Constitution of The Sons of The American Legion
Detachment Of Virginia

Preamble

Proud possessors of a priceless heritage, we male descendents of Veterans of the Great Wars, associate ourselves together as "Sons of The American Legion" 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 true spirit of Americanism; of our forefathers in the great wars; to inculcate a sense of individual obligation to the Community, State and Nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and goodwill on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy, to consecrate and sanctify our friendship by our devotion to mutual helpfulness; to adopt in letter and spirit all of the great principles for which The American Legion stands; and to assist in carrying on for God and Country.

Article I – Name

Section 1 The name of the organization shall be " The Sons of The American Legion, Detachment of Virginia", hereinafter referred to as the "Detachment".

Article II - Nature

Section 1 The Detachment is established as a subordinate body to The Sons of The American Legion Sub-Committee, which is established by The American Legion Department of Virginia, Inc., the Detachment will be governed by the said committee under the direction of the Department Executive Committee, The American Legion, Department of Virginia, Inc.

Section 2 The Sons of The American Legion, Detachment of Virginia, and all of it's Squadrons, 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 or group seeking public office or preferment.

Section 3 The Sons of The American Legion, Detachment of Virginia, shall be absolutely non- sectarian.

Section 4 Each member shall perform his full duty as a citizen according to his own conscience and understanding, in accordance with the law.

Article III - Organization

Section 1 The local unit of The Sons of The American Legion is the "Squadron". One (1) Post of The American Legion may sponsor not more than one (1) Squadron.

Section 2 The organization of Squadrons and the Detachment of Virginia shall conform with the regulations of The American Legion, Department of Virginia, Inc. and the National Executive Committee of The American Legion, and shall not conflict with the National Constitution and By-laws of The Sons of The American Legion.

Section 3 The Sons of The American Legion Squadron shall be organized under the jurisdiction and sponsorship of a local Post of The American Legion and shall bear the name of the sponsoring Post as follows; "The Sons of The American Legion" _____(_name of Post_)_____Post, Squadron #_____; Department of Virginia.

Section 4 The Sons of The American legion; Detachment of Virginia, shall have jurisdiction over the Squadrons within the Detachment's geographical area, subject to the limitations as may be prescribed by The American Legion, Department of Virginia. Inc.

Section 5 The Sons of The American Legion, Detachment of Virginia, shall be governed by such rules and regulations as may be prescribed by The Sons of The American Legion Sub- Committee, The American Legion, Department of Virginia, Inc., under the direction of the Department Executive Committee of The American Legion, Department of Virginia, Inc. Any such rules and regulations shall not conflict with rules and regulations as prescribed by The National Executive Committee.

Article IV - Eligibility

Section 1 All male descendents, adopted sons and stepsons of members of The American Legion and such male descendents of Veterans who died in service during WWI, WWII, Korean War, Vietnam , Lebanon, Grenada, Panama, The Persian Gulf War and the War on Terrorism, during the delimiting periods set forth in Article IV, Section 1, of The National Constitution of The American Legion, or who has died subsequent to their "Honorable" discharge from service, shall be eligible for membership in The Sons of The American Legion.
There shall be no other forms or class of membership except an "Active" membership.

No " associate" membership

Section 2 There shall be no form or class of membership except an "active" membership and dues are to be paid annually. There shall be neither 'associate' or 'honorary' membership nor any other designation for anyone who does not meet the eligibility requirements of The Sons of The American Legion.

Dual membership of Squadrons is forbidden

Section 3 No one may be a member at anytime of more than one (1) Squadron. Should it become apparent that such dual membership exist, the offending Son shall be notified immediately and be required to select the Squadron that he wishes to remain.

Squadron is the judge of qualifications

Section 4 Each Squadron shall be the judge of the qualification of its members, provided such members are eligible for membership in The Sons of The American Legion, and each Squadron may set forth other reasonable and lawful standards of qualifications for membership as it may determine.
The sponsoring Post shall have "oversight" of the membership of its Squadron.

Section 5 No Son, who has been expelled by a Squadron, shall be admitted to membership in any other Squadron, with out the consent of the expelling Squadron, except where such consent has been asked for and denied by the expelling Squadron,

he may then appeal to the Detachment Executive Committee to be admitted to the membership in another Squadron, and shall be ineligible for membership until such permission is granted.

Transfers

Section 6 Transfers of membership from one Squadron to another in this Detachment shall be upon application of the members to, and acceptance by the new Squadron. No dues shall be transferred and a member transferring shall be entitled to voting membership including the holding of office in the Squadron to which he transfers. For the purpose of calculating membership standings, a transferee shall be credited to the Squadron to which he has paid his dues for the current membership year.

