course of their duties, employees and volunteers will have access to information that, if disclosed, could harm the organization, its business relationships, or an individual.

1. Employees and volunteers with the American Legion Auxiliary shall maintain the confidentiality of any information concerning legal, sensitive business, and personnel matters.
2. Employees and volunteers shall not disclose information about donors and donation, without express permission, nor disclose information concerning personnel, sensitive matters and legal matters that may directly or inadvertently become known to the Department officers, Department Board members, committee members, volunteers, and staff.
3. Employees and volunteers shall exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information.
4. Before an employee or volunteer can assume the responsibilities of their position, they shall be required to sign the ALA Confidentiality Agreement annually.
5. All Department Executive Committee Board members, elected officers, appointed members and hired employees must sign and submit the confidentiality agreement annually within 30 days following appointment, election, or hiring. Failure to comply will result in:
 - a. Department Executive Committee Board Members: Suspension from the Department Executive Committee
 - b. Appointed Positions: Relinquishment of position.
 - c. Employee: Immediate Termination of Employment

This policy is not intended to prevent disclosure when disclosure is required by law or a court of law.

Date Revised	Description of Revision	Approved by

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**American Legion Auxiliary
DEPARTMENT POLICY
Electronic Communications, Internet and Social Media Policy**

Adopted By: Department Executive Committee (KS)	Adopted Date: September 17, 2021
Approving Body: Department Executive Committee (KS)	
Reviewing Body: Finance and Risk and Compliance	Next Review Date: Spring 2023

Policy Statement

Permission

- In accordance with the provisions contained within this policy, an entity chartered by the ALA already has permission to use the name, emblem, and trademarks of the American Legion Auxiliary and may use the name, emblem, and trademarks to establish a presence on the Internet, in social media and other electronic communications, including but not limited to websites, Internet-based tools, accounts, Facebook pages and groups, Twitter accounts and mobile device applications.

Administrative Rights

- All Department level, District level, Unit level and Department and Unit subsidiary Internet-based accounts, social media accounts, websites, and electronic blogs that utilize the name and/or trademarks of the American Legion Auxiliary are advised to have more than one ALA entity representative with administrative rights and/or login information.
- All Internet-based accounts, social media accounts, websites, and electronic blogs that utilize the name and/or trademarks of the American Legion Auxiliary must obey the Terms of Service of any social media platform employed.
- Any entity that shares a website and other electronic media with their American Legion counterparts is advised to establish policies regarding permissions and shared administrative rights.

Content

- Websites, electronic communications, Internet-based accounts, electronic blogs, and social media accounts must clearly, accurately, and completely identify the ALA entity represented, e.g. American Legion Auxiliary, Department of Kansas, District ____ or Unit ____, or subsidiary or program.
- Information posted or conveyed electronically via Internet-based accounts must be relevant to the ALA entity and its programs and must safeguard the integrity of the ALA and the privacy of individuals in keeping with all applicable federal, state, and local laws and regulations.
- Content considered relevant under this policy includes proper and suitable postings about members, ALA meetings, ALA mission-related programming events and fundraising activities, and events or fundraisers that benefit the American Legion Auxiliary.
- Any content construed as bullying or slander of any individual or entity will not be tolerated and could result in disciplinary action.
- Content communicated via Internet-based accounts, social media, websites and electronic blogs cannot divulge private information about an individual, including a person's contact information or medical information. Posting private information about others can be a criminal offense.
- Any ALA representative or individual communicating about ALA-related matters via Internet-based accounts, social media, websites, and electronic blogs must respect and abide by all relevant laws, including copyright and defamations laws. An ALA entity representative or individual is personally responsible for any content so published, regardless of whether or not the message was posted under the intention of anonymity.
- Any ALA entity representative or individual communicating about ALA-related matters via Internet-based accounts, social media, websites, and electronic blogs is responsible for understanding that, once published, content is immediately public and considered permanently available to others; an entity representative or individual may be held responsible for any consequences thereof.
- ALA Internet-based accounts, websites, electronic communications, blogs, and social media cannot be used to convey information in support of political parties, political candidates, or sectarian viewpoints; the American Legion Auxiliary is a non-partisan and non-sectarian organization.
- Administrators of ALA websites, electronic communications, internet-based accounts, blogs and social media accounts are forbidden from using ALA accounts to promote personal project, goals, or interests outside of ALA programs and business.

