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Vietnam Veterans of America
CHAPTER 20
Rochester, NY Inc.

Financial Policies and Procedures

Contents:

1. Accounting Methods and General Information
2. Chapter Accounting Policies and Procedures
 - A. Cash Receipts Voucher
 - B. Check Request Form
 - C. Chart of Accounts
3. Chapter Travel Policies and Procedures
 - A. Travel Expense Voucher
 - B. Travel Request Form
4. Chapter Financial Record Retention
5. The Annual Financial Report
6. Charitable Contributions and the IRS
7. Raffles/Lotteries and the U.S. Mail

Accrual Method – revenue is recorded in the period in which it is earned and expenses are recorded in the period they are incurred. The effect of events on the organization is recognized as services rendered or consumed, rather than when cash is received or paid. This basis is in conformity with Generally Accepted Accounting Principles (GAAP).

Cash Method – revenue is recorded when received in cash and disbursements are recorded when a payment is made.

Points to consider when utilizing either method:

- Easy to implement, use, and maintain
- Treasurer understands the information, sources, and uses of cash
- The organization's Board understands the information contained in the financial statements, and can reach decisions based upon the financial information
- As of 2005 the Chapter is using the cash method

CHART OF ACCOUNTS

The chart of accounts classifies revenues and expenses into categories for:

- The establishment of an audit trail
- The ease of converting the financial information for internal and external reporting requirements

FINANCIAL STATEMENTS

Balance Sheet – reflects the financial position of an organization at a given point in time

The Accounting Equation: $ASSETS = LIABILITIES + FUND\ BALANCE$

Assets are classified into current, fixed, and other long term categories.

Liabilities are the obligations of an organization and are classified as current and long term

Fund Balance is the accumulated earnings of an organization

Statement of Revenues, Support and Expenses and Changes in Fund Balance - reflects the activity revenues and expenditures for a given period, and indicates whether the organization is operating in a surplus or deficit position. The statement should also include a reconciliation of the fund balance.

Statement of Cash Flows – reflects the financing activities of an organization for a given period of time. It identifies the sources and uses of cash, and if the financial statements are presented using the accrual method of accounting, it reconciles your ending cash balance.

LEVEL OF DETAIL IN FINANCIAL STATEMENTS

Board of Directors – the Board all receive detailed financial reports.

Members – the members all receive a condensed version of the financial statements, with the Treasurer's Report stating Total Revenues and Expenses for the period, and cash balances. (Reports available at all general membership meetings of the Chapter).

SECURITY AND AUDITS

Whose job is it – as Officers and Directors of the Chapter, it is the Board's responsibility to safeguard the organization's assets.

How to do it – any reasonable accounting system should be structured to include checks and balances, known as internal controls.

Credit Card Policy

Background

Chapter 20, Vietnam Veterans of America, has authorized, through its Board of Directors, credit cards to be used by Chapter Officers as well as selected staff and members. Card recipients are those personnel whose duties are expected to take them on the road frequently or who are expected to have ready credit available in the performance of their duties and have been approved by the Chapter Board of Directors.

The Standing approved users are

- Chapter Officers
- Chapter Administrative Assistant
- Marching Unit Commander
- Social Committee Chairperson
- NYS Council Representative

All other users will require the Board of Directors approval on an annual basis. The office will work to assist non-cardholders to obtain a card from the office for one time use or to make alternate payments arrangements. Holders of Chapter credit cards have special responsibilities to assure the cards are used for Chapter business only. At no time may a cardholder use a Chapter credit card for non-Chapter business or personal use. Credit cards are to be secured and returned to the VVA office immediately if it use is no longer required. Any lost or stolen card is to be reported to the office immediately.

The Chapter will secure a major credit card (i.e. Visa, Mastercard, Discovery, etc.) and will use this for all charges. Store or retail cards are not to be used unless other payment methods can not be arranged, or the Board of Directors determines that store business credit is most appropriate. The application for a store or retail card must be submitted to the finance committee with justification for its use. The Finance Committee will review the justification and make recommendation to the Board of Directors which has final determination for the approval of the application.

Approved Store card and reason are:

Wegmans	Large volume and tax exempt on file
Staples	Large volume and tax exempt on file
Sams	Large volume and tax exempt on file, other cards not accepted
BJ's	Large volume and tax exempt on file

Credit Card Expense Report

Credit card holders are to fill out the Chapter Expense Reimbursement form along with all receipts for purchases, identifying all purchases and the purpose of each purchase. The Chapter Treasurer will determine a cutoff date that coincides with the receipt of the credit card statements, and all credit card users must have the previous month's credit card usage reported to the office by that date. It is emphasized that there must be receipts attached for all charges and all charges must be identified as to purpose.