Article V – Legislative Body

Section 1 The Legislative body of The Sons of The American Legion, Detachment of Virginia, shall be the Detachment Convention, to be held annually, the time and place to be set forth by The Sons of The American Legion, Detachment of Virginia Executive Committee, and approved by The Sons of The American Legion Sub-Committee, the American legion, Department of Virginia, Inc.
All acts of the Detachment Convention are subject to the ratification by The Sons of The American Legion Sub-Committee, The American Legion, Department of Virginia.

Section 2 The Sons of The American Legion, Detachment of Virginia, shall issue a call to Detachment Convention not less than Forty-five (45) days prior to the opening day of the Convention.

Section 3 At The Sons of The American Legion, Detachment of Virginia, Convention, each Squadron in good standing with at least ten (10) active members shall be entitled to one(1) delegate and one (1) addional delegate for each additional twenty-five(25) members in good standing whose current dues have been received by the Department Treasurer, The American Legion, Department of Virginia, Inc., fifteen (15) days prior to the convening of the Detachment Convention. For each authorized delegate each Squadron is authorized one (1) delegate.

Section 4 Each duly registered delegate shall be entitled to one (1) vote. The vote of any registered delegate absent and not represented by an alternate shall be cast by

the majority of the registered delegates present from his Squadron.
Alternates for registered delegates shall have all the privileges of registered delegates except that of voting.
A “Registered Delegate” is one who has received his credentials and has paid such registration fee as may be required.

Section 5 The Sons of The American Legion, Detachment of Virginia Executive Committee shall provide a Uniform Code of procedure for the orderly organization and operation of the Detachment Convention and continuing power of revision. The Code shall be applicable to all Detachment Convention unless it is amended, suspended or repealed by a two thirds (2/3) vote of the registered delegates at a Detachment Convention.
The Detachment Executive Committee, Detachment of Virginia, may established in the Code a registration fee to be paid by delegates to a Detachment Convention and may determine the amount of said fee, all of which is subject to approval of The Sons of The American Legion Sub-Committee, The American Legion, Department of Virginia, Inc.

Section 6 The presence of six (6) Squadrons at a Detachment meeting shall constitute a Quorum.

Section 7 The Sons of The American Legion, Detachment of Virginia, shall send notice via Electronic mail or regular United States mail to each Squadron and to all members of The Detachment Executive Committee for any Detachment meeting not less than thirty (30) days prior to convening of said meeting.

Section 8 The Detachment Executive Committee may conduct “Official” business of the Detachment in the form of a tele-conference, provided that Roll Call and minutes of the call be sent out to all Squadrons the same as we do for any Detachment meeting.

Article VI – Detachment Officers

Section 1 The Detachment Convention shall elect a Detachment Commander, three (3) Detachment Vice-Commanders for the term of one year. The National Executive Committeeman and the Alternate National Executive Committeeman shall be elected for a term of two (2) years, and any such other officers as may be

created by The Detachment Convention for such terms as appointed by the Detachment Convention

Section 2 The Officers listed in section 1 to be elected by The Detachment Convention shall be nominated and elected for office in the following order and sequence for the term of office described in Section1:

1) 1 National Executive Committeeman 2 years
2) 1 Alternate National Executive Committeeman 2 years
3) 3 Detachment Vice- Commanders 1 year
4) 1 Detachment Commander 1 year

Section 2a Appointed officers shall be appointed by the Detachment Commander for a one (1) year term to include the following:

1) Finance Officer
2) Sergeant – At- Arms
3) Chaplin
4) Judge Advocate
5) Historian

Section 3 The Detachment Executive Committee may require every Squadron to file the name and number of the delegates and alternates to the Detachment Convention at least fifteen (15) days prior to the convening of the Convention in order to receive a Convention package and at the same time pay the registration fee, the amount of which shall be decided annually by the Detachment Executive Committee, and approved by The Sons of The American Legion Sub- Committee, The American Legion, Department of Virginia, Inc. for each and every delegate; in the case of an alternate talking the place of a delegate; such alternate is required to pay the usual registration fee, until such registration fees of the Delegates have been paid the Delegation is disqualified to act for any purpose, and no individual delegate will be allowed to vote.

Section 4 The Detachment Adjutant and an appropriate number of Assistant Adjutants shall be appointed for a term of one (1) year by the Detachment Commander.

Such appointment must be ratified by The Sons of The American Legion Sub – Committee, and The American Legion, Department of Virginia, Inc. before the appointed Adjutant and Assistant Adjutants assume the duties of said office.