Monitoring

- The American Legion Auxiliary, Department of Kansas, will follow the American Legion Auxiliary Branding Guide appropriate protocols for establishing American Legion Auxiliary social media and Web presence in keeping with applicable laws, government regulations, and industry best practices.
- The American Legion Auxiliary, Department of Kansas, will reasonably monitor electronic communications that represent the ALA for threatening, or dangerous content, or bullying or slander and the electronic media account administrator reserves the authority to remove postings that violate laws, regulations, or ALA policy.
- The American Legion Auxiliary, Department of Kansas, will maintain appropriate records of utilization in accordance with applicable laws, government regulations and industry best practices.

Sanctions

- Any electronic, Internet-based, website or social media presence using the name, emblem, or trademarks of the American Legion Auxiliary that fails to comply with this policy is prohibited. Any cost for enforcement of laws or judgments relative to this policy shall be sought from the offending entity or individual representative.

Guidelines

- The American Legion Auxiliary, Department of Kansas, will follow the published guidelines within the American Legion Auxiliary Branding Guide that include appropriate protocols regarding establishing and conducting American Legion Auxiliary social media and Web presence in keeping with applicable laws, government regulations and industry best practices.
- ALA electronic media guidelines will address appropriate participation in electronic communications, social media, and Internet representation of the American Legion Auxiliary both personally as well as when one is acting in an official capacity on behalf of the ALA.
- Guidelines will reflect and promote the importance of the ALA’s role and opportunities in social media and Internet communities for conveying the organization’s identity – a community of volunteers serving Veterans, military, and their families at home and abroad.
- Guidelines will reflect the importance of ALA members and entities joining in conversations that take place online about the American Legion Auxiliary, and that entities and members have an ethical responsibility to ensure such online conversations accurately represent the ALA and share the positive spirit of the ALA and American Legion Auxiliary Family brand so that the American Legion Auxiliary can fulfill its mission for future generations.
- The American Legion Auxiliary Branding Guide includes details regarding usage of the American Legion Auxiliary emblem, name and trademarks, and written design elements reflecting the same. The ALA Branding Guide is available at the national ALA website www.ALAforVeterans.org to download.

Addendum

With an ever-increasing move from traditional media to electronic platforms, many organizations and individuals are turning to social media for word-of-mouth communications and marketing because of its ease of use and instantaneous results. Because of the tremendous growth in Internet-based communication media, countless conversations take place online daily about the American Legion Auxiliary (ALA). We want to encourage our organization’s members and entities to join those conversations, accurately representing our organization and sharing the positive spirit of our brand so that the American Legion Auxiliary is here to fulfill our mission for future generations.

This electronic media policy is intended to guide your participation in electronic communications, social media and Internet representation of the American Legion Auxiliary, both personally as well as when you are acting in an official capacity on behalf of the ALA. The purpose of the policy is simply to protect the organization as well as the individuals who are using electronic media to increase awareness about the value of the ALA.

To grow and strengthen our entire organization, the ALA needs to take advantage of the fact that more people are communicating via websites and social media, and we want the ALA’s electronic presence to be fun and up to the highest standards. It is important we develop and maintain a cohesive, true and proper American Legion Auxiliary image. This policy is about caring for our brand and our reputation; it is for everyone’s protection – individual members as well as the organization.

Date Revised	Description of Revision	Approved by

**American Legion Auxiliary
Department of Kansas
DEPARTMENT POLICY
Electronic Correspondence and Delivery / Mailing Policy**

Adopted By: Department Executive Committee (Kansas)	Adopted Date:
Approving Body: Department Executive Committee (Kansas)	
Reviewing Body: Department Executive Committee (Kansas)	Next Review Date: 2024

Policy Statement

It is the policy of the American Legion Auxiliary (ALA), Department of Kansas, to provide information related to the requirements and protocol for outbound communication (U.S. postal mailings, electronic correspondence and delivery) originating from the Department Office.

Policy Definitions

In this context, mailings shall mean any outbound communication from the Department Office to include electronic correspondence and delivery and/or U.S. mailing requirements related to department business, unit packets or other associated mailing requirements that fall within the scope of multiple page documents.