Implementation

On a monthly basis, the Chapter Treasurer will receive credit card bills/statements for the previous month. The Administrative Assistant will review the credit card statement against the submitted usage reports, and contact credit card users where discrepancies exist. The credit card bills will be paid in accordance with normal invoice processing to avoid paying "late charges" or "interest".

Submission of the Credit Card Expense Reimbursement Form

The Chapter Treasurer will maintain a record of all cardholders and the signed policy for each cardholder. The Chapter Treasurer will advise the Chapter Board of Directors, on a monthly basis, as to whether or not all cardholders have submitted their credit card expense reimbursement form. Failure to submit a timely report will result in a warning for the first failure; revocation of card privileges for three (3) months for the second failure; and permanent revocation for the third failure.

I have read and understand my responsibilities as a Chapter credit card holder.

Signature

Date

DONATION PHILOSOPHY

Chapter 20's mission is to actively support veterans' issues, veterans' needs and their families. We will also be an active member of our community at-large, demonstrating both civic and social responsibility. Donation requests are being accepted on a quarterly basis: March, June, September and December.

Our donations position will also follow these basic ideals:

We will, as our financial position permits:

1. Support Vietnam Veterans issues and programs, at the Chapter level, by supporting standing and special committees.
2. Support the Veterans Outreach Center and the work they do for veterans and their families.
3. Support organizations with proven track records in programs servicing veterans and the community at-large.
4. Support special projects to help develop civic and social values in our community.

We will take into account when reviewing donations how they will serve the community and how the project/program impacts:

- What is the organization's community record?
- How many people does the organization provide a service to?
- What percentage of those people are veterans?
- How will the project/program impact the community?
- How will our donation impact their ability to supply the service?
- How will the quality of the project/program be enriched?
- What is the organization's community priority?
- Are health and human services provided?
- Are youth programs serviced?
- Are family services provided?

Our donation program will be divided into six parts:

1. Support of the standing and special committees.
2. Support of the Veterans Outreach Center.
3. Support of a standard donation organizational listing.
4. Support of new and emergency requests.
5. Support of a member grant program.
6. Receipt of donation by targeted organization.

The following are brief outlines of each of the six parts:

STANDING AND SPECIAL COMMITTEES

Supporting of the issues that most impacts on our brothers and sisters of the Vietnam era is done at the Chapter level in standing and special committees. We, as a board, need to ensure these issues take priority to all other requests for funding. Our budget process will reflect this fact. That is why they are part of our over-all donation program.

VETERANS OUTREACH CENTER

The VOC is our link in supporting veterans and their families for such needs as treatment of PTSD, etc.. Our role here has been clear from day one and must never be overlooked.

STANDARD ORGANIZATIONAL LISTING

The Board of Directors, over the years, has reviewed and developed a partnership with a number of organizations that service veterans and the community at-large (see following page). This list will change over the years and, depending on our financial position, increase or decrease as needed. It will act as a base for our outside organizational donation program and will be reviewed and updated each fall for approval at the budget meeting.

NEW SPECIAL REQUESTS

New special emergency support needs will be reviewed as they are submitted. The Executive Committee will act as needed to manage these needs. They have the power to approve requests up to \$250.00, send requests to the Board of Directors for approval or recommend that the requests be added to the listing of standard organizations. Any organization requesting in excess of \$250.00 will be sent a form to be filled out and returned for the Board of Directors to review and discuss before a decision is made at the next quarterly Board of Directors meeting.

MEMBER GRANT PROGRAM

This is a program to recognize our members who volunteer their time in other non/not for profit organizations. The grants will be reviewed by the full Board of Directors each fall and, based on their merit and the financial position of the Chapter, be granted.

RECEIPT OF DONATION

Any organization receiving a donation or grant between \$500.00 and \$999.99 must come to a general membership meeting to receive the actual donation and any organization receiving a donation or grant of \$1,000.00 or more must come to the annual dinner to receive the actual donation. Should an organization's need be immediate; a ceremonial check shall be presented at the required meeting.