Vacancies:

Section 5 In the event of death, resignation or removal from office of the Detachment Commander, a Detachment Commander shall be appointed by The Sons of The American Legion Sub-Committee, by a majority vote, and shall be one of the current Detachment Vice Commanders.
In the event of death, resignation or removal from office, of any officers other than the Detachment Commander, the office shall be filled by a majority vote of the Detachment Executive Committee. The vacancy thus created on the Detachment Executive Committee will be filled by a majority vote of The Detachment Executive Committee from the general membership. An alternate method of selecting the replacement officer by the DEC. and such selection to be ratified by The Sons of The American Legion Sub-Committee.

Section 5a In the event of death, resignation or removal from office of the National Executive Committeeman, the Alternate National Executive Committeeman shall immediately assume the position of National Executive Committeeman with full power to act for the unexpired term as if elected at a prior Detachment Convention. An election shall be held at the next regular meeting of The Detachment Executive Committee to fill the remaining term of the Alternate National Executive Committeeman who thus succeeds to the office of National Executive Committeeman.

Section 5B Any vacancies occurring for any reason among the appointed Detachment Officers shall be filled by the Detachment Commander until a successor has been elected or appointed at a regular or special meeting of the Detachment Executive Committee.

Article VII Detachment Executive Committee

Section 1 The Detachment Executive Committee shall consist of all elected Detachment Officers. In addition, all Past Detachment Commanders and Past National Commanders Commanders and appointed officers will serve as permanent members of the Detachment Executive Committee.
The Detachment Executive Committee shall meet at least once a quarter, the place and time to be determined by The Detachment Commander and confirmed by The Sons of The American Legion Sub-Committee, The American Legion, Department of Virginia, Inc.
Voting privileges will be extended to the current Detachment Commander, Detachment Vice-Commanders, immediate Junior Past Commander, and all appointed Detachment Officers with all others being Ex-Officio without vote.

Section 2 All past Detachment Commanders and such honorary officers as may from time to time be so designated by a Detachment Convention, while in good standing, as a member of a Squadron in this Detachment shall be a member for life of the Detachment Executive Committee with out vote.

Article VIII Squadron Organization

Section 1 Those who desire to form a Squadron of The Sons of The American Legion shall make application for a charter to the Post Commander of the local Post of The American Legion in the area in which they reside.
Upon approval by the Post Commander and the Post Executive Committee, the application shall be forwarded to the Department Commander, The American Legion, Department of Virginia, Inc., and upon his approval it shall be forwarded to the National Headquarters of The American Legion where the charter may be issued by the National Commander and the National Adjutant of The American Legion in the same manner as prescribed for the issuance of Charters for Post of The American Legion.

Section 2 The minimum membership for the formation of a Squadron of the Sons of The American Legion shall be ten (10).

Section 3 There shall be no more than one (1) Squadron of The Sons of The American Legion for each Post of The American Legion. Squadrons may be organized into sections based upon age.

Section 4 The Squadron Officers of The Sons of The American Legion shall consist of a Squadron Commander, Squadron Vice-Commander or Vice Commanders,

Adjutant, Finance Officer, Chaplin, SGT-AT-Arms, Historian, and such other officers as may be required.

Section 5 Officers of the Squadron shall be elected annually, and the date of such elections should conform, if possible with the election of the parent Post . Squadron officers elected shall be subject to the approval of the sponsoring American Legion Post. The Post may delegate this authority to a Post Supervisory Committee or other designated body.

Section 6 Squadron meetings shall be held and conducted in accordance with the by-laws of the organization.

Section 7 All Officers of the Squadron, or others who are trusted with funds shall be required to be bonded with a Corporate Surety for twice (2 times) the annual income of the Squadron, in accordance with The American Legion, Department of Virginia, Inc.
All funds received in any manner by the Squadron shall be deposited in a duly authorized banking institution, and none of such funds shall be withdrawn except for the purposes of Squadron Business and upon a draft signed by the Squadron Finance Officer and/ or the Treasure of the sponsoring American Legion post.

Section 8 Each Squadron shall have a Constitution and By-Laws to govern its affairs and shall submit a copy to the Detachment Executive Committee for approval and any time the Squadron Constitution and By-Laws are amended those changes are to be submitted to the Detachment Executive Committee.

Article IX District Organization

Section 1 The geographic division of District organization in the Detachment of Virginia shall be the same as The American Legion, Department of Virginia and shall total seventeen (17) districts. Each District shall will be made up of the exact “Post” that the American Legion recognizes to make up that District.

Section 2 In the formation of a District level, there shall be an election of a Commander and Vice Commander, and any other officers that the District deems as needed.

Appointed by the Commander is an Adjutant.
Any Committee Chairman or members appointed by the District Commander are appointed “annually” for the duration of his term and perform such duties and exercise such powers as directed by the District Commander.
The District election should take place no later than thirty (30) prior to Detachment Convention. All District Officers serve for a period of one (1) year.