Policy Electronic Correspondence and Delivery

1. Electronic Correspondence and Delivery may be used for distribution of documents, if approved and acknowledged by recipient.
2. Electronic Correspondence and Delivery documents shall be distributed in .pdf format

Policy Physical Mail

1. Documents shall be copied double sided (front/back) as necessary for packet consistency.
2. Packets less than six sheets of paper shall be mailed in a #10 standard envelope
3. Any member with more than one role, shall receive one packet only
Example: A member who is a Past Department President and current District President (two positions on the Department Executive Committee) shall receive only one packet.
4. Postage fees for outbound mailing shall be exact postage required

Department Convention Packet Mailing

1. There shall be a Department Convention Packet Mailing checklist that will be utilized to assure all necessary communications for mailings related to Department Convention are contained within a single outbound parcel.

Date Revised	Description of Revision	Approved by

**American Legion Auxiliary
DEPARTMENT POLICY
Emblem Usage Policy**

Adopted By: Department Executive Committee (KS)	Adopted Date:
Approving Body: Department Executive Committee (KS)	
Reviewing Body: Finance and Risk and Compliance	Next Review Date: Spring 2023

Policy Statement

The possession of this emblem in this format does not constitute permission to reproduce it. Permission to reproduce the emblems of The American Legion, the American Legion Auxiliary, and the Sons of The American legion is confined to those activities listed below.

“The American Legion emblem is fully copyrighted and patented in the name of the National organization. The emblem is also protected by federal legislation which makes it a criminal offense to use, without formal approval of the National organization, the patented insignia of any Veterans’ group chartered by Congress, one of which is The American Legion.”

The above restrictions apply equally to the emblems of The American Legion, American Legion Auxiliary, and the Sons of The American Legion.

The use of the emblem by an individual Auxiliary member is limited to the wearing of the official insignia and to the possession of authorized jewelry and of merchandise bearing the insignia. Units are confined to using the emblem or reproduction of the emblem on stationary, Unit publications, notices, posters, or place cards or matters of similar character used in the ordinary routine and conduct of legitimate Unit business. The use of the emblem by Departments, Districts, and Units in each instance is subject to the approval of the National Secretary, provided that:

- 1) any requests for such use of the emblem by Units and Districts shall first be subject to Department approval before submission to the National Secretary, and
- 2) any other such use by the Department, when approved by the National Secretary, shall be confined within the territorial limits of the Department.

Date Revised	Description of Revision	Approved by

**American Legion Auxiliary
DEPARTMENT POLICY
Employee**

Adopted By: Department Executive Committee (KS)	Adopted Date: June 3, 2022
Approving Body: Department Executive Committee (Kansas)	
Reviewing Body: Risk and Compliance	Next Review Date: Spring 2023

EQUAL OPPORTUNITY

The policy of the American Legion Auxiliary, Department of Kansas is to provide equal employment opportunities to all qualified applicants without regard to race, color, religion, sexual orientation, age, pregnancy or gender, national origin, veteran status, or non-job-related limitations. This policy relates to all phases of employment, placement, upgrading, demotion, transfers, layoffs, recalls, and termination; rates of pay or other forms of compensation and selection for training.

DIVERSITY & INCLUSION

The American Legion Auxiliary, Department of Kansas, is committed to foster, cultivate, and preserve a culture of diversity, inclusion, and respect as a part of our day-to-day environment.

EMPLOYMENT AT WILL STATE

The American Legion Auxiliary, Department of Kansas supports the State of Kansas employees at will employment, which means that employees have the right to terminate their employment at any time, for any reason with or without notice. The Department of Kansas Executive Committee reserves the right to terminate employment of any employee at any time, following appropriate and legal means of termination with documentation.

EMPLOYMENT VERIFICATION

Any person considered for employment must fill out, submit to and pass a background check at the expense of the American Legion Auxiliary Department of Kansas. All employees of the American Legion Auxiliary, Department of Kansas, must be bonded at the expense of the organization. Each employee shall sign a Confidentiality Agreement. Each employee must complete a W-4 and I-9, before assuming position responsibilities. Each employee shall sign the American Legion Auxiliary, Department of Kansas employee certification form attesting to receiving the American Legion Auxiliary, Department of Kansas employee handbook and the American Legion Auxiliary Department of Kansas Constitution and Bylaws and Standing Rules.