STANDARD ORGANIZATIONAL LISTING

- Veterans Outreach Center
- Monroe County Special Olympics
- Cub Scout Pack 148
- Boy Scout Troop 148
- Junior Reserve Officer Training Corps at Edison Technical High School
- Ira Jacobson Post
- S.O.F.T. Grant
- Local Diabetes chapter
- Liver Foundation
- Pirate Toy Fund
- Canandaigua V.A.M.C. – Day Treatment Center
- V.A. Batavia Nursing Home

DONATION REQUEST FORM

Organization's Name _____

Organization's Address _____

Director's Name _____ Telephone _____

Amount Requested \$ _____

How many people are annually served by your organization? _____

What percentage of those served are Veterans? _____

Does your organization provide youth programs / services? _____

Does your organization provide family services? _____

Will this donation be targeted to a specific program or project? _____

If so, please explain _____

Requested Donated Amount: \$ _____

Any organization receiving a donation or grant between \$500.00 and \$999.99 **must** come to a general membership meeting to receive the actual donation and any organization receiving a donation or grant of \$1,000.00 or greater **must** come to the Chapter annual dinner to receive the actual donation.

Director's Signature _____

Date _____

Please return this completed form to:

Vietnam Veterans of America
Chapter 20
1199 East Main Street
Rochester, New York 14609-6901

MEMBER GRANT REQUEST PROGRAM

Grants will be reviewed and awarded under the following conditions:

Member Involvement: What is the degree of the member's volunteer involvement? Is the member actively working with the organization and involved in the program / project that the grant request is for?

Organization's Community Record: How many people does the organization provide a service to? What percentage of those served are Veterans?

Project Impact: How will the grant impact the organization's ability to provide service? How many more people can be served? How will the quality of services be impacted?

Funding & Financial: What is the organization's track record? What are the prospects for funding success for the program / project if the grant is only to be a portion of the total need for the program / project? What other financial support does the organization receive?

Community Priority: What is the community priority for the program / project? How will the grant support health or human services? Will the grant support youth services? How will the program / project support Veterans and their families?

Basic Requirements for the Grant Program:

Requester must be a current, active member of Chapter 20.

Member must be active in the organization requesting grant.

Organization must be a non / not-for-profit and have a tax exempt number.

Program / project must demonstrate a community service.

Only one request per member, per year.

Only one request per organization, per year.

Grant range \$250.00 to \$1,000.00 - actual amount to be determined by the Board.

GRANT PROGRAM TIMETABLE

August & September

April - October

November

December

Year Round

Publish program information in Between the Lines

Requests are submitted by Chapter members

Chapter Board of Directors reviews all requests

Grants are awarded on merit using program guidelines

Grant Program forms are available at the Chapter office

MEMBER GRANT REQUEST FORM

(Please type or print clearly)

Member's Name _____

Member's Membership Number _____

Organization's Name _____

Organization's Director's Name _____

Organization's Address _____

Organization's Director's Telephone _____

Describe the length and type of involvement VVA member has had with this organization

Describe the program / project to be funded and give an explanation of its value to the community: _____

Any organization receiving a donation or grant between \$500.00 and \$999.99 **must** come to a general membership meeting to receive the actual donation and any organization receiving a donation or grant of \$1,000.00 or greater **must** come to the Chapter annual dinner to receive the actual donation.

This application accurately reflects my involvement in this organization and how the funds will be used.

VVA Member's Signature _____

This is a non / not-for-profit organization and meets all the requirements of the grant program (attach copy of the tax exempt form).

Director's Signature _____

DONATION REQUEST FORM

Organization's Name _____

Organization's Address _____

Director's Name _____ Telephone _____

How many people are annually served by your organization ? _____

What percentage of those served are Veterans ? _____

Does your organization provide youth programs / services ? _____

Does your organization provide family services ? _____

Will this donation be targeted to a specific program or project ? _____

If so, please explain _____

Requested Amount of Donation: _____

Any organization receiving a donation or grant between \$500.00 and \$999.99 **must** come to a general membership meeting to receive the actual donation and any organization receiving a donation or grant of \$1,000.00 or greater **must** come to the Chapter annual dinner to receive the actual donation.

Director's Signature _____

Date _____

Please return this completed form to:

Vietnam Veterans of America
Chapter 20
1199 East Main Street
Rochester, New York 14609-6901

FUNDRAISING GUIDELINES

Before an event or project intended to raise funds from the public is undertaken by Chapter 20 or any committee or group within the Chapter, an individual will be appointed by the Board of Directors to supervise the project. This person will be responsible for insuring that the event or project is conducted in such a way as to meet with Chapter 20's high standards of integrity and competence.

If the person appointed to supervise a fund raising event or project is not a member of the Board of Directors, a Board member will be appointed as a liaison between the supervising person and the Board. The liaison will be responsible for insuring that the Board and/or Executive Committee are informed of the progress of the event and any difficulties which may adversely reflect on the Chapter.

If a fund raising event or project involves a particular fund which may benefit individuals, neither the person responsible for supervising the fund-raiser, nor the Board member liaison (if one is appointed) shall be on the committee.