Section 3 The District Commander duties shall be to preside over all his respective “Sons” District meetings, and shall maintain communication between the Detachment Executive Committee and the District, and he shall act in any advisory or other official capacities as may be required from time to time by the Squadrons.

Section4 Each District Commander or his Representative shall visit “all” the Squadrons in his District at least once during his term. He shall make a quarterly report of such visits and submit these reports to the Detachment Commander/ Detachment Adjutant.
The District Commander shall see that each Squadron is notified, at least thirty (30) days, in writing or electronically, of any District meeting.

Section 5 The District Commander may be called upon by the Detachment Commander at any meeting of the Detachment Executive Committee, to give a report on the condition of his District and the Squadrons located herein.

Section 6 In the case that the District Commander is absent or is unable to attend a district function, or Detachment Executive meeting a District Vice-Commander may be designated to represent him.

Section 7 The District Vice-Commander shall in the event of death, resignation, inability or refusal to act by a District Commander, shall serve the remainder of the Commanders term.
The District Adjutant shall notify the Detachment Adjutant with in thirty (30) days of such vacancy and the name of the new Commander.

Article X Finance

Section 1 The revenue of The Sons of The American Legion shall be derived from annual membership dues and such other sources as may be approved by the Sons of

The American Legion Sub-Committee, The Department Executive Committee, The American Legion, Department of Virginia, Inc.

Section 2 The amount of annual detachment dues for the following year shall be determined at the Annual Detachment Convention and shall be payable October 20th of each year for the succeeding year. Such funds shall be transmitted to the Officer charged with the custody of funds for The American Legion, Department of Virginia, Inc. and shall be held and accounted for separately from other funds of The American Legion, Department of Virginia, Inc.

Section 3 The amount of annual dues of each Squadron shall be determined by the Squadron.

Section 4 The annual National and detachment dues shall be collected by each Squadron and transmitted to Department Headquarters, The American legion, Department of Virginia, Inc.

Section 5 Detachment expenditures shall be dispersed by an authorized agent of The American Legion, Department of Virginia, Inc. with the concurrence of the Sons of The American legion Sub-Committee Chairperson or his authorized agent.

Section 6 The power of the Finance Officer shall be vested with the Detachment Finance Committee with the authority to transfer funds from time to time with-in the budget, and with the right to reduce the budget if, at any time during the fiscal year the income receipts fall short of estimated income.
Upon recommendation of The Detachment Finance Committee with the approval of The Detachment Executive committee, the budget may be increased during the fiscal year, should the anticipated income warrant such increase.

Article XI Discipline

Section 1 The Executive Committee of The Sons of The American legion, Detachment of Virginia, may suspend, cancel or revoke the Charter of any Squadron of The Sons of The American Legion over which it has jurisdiction in the event it violates the provisions of the National Constitution of The Sons of The American Legion or The Detachment of Virginia Constitution of The Sons of The American legion; Subject to the approval of the Department Executive Committee, The American Legion, Department of Virginia, Inc.

Section 2 Upon cancellation or revocation of the charter of any Squadron of Detachment of Virginia, the property and assets belonging to such Squadron shall thereupon become the property of The American Legion Post sponsoring such Squadron.

Section 3 Any Detachment Officer of The Sons of The American legion, Executive Committeeman, National Executive Committeeman, or Alternate National Executive Committeeman can be removed from office for "cause" by The Sons of The American Legion Sub-Committee by a majority vote of those present. The code established by The American Legion, Department of Virginia, Inc. shall govern The Sons of The American Legion, Detachment of Virginia.

Article XII Amendments

Section 1 The Constitution can only be changed or revised at the Detachment Convention providing each active Squadron has been given thirty (30) days notice prior to the Detachment Convention of the proposed changes.
All changes subject to ratification by the Sons Sub-Committee, The Department Executive Committee, The American Legion, Department of Virginia, Inc..

Section 2 The Constitution can only be amended at Detachment Convention by an affirmative vote of two-thirds (2/3) of the registered Delegates present.
All changes subject to ratification by The Sons Sub-Committee, The Department Executive Committee, The American Legion, Department of Virginia, Inc.

Articles XIII Committees

Section 1 Veterans Affairs and Rehabilitation, Americanism, Legislative, Public Relations, Children and Youth, Membership, Community Service CWF, CMN. Scholarship, Homeland Security, Nominating, Finance and Constitution and Bylaws.

Article XIV Document Dates

Section 1 These Constitution and By-Laws have been amended and approved at the Detachment Convention, July 12, 2003.

Section 2 These Constitution and By-Laws have been amended and approved at the Detachment Convention, in Roanoke, Va. July 2015.

Section 3 These Constitution and By-Laws have been approved at The American Legion, Department of Virginia Executive Meeting, March 12, 2016, Virginia Beach…