Date Revised	Description of Revision	Approved by

**American Legion Auxiliary
DEPARTMENT POLICY
Financial Policy**

Adopted By: Department Executive Committee (KS)	Adopted Date: May 14, 2021
Approving Body: Department Executive Committee (KS)	
Reviewing Body: Finance and Risk and Compliance	Next Review Date: Spring 2023

Policy Statement

1. The American Legion Auxiliary, Department of Kansas shall have two separate checking accounts: one for the General Funds and one for the Veterans Affairs and Rehabilitation (VA&R) Funds. The Department shall have an investment account in addition to the checking accounts.
 - a. The General Fund receipts shall be from membership, donations, reimbursements and awards, fundraisers, and other non-VA&R monies. Disbursement shall fall into these categories: budgeted items and payroll.
 - b. The Veterans Affairs and Rehabilitation Fund receipts shall be from poppy orders and proceeds, donations to Kansas VA facilities, Rehab assessments and other Veteran related donations. Disbursements shall fall into poppy kits, poppy workers and other related poppy expenses, VA facilities activities/needs and other budgeted items.
 - c. The Investment Account receipts shall be from scholarship monies, the Kansas Disaster Fund (KDF) monies, the building fund monies, undesignated memorial donations, and monies from cashed in CDs. The interest earned must proportionally be reinvested in the Investment Account.
2. The approved signatures on both (General Funds and VA&R Funds) checking accounts shall be the Office Director, Finance Director, Department President, Department Vice-President, and the Department Finance Chairman. An additional name may be added at the request of the Department President upon the approval of the Department Executive Committee. Two (2) signatures, as described in the Department of Kansas Constitution & Bylaws and Standing Rules are required on each check.
3. The approved signatures on the Investment Account shall be the Department President, the Department Vice-President, Department Finance Chairman, and the Finance Director. The Office Director will be part of the fund transfer operations as defined in the Investment Policy.
4. The Office Director and/or Finance Director shall be an approved signatory on all subsidiary accounts, VA accounts, bowling account and any other committee account raising or containing monies related to the Department of Kansas.
5. All subsidiaries shall submit a monthly financial report to the Finance Director. The Finance Director will forward the subsidiaries monthly financial reports to the American Legion Auxiliary, Department of Kansas Finance Committee and the American Legion Auxiliary, Department of Kansas Executive Committee.
6. All VA accounts, bowling account and any other committee account raising or containing money related to the Department of Kansas will send in quarterly financial reports to the Finance Director. The Finance Director will then send them to the Department Finance Committee and the Department Executive Committee.
7. All Districts and Units shall have their own EINs registered with the IRS. District Presidents need to ensure the filing of their District 990.
8. All entities having a third-party audit must, in good faith, follow the recommendations of the audit.

Date Revised	Description of Revision	Approved by

**American Legion Auxiliary
DEPARTMENT POLICY
Investment Funds Policy**

Adopted By: Department Executive Committee (KS)	Adopted Date: May 14, 2021
Approving Body: Department Executive Committee (KS)	
Reviewing Body: Finance and Risk and Compliance	Next Review Date: Spring 2023

Policy Statement

The Investment Funds are held in one investment account but are managed through the Department office as subaccounts based on donations for specific funds.

Donations made during the fiscal year of the American Legion Auxiliary, Department of Kansas will be deposited in the American Legion Auxiliary, Department of Kansas General Fund and yearly (between June 20 and June 30 will be transferred to the Investment Account.

Names on Account(s) will be:

- American Legion Auxiliary, Department of Kansas President
- American Legion Auxiliary, Department of Kansas Vice President
- American Legion Auxiliary, Department of Kansas Finance Chairman
- American Legion Auxiliary, Department of Kansas Finance Director

Management Information

- Each year, following election of Department Officers, a mailed letter, on American Legion Auxiliary, Department of Kansas letterhead will be sent to the Investment Broker with the personal names and contact information of the American Legion Auxiliary, Department of Kansas President; the American Legion Auxiliary, Department of Kansas Vice President; the American Legion Auxiliary, Department of Kansas Finance Chairman; the American Legion Auxiliary, Department of Kansas Finance Director and the American Legion Auxiliary, Department of Kansas Office Director along with the Account number of the Investment Account.
- A verbal contact will be made by the former general contact to the Investment Broker introducing the current general contact person.
- Any changes in the American Legion Auxiliary, Department of Kansas General Account banking information will be forwarded to the Investment Broker per the Investment Broker's instructions.

Scholarship Funds (Restricted)

The purpose of the Scholarship fund is to maximize funds available to be awarded to students who are eligible for the American Legion Auxiliary, Department of Kansas scholarships. Funds are transferred to the General Fund on an as needed basis to fund the awarded scholarships, provided that the General Fund – Scholarship Funds do not meet the needed amount.