If a fund raising event or project directed at the public involves activities subject to government regulations, including, for example, games of chance, the Board will obtain a legal opinion prior to approving the project to insure that all legal requirements are known and will be followed.

AWARDS COMMITTEE

The current Chapter Secretary will be the Chairperson of the Awards Committee. The Awards Committee will have five (5) members, chosen by the current Chapter Secretary. Those members will be the current Chapter Secretary, three (3) past award recipients, and one (1) non-recipient Chapter member.

GUIDELINES FOR VETERANS' SERVICE AWARD

Screening Process: The committee will meet throughout the year to review nominations for potential award recipients and to update nominations for previously considered candidates. A potential candidate must receive three (3) votes from the committee to be active. Candidates are dated by the year of first consideration and he/she must be chosen within three (3) years, or their names will be removed from the candidate list. Candidates must have demonstrated outstanding dedication in improving the condition of Vietnam Veterans and/or the community.

Selection Process: Any member may submit a candidate for consideration. Once each year, prior to the Annual Officers Installation Dinner, ballots will be prepared with all potential candidates listed. The Committee members will vote for a maximum of six (6) candidates from the ballots submitted. A Committee member cannot vote for more than three (3) Full members. The votes will then be tallied and any candidate receiving four (4) votes will be an award recipient.

The awards, of up to three each Full and A.V.V.A members, will be presented at the Annual Officers Installation Dinner, held in the spring.

GUIDELINES FOR COMMUNITY SERVICE AWARD

Screening Process: Shall be the same as above **except** that the award shall be presented to a group, organization, or an individual who has:

- Demonstrated a strong sense of community service
- Favorably recognizes and relates to Vietnam Veterans issues

Direct involvement with Vietnam Veterans of America, Chapter 20, is not required.

Selection Process: Shall be the same as above **except** that only one (1) award will be presented each year, and that only a majority of the Committee is needed to secure the award.

The award will be presented at the Annual Officers Installation Dinner held in the spring.

THE ROGER ROBACH AWARD

Introduction: Roger Robach was a New York State Assemblyman who was also a husband, a father, and a veteran of his country's armed forces. Roger, during his terms as an elected New York State Assemblyman, fought hard and long to see to it that veterans of all eras received their due from New York State. The veterans of Monroe County, and indeed, all of New York State, had no greater proponent than Roger in the State Legislature. This award was created in his memory and to honor all those who follow after him.

General Guidelines:

1. This award should not be given more than annually.
2. The recipient must be agreed upon by majority with quorum vote of the Board of Directors of Chapter 20, Vietnam Veterans of America.
3. This is a significant award and should not be used as a "reward" or considered lightly. The recipient must be easily recognized by all in the Veteran Community as a contributor.
4. Future recipients may be solicited from past honorees, veterans' organizations, community groups, volunteer service organizations, and by any other means that shall clearly identify possible honorees.

Selection Guidelines:

The recipient need not be a veteran.

The recipient must be an individual and not an organization.

The recipient must be a resident of New York State.

The recipient must have spent a minimum of ten (10) years working for the betterment of all veterans in New York State. (e.g. in the state legislature, veterans' counseling, benefits administration, volunteer service at veterans' hospitals)

Biographies will be in the March Board of Directors' package so vote can be made at the meeting.

THE RORI AND DON MURRELL HUMANITARIAN AWARD

Introduction: Rori and Don Murrell were very instrumental with the development of Chapter 20 in its' earlier years as well as the Veterans Outreach Center. Making sure that the chapter was visible in the community forum was Don's forte, working tirelessly on the Between the Lines. Rori was a counselor at the Veterans Outreach Center and the VA Vet Center.

General Guidelines:

1. This award should not be given more than annually.
2. The recipient(s) must be agreed upon by a majority with quorum vote of the Board Directors of Chapter 20, Vietnam Veterans of America, with the final approval reviewed by Rori as long as she survives.
3. This is a significant award and should not be used as a "reward" or considered lightly. The recipient(s) must be easily recognized by all in the Veteran Community as a contributor.
4. Future recipients may be solicited from past honorees, veterans' organizations, community groups, volunteer service organizations, and by any other means that shall clearly identify possible honorees.

Selection Guidelines:

All individuals are to be considered for this award regardless of Chapter or veteran affiliation

The recipient must be an individual(s) (ex. Husband and Wife) and not an organization.

The recipient needs to have demonstrated outstanding humanitarian contributions to veterans and/or our community on behalf of active duty military personnel and/or veterans and their families.

Biographies will be in the March Board of Directors' package so vote can be made at the meeting.