The Judy Nielson Scholarship Fund is intertwined in the Scholarship Fund. The Judy Nielson Scholarship Funds are designated for students who almost are awarded a Kansas Scholarship but were not chosen for the Scholarship. The Scholarship is for \$250.00 for each semester that the student fulfills the requirements up to two semesters.

The PPP – Past President Parley Scholarship (also known as the Nursing Scholarship) is not part of the Scholarship Fund and the PPP Scholarship Funds remain in the General Account to be used at the direction of the Past Presidents Parley Committee.

Procedure for the transfer of funds from Investment Funds to the American Legion Auxiliary, Department of Kansas General Fund for approved Scholarship Applications:

- A written request for transfer of funds, not allowed by approved budgeted amounts, will be submitted to the American Legion Auxiliary, Department of Kansas Office Director and the American Legion Auxiliary, Department of Kansas Finance Chairman for written approval of the American Legion Auxiliary, Department of Kansas President; the American Legion Auxiliary, Department of Kansas Vice President; the American Legion Auxiliary, Department of Kansas Finance Chairman; and the American Legion Auxiliary Finance Director.
- These funds, not to exceed \$500.00 yearly for each fund, when approved will be transferred from the Investment Account by a verbal contact made by the American Legion Auxiliary, Department of Kansas Office Director and the American Legion Auxiliary, Department of Kansas Finance Chairman to the Investment Broker to release funds to the American Legion Auxiliary, Department of Kansas General Account.

Building Fund (Restricted)

The purpose of the Building Fund is to maximize funds to be used for the upkeep and repairs of The American Legion and American Legion Auxiliary Headquarters Building, Department of Kansas, that are not funded in the operational upkeep from the General Fund. Donations made to the Memorial Fund and to the General Building Fund are transferred yearly to the Investment Building Fund.

Procedure for the transfer of funds from Investment Funds to the American Legion Auxiliary, Department of Kansas General Fund for Building Funds:

1. A written request for transfer of funds, not allowed by approved budgeted amounts, will be submitted to the American Legion Auxiliary, Department of Kansas Office Director and the American Legion Auxiliary, Department of Kansas Finance Chairman for written approval of the American Legion Auxiliary, Department of Kansas President; the American Legion Auxiliary, Department of Kansas Vice President; the American Legion Auxiliary, Department of Kansas Finance Chairman; and the American Legion Auxiliary Finance Director.
2. These funds, not to exceed \$2,500.00 yearly, when approved will be transferred from the Investment Account by a verbal contact made by the American Legion Auxiliary, Department of Kansas Office Director and the American Legion Auxiliary, Department of Kansas Finance Chairman to the Investment Broker to release funds to the American Legion Auxiliary, Department of Kansas General Account.

Kansas Disaster Fund/Kansas AEF Fund (Restricted)

The purpose of the Kansas Disaster Fund is to maximize funds available awarded to American Legion Auxiliary members of the Department of Kansas who met the requirements of the Kansas Disaster Fund application and are awarded funds. Donations made to the Kansas Disaster Fund or Kansas AEF are transferred yearly from the General Fund to the Investment Kansas Disaster Fund.

Procedure for the transfer of funds from Investment Funds to the American Legion Auxiliary, Department of Kansas General Fund for approved Kansas Disaster Fund Applications:

1. A written request for transfer of funds, not allowed by approved budgeted amounts, will be submitted to the American Legion Auxiliary, Department of Kansas Office Director and the American Legion Auxiliary, Department of Kansas Finance Chairman for written approval of the American Legion Auxiliary, Department of Kansas President; the American Legion Auxiliary, Department of Kansas Vice President, the American Legion Auxiliary, Department of Kansas Finance Chairman, and the American Legion Auxiliary Finance Director.
2. These funds, not to exceed \$500.00 yearly for each fund, when approved will be transferred from the Investment Account by a verbal contact made by the American Legion Auxiliary, Department of Kansas Office Director and the American Legion Auxiliary, Department of Kansas Finance Chairman to the Investment Broker to release funds to the American Legion Auxiliary, Department of Kansas General Account.

Date Revised	Description of Revision	Approved by

**American Legion Auxiliary
DEPARTMENT POLICY
Whistleblower, Fraud and Retaliation Protection Policy**

Adopted By: Department Executive Committee	Adopted Date: June 5, 2022
Approving Body: Convention Delegates	
Reviewing Body: Risk and Compliance	Next Review Date: Spring 2023

Policy Statement

It is the national policy of the American Legion Auxiliary (ALA), Department of Kansas, to provide a culture and process that encourages, receives, retains and resolves complaints arising from “whistleblower” communications concerning any questionable accounting or auditing matters, potential fraud or illegal or irregular activities suspected or committed by members of the governing corporation or executive board, Department officers, Department chairmen, members of a committee with governing board delegated powers, volunteers and staff.

Policy Definitions

Fraud is defined as a willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical or illegal means. Fraudulent acts covered under this policy include, but are not limited to:

- Forgery or illicit alteration of documents (checks, promissory notes, time sheets, expense reports, independent contractor agreements, purchase orders, budgets, etc.)
- Misrepresentation of information on documents.
- Misappropriations of funds, inventory, securities, supplies, or any other asset.
- Theft, disappearance, or destruction of any asset.
- Improprieties in the handling or reporting of money or financial transactions.
- Issuing false or misleading financial statements, tax returns or other forms of financial information whether for internal or external use.
- Authorizing or receiving payments for goods not received or services not performed.
- Authorizing or receiving payment for hours not worked.
- Any apparent violation of Federal, State, or Local laws related to dishonest activities or fraud.

Employee: In this context, Employee is defined as any individual who receives compensation, either full or part time, from the ALA. The term also includes any consultant or independent contractor who provides services to the ALA through a contractual arrangement with the ALA.

Management: In this context, Management is defined as any officer, administrator, manager, director, supervisor, or other individual who manages or supervises employees, funds, or other resources.

Volunteers: Volunteer: In this context, Volunteers are defined as Department officers, Department board members, Department Committee Members and any Unit member of the Department of Kansas, American Legion Auxiliary involved in a concern, complaint and/or investigation addressed by the Department of Kansas Executive Committee who are providing non-compensated services to the ALA.

Whistleblower: In this context, Whistleblower is defined as one who raises a concern about or reveals suspected misconduct or wrongdoing occurring in the organization to those in positions of authority.

Policies

1. Members of the ALA’s governing board, Department officers, Department chairmen, members of a committee with governing board delegated powers, and Department staff shall follow the ALA Fraud and Whistleblower Procedures and report any suspected fraudulent activity to the Department of Kansas Risk and Compliance Committee.
2. Members of the ALA’s governing board, Department officers, Department chairmen, members of a committee with governing board delegated powers, Department staff shall exercise due care when reporting suspected fraudulent activities.
3. The ALA shall promptly investigate any suspected fraudulent or dishonest activity against the ALA. The ALA Department of Kansas Risk and Compliance Committee shall determine the nature, scope, timing, and extent of all investigative activities.
4. When appropriate, based on a finding of fraud, the ALA Department of Kansas shall take appropriate disciplinary actions and pursue legal remedies available under the law against members of the governing corporation or executive committee, Department officers, Department chairmen, members of a committee with governing board delegated powers, and Department staff including, but not to be limited to, the possibility of termination of employment, restitution, and forwarding information to appropriate authorities for criminal prosecution or other legal remedies.

5. Members of the governing corporation or executive committee, Department officers, Department chairmen, members of a committee with governing board delegated powers, and Department staff shall be protected from retaliatory actions in accordance with federal and Kansas laws.
6. The ALA Department of Kansas Risk and Compliance Committee is empowered to undertake its own investigation or solicit the assistance of its independent auditors, legal counsel or other resources to investigate suspected fraud
7. All ALA assets shall be subject to inspection when reasonable suspicion of fraudulent activity exists that makes such inspection appropriate. The ALA Department of Kansas Risk and Compliance Committee shall have full and unlimited access to all of ALA's contents and possessions including but not limited to furniture and equipment, electronic devices, digital devices, telephonic devices, and all information stored on said devices.
8. There shall be no assumption of privacy during the performance of an investigation of fraud.

Retaliation Protection

1. No Retaliation - It is contrary to the value of the American Legion Auxiliary for anyone to retaliate against an employee, management, or volunteer who in good faith reports a concern or complaint. A member of the Department of Kansas, American Legion Auxiliary who retaliates against any employee, management or volunteer who has reported a concern or complaint in good faith and believed the information to have been accurate is subject to discipline up to and including termination of membership in the organization or termination of employment.
2. Any member of the American Legion Auxiliary who acts maliciously by making known information or reasonably believes to be false with information will not be protected under the Retaliation Policy.

Date Revised	Description of Revision	Approved by