AWARD RECIPIENTS

Roger Robach	Community Service
1994 – Tony Ferrarese	1987 – WHEC 10
1995 – Rori Murrell	1988 – Catholic Family Center
1996 – Patrick Pudetti	1989 – Gannett Newspapers
1997 – Gary Beikirch	1993 – Al Sigl Center
1998 – Wayne Miller	1995 – Wegmans
1999 – Tom Cray	1996 – Frontier Communications
2000 – nobody	1997 – R-News
2001 – Dr. Pete Ziarnowski	1998 – Ron McKay
2002 - Nick DeLeo	2002 – VetNet
2003 – Ken Moore	2003 –
2004 - Jim Kurtz	2004 -
2005 – Chuck Macaluso	2005 – Madeleine Cuciti & Yellow Transportation
2006 -	2006 -
2007 -	2007 -
2008 -	2008 -
2009 -	2009 -
2010 -	2010 -

Don & Rori Murrell Humanitarian Award	
2004 - Capt. Steve McAlpin	
2005 - Jack & Bev Prinzing	

Job Title: Administrative Assistant

Reports To: President

I. Job Duties

- A. Provides telephone and correspondence services
- B. Transcribes correspondence and prepares documents which may contain confidential material.
- C. Maintains up-to-date electronic and/or paper files and records and retrieves information as necessary.
- D. Performs a variety of administrative duties: scheduling of special meetings, general word processing and duplicating, sorting and distributing incoming correspondence, and the handling of routine inquiries from both the membership and the general public.
- E. Distributes correspondence to officers upon request and maintains distribution lists and date stamps all correspondence as received.
- F. Trains temporary personnel when necessary.
- G. Performs special projects as assigned by members of the Executive Committee and/or Board of Directors.
- H. Maintains sufficient amount and accurate accounting of office supplies.
- I. Maintains up-to-date membership listing in conjunction with the Chapter Membership Committee Chairperson.
- J. Be the Managing Editor for Between the Lines: receive submission of routine materials, receive special features from the Features Editor, proofread all submissions, submit all received materials to the Printer and/or layout person, act as liaison between the layout/printer personnel and the Chapter, and proofread the final layout before printing.

II. Required Skills and Activities

- A. High school graduation or the possession of an equivalency diploma.
- B. Knowledge and experience in the use of computer/word processor equipment and standard office equipment.
- C. A pleasant telephone voice and manner.
- D. The ability to interact/get along well with others.
- E. An understanding and practice of confidentiality.
- F. A willingness to accept other duties and responsibilities as requested by members of the Executive Committee and/or the Board of Directors.
- G. Strong written and oral communication skills and the ability to work well with outside organizations.
- H. The use of tact, diplomacy, and good judgment are required in the contacts made with the Chapter's membership, the general public, the Chapter Officers and Directors, etc..
- I. Due to the nature of the organization, the following are essential: self-motivation, independent good judgment in assigning priorities, meeting scheduling demands, adherence to designated timelines, proofreading, good and timely follow-up of work, attention to detail.
- J. In addition to the above, must be willing to attend training and/or utilize training materials as directed by the Board of Directors.

III. Other

- A. The Chapter will maintain a personnel file for the Administrative Assistant, conduct periodic performance reviews, provide oral and written evaluations, and all other such duties as described in Section 1 of this policy manual.
- B. The Chapter will provide as necessary, tuition and per diem expenses for training.

Job Title: Features Editor (for Between the Lines)

Reports To: The Board of Directors

I. Position Description

The Features Editor's basic responsibility is to generate, edit, and deliver materials of a non-routine nature to the Managing Editor. These materials may consist of, but not be limited to, articles written by staff writers and submissions by readers.

The Features Editor should keep informed on what is going on both in the Chapter and in the community and be alert to opportunities for articles that would be of interest to BTL readers. The Features Editor should also encourage others on the BTL staff to do this kind of creative thinking. The Features Editor's primary task is to provide the encouragement and coordination which will enable all interested persons in the Chapter to contribute to the BTL.

II. Specific Duties

A. Generation of Staff Written Articles

1. Recruit a staff of writers, artists, photographers, etc.
2. Arrange for planning meetings of the staff as needed.
3. In consultation with staff writers, develop ideas for individual articles and "theme issues".
4. Make or coordinate assignments and monitor progress.
5. Inform the Managing Editor in advance of any writing projects that may result in unusual length or which must be published in a particular month, and work out any problems.
6. Confer with members of the Board and with the Managing Editor in advance about any writing projects that would involve special expense.

B. Generation of Reader Submissions

1. Encourage the submission of letters, stories, poetry, etc. by readers.
2. Each month, obtain from the Managing Editor any reader submissions that come to the Chapter office.
3. Make decisions as to inclusion of reader submissions, considering appropriateness for the publication, issues of libel, copyright problems, etc. (The Features Editor will recommend to the Board a policy for reader submissions and implement the adopted policy.)

4. Make decisions as to when confirmation of authorship of or facts stated in submissions is advisable.

C. Editing and Submission

1. Edit articles and reader submissions for clarity, length, grammatical errors, etc.
2. Arrange for artwork or photos, if appropriate.
3. Write or arrange for the writing of editorials, where appropriate, to explain articles or tie them together.
4. Deliver edited submissions to the Managing Editor by the deadline. Work out technical matters (such as submitting materials on disc) with the Managing Editor.

D. Publication Design

1. Through the Managing Editor, convey to those responsible for layout, any suggestions on how particular articles or stories might best be presented graphically.

MEETINGS

EXECUTIVE COMMITTEE

Saturday before each Board of Directors' meeting or at the discretion of the Executive Committee.

BOARD OF DIRECTORS

First Monday of each month (unless a legal holiday coincides)

GENERAL MEMBERSHIP

Second Thursday of each month subject to change by the membership

BUDGET SETTING

A separate budget meeting may, if necessary, be established apart from the Board of Directors, Annual, or Monthly General membership meetings. It shall be established so that the time and the agenda are strictly for the budget setting process. The submitting of all budgets must be accomplished thirty (30) days prior to this budget meeting, and shall be given to each Board member for comment.

This meeting will be no greater than four (4) hours and should be held no later than December 31st. All committees should be reminded to itemize the dollar amount of their budget to avoid complications within the Finance Committee.

Following the annual budget meeting, the Board of Directors will present the proposed budget at the next regularly scheduled General Membership meeting. The Treasurer or his/her designee will present the detailed breakdown of the proposed budget for the review and comment of the general membership; however, the general membership shall not be entitled to vote on the adoption of the annual budget. Not later than the February regularly scheduled Board meeting, the Board of Directors shall adopt a succeeding annual budget.

OPERATING GUIDELINES

Contained within this section of the Policy Manual are the Operating Guidelines of the Chapter. They consist of excerpts from the Vietnam Veterans of America Constitution – Article III, and the Chapter provisions – sections 5 and 6. Where appropriate, these excerpts are followed by recommendations adopted by the Chapter Board of Directors.

Board of Directors: Each Director, excluding Officers, shall be active in at least one (1) Chapter committee. The Chapter President shall have the final determination of committee selection for each director.

Executive Committee: Shall be comprised of the President, 1st Vice President, 2nd Vice President, Secretary, and Treasurer. The Executive Committee is empowered with the guidance of Chapter business affairs when the board is not in session. In setting the agenda for Board meetings, the Executive Committee provides guidance to the Board in the ordering of priorities and conduct of business. It shall appoint persons and Ad Hoc Committee(s) to screen proposed activities prior to presentation before the Board, or may act as a screening mechanism itself. Proposed activities, which fall under the scope of a Standing Committee, will be directed to such Committee for screening. The Executive Committee shall have the right to make expenditures of not more than three hundred fifty dollars (\$350.00) in cases where it is expedient and those expenditures must be accounted for at the next Board meeting.

The committee will assure that each sitting and future Director will be provided a copy of The Guidebook for Directors of Nonprofit Corporations for that Director's review. It shall be the responsibility of each director to become familiar with its contents.

President: In addition to the duties outlined in the Constitution, the President or his/her designee shall represent Chapter 20 at the Memorial and Executive Council, and shall represent Chapter 20 at official community functions.

First and Second Vice President Duties:

The First Vice President will assume the Presidency upon the resignation or incapacitation of the President. The Second Vice President will assume the Presidency in the event the First Vice President submits their resignation or cannot or refuses to perform the duties of the President. When the Board of Directors fills the President and Vice President positions and receives the approval of the membership, the Second Vice President returns to their original position.

The First Vice President will be elected every two years along with the three other Executive Committee members. The Second Vice President will be elected for a two-year term in the off year for the Executive Committee.

The First Vice President will meet quarterly with all of the standing committee chairpersons to discuss their activities and financial expenditures. The First Vice President shall be responsible to set the program for each membership meeting. This may be done in conjunction with one or more of the Chapter committees.

The following standing committees will report to the First Vice President: Membership, Public Affairs, Government Affairs, Veterans Affairs, Employment, Training, and Business Opportunities, Minority Affairs, Constitution, Veterans Benefits, Finance, Women Veterans, POW/MIA, Agent Orange, Veterans Incarcerated, Community Services, and Health Care.

The Second Vice President will meet quarterly with the Chapter 20 designated committee chairpersons to discuss their activities and financial expenditures. The following committees will report to the Second Vice President: Marching Unit, Scholarship, Between the Lines, Historian, Speakers Bureau, Social Events and Awards Committee. The Chapter 20 Chaplain will also receive direction from the Second Vice President.

Secretary: In addition to the duties outlined in the Constitution, the Secretary shall also be responsible for sending "Thank You" letters for donations/services donated and for presenting to the Board all incoming correspondence deemed notable.

Treasurer: In addition to the duties outlined in the Constitution, the Treasurer shall review membership payments to National VVA not less than bi-weekly; names, dates, and check number to be returned to the Administrative Assistant not more than two (2) weeks after receipt of each list. This is necessary to maintain proof of payment for each member (see also section 2, Financial Policies, of this manual).

Social Events Committee: Shall promote and coordinate Chapter social functions, and shall assist the 1st Vice President in arranging for Guest Speakers at the General Membership meetings.

Supply Room:

Inside sales – by the Administrative Assistant and the Committee Chairperson.

Outside sales – at General Membership meetings and other events outside of the Chapter office, sales will be conducted by the Chairperson or his/her designee.

Inventory Fundamentals

- All money collected is to be given to the Administrative Assistant for bank deposit.
- The inventory book is to be kept by the Administrative Assistant and every sale entered. The book shall be used to reconcile the monthly inventory.

Between the Lines: is to be published monthly.

Between the Lines keeps the membership informed of events and personalities in the Chapter and its committees, provides information on benefits available to veterans, and discusses issues of concern to veterans locally. The paper attempts to deepen our understanding through articles on Veterans Incarcerated, POW/MIA, Women Veterans, and the adjustment problems faced by Vietnam Veterans and their families. It is also a vehicle through which its staff and others, through poetry, stories, artwork, and photography, can recall their Vietnam experience and reflect on its meaning.

Because its distribution reaches far beyond the membership of Chapter 20, *Between the Lines* can play an important role in stimulating interest in the Chapter among Vietnam Era veterans, and it has the potential to contribute to communication between Vietnam Era Veterans and the general public.

Overall Structure: there will be two editors; a managing Editor and a features Editor. The Managing Editor receives submissions of routine materials (for example, reports from Chapter officers and committee chairs, the Virtual Vet, benefits updates, POW/MIA updates, and advertising) and special features from the Features Editor, and submits these materials to the persons responsible for layout and printing. The Managing Editor position is part of the job of the Chapter Administrative Assistant. The Features Editor is responsible for generating special materials written by a staff of writers and submitted by readers. This is a volunteer position.

Purchasing Guidelines:

All expenditures over \$350.00 have to be approved by the Board of Directors

Full disclosure of the expense is necessary

There must be a minimum of three (3) bids for every purchase over \$350.00.

Any contracts must have approval by the Board of Directors.

Any proposed purchase not included in the Board mailing will not be approved at the meeting it is presented.

Any committee not specifically mentioned in this section shall be governed by the appropriate section within the National Constitution.

FLOWERS AND GIFT BASKETS

Policy for expenditures for flowers, fruit baskets, or donations during illness or death in Chapter 20 member families, not to exceed \$100.00.

ILLNESS

Flowers, fruit baskets, or an item of equivalent value will be sent to a member who is hospitalized or convalescing at home for an extended period of time.

DEATH IN THE FAMILY

Flowers or a donation to an organization of the family's choice for the following (not to exceed \$100.00):

- Death of a member
- Death of spouse or partner of a member
- Death of immediate family member

OTHER

Sympathy and get well cards will be purchased for Chapter 20 to be sent in any situation deemed appropriate.

The responsibility for purchase of the above items will be charged to the Executive Committee, Chaplain, or appointed designee.

MARCHING UNIT

The Marching Unit Commander shall be as a Committee Chairperson and appointed by the Chapter President. The Commander shall recruit new Marching Unit Members, brief them on procedures, and train them as needed; maintain current roster of names and telephone numbers of unit members; compile an annual parade schedule and publicize it through posting, telephone calls, newsletters, etc.; correspond with cities, towns, fire departments, etc. regarding parade arrangements; be responsible for maintenance and security of banner, flags, rifles, and other unit equipment; and lead and supervise the Marching Unit at parades and other functions in which the unit participates. The Marching Unit Commander shall be the official spokesperson to the press at all functions in which the unit participates.

1. You **must** be a member of Vietnam Veterans of America to march with the unit on a continuing basis. The unit marches not only as Vietnam Era Veterans but also as representatives of Chapter 20. The **only exception** is at the Memorial Day Parade when all veterans are welcome. Uniforms and uniform style are optional only at the Memorial Day Parade.
2. The uniform is OD Green fatigues with green canvas sided jungle boots. Head gear is the OD Green "Boonie Hat". The exceptions are berets **earned** such as Navy Seal and Army Special Forces (see Marching Unit Commander for approvals). Web gear is limited to an OD Green pistol belt with optional canteen and/or first aid pack or small ammo style pouch if desired. **No K-bars, bayonets, Bowie knives, entrenching tools, helmets, hand grenades, fanny packs, etc..**
3. A reverse American flag patch with blue field closest to the heart goes on the top right sleeve with the Chapter 20 patch immediately below. A unit patch may be worn on the top left sleeve with the VVA National patch immediately below (or the National VVA patch by itself). Qualification badges and ribbons may also be worn on an honor basis.
4. Marching unit uniforms are to be worn **only** at such functions as deemed fitting and proper by the Marching Unit Commander or the Chapter President.
5. While parades are in progress there is to be no calling to people along the parade route. If someone calls out to you, a smile and a wave in acknowledgement are sufficient. When marching through a judging area and past a reviewing stand, there is to be no talking and eyes straight ahead except when performing an eyes left or right.
6. The Marching Unit Commander is responsible for the preparation of an annual Marching Unit budget. All funds received from parade awards and other sources for the Marching Unit will be deposited in the Chapter's checking account and can be used for expenditures over and above the budget if necessary.
7. The Marching Unit Commander shall ensure that all members are informed as to the rules and uniform requirements of the Marching Unit. The Commander will also ensure that no member is discriminated against by sex, branch of service, or whether "in country vet" or not.

HONOR GUARD POLICY

Purpose: To represent Chapter 20 at all ceremonies or dedications where the colors are to be posted or presented. To provide a proper representation at the funeral of any Vietnam Veterans with full military honors or any other deemed appropriate.

Member Eligibility: Any Individual Chapter member in good standing.

Uniforms: Are the property of Chapter 20 (for the original members).

Donations: Are not required for a member or veteran's funeral, but are accepted and appreciated.

1. The Honor Guard will pay honor and tribute to a deceased Veteran member of the Chapter, an A.V.V.A. member, or any Veteran whose family wishes to have the Chapter Honor Guard pay a final tribute; or any other deemed appropriate. The Marching Unit Commander must be contacted by: the Funeral Director, or a family member in the following order – spouse, child, parent, sibling.
2. The only ceremonies that will not be done exclusively by the Honor Guard are those that take place at the Rochester Vietnam Veterans Memorial in Highland Park. Those ceremonies are open to all Marching Unit members as well as Honor Guard members.
3. Honor Guard members will only partake in the military honors for a funeral (pallbearers, standing guard at the casket, rifle squad, flag presentation to the next of kin).
4. The Marching Unit Commander or assistant will do flag presentation. If neither of them are present, it will be presented by whomever the Commander appoints in his/her absence, in advance.
5. It will be at the discretion of the Commander or Assistant Commander to accept or decline and Honor Guard service request.

HONOR GUARD UNIFORM REQUIREMENTS

Hat: Clean Boonie Hat – clean meaning no pins or anything else on the hat.

Shirt: Clean and ironed. Starched if possible.

The only items allowed on the shirt are as follows:

Left sleeve – Honor Guard patch at top; unit or division patch immediately below followed by the VVA National patch

Right sleeve – American flag at top (blue field closest to heart); Chapter patch immediately below

Left breast pocket – above the pocket will be branch of service strip; above that will be ribbons and badges earned while in military service

Right breast pocket – on the pocket shall be the black and white POW/MIA patch

No other patches or pins of any kind are to be worn on this shirt !

T-shirt: Black only. No neck jewelry is to be worn outside of the t-shirt at any time (dog tags, necklaces, etc.)

Trousers: Clean and pressed and bloused over boot top.

Boots: Polished jungle boots with the green canvas sides.

Belt: Clean, black pistol belt. The kind with a plastic clip. (Clean meaning nothing on the belt)

Name tag: to be worn on the flap of the right breast pocket. Will read as follows:

Your Name
Vietnam Veterans of America
Chapter 20
Honor Guard

Field Jacket: Will only be worn for Honor Guard details and/or if the Commander calls for it to be worn for any other occasion.

The following is what is to be on the jacket only:

Left Sleeve – Honor Guard patch at the top, one finger width down from that will be the National VVA 20 patch.

Right Sleeve – one finger width from the top is the American flag patch. (blue field closest to your heart)

No other patches or pins of any kind are to be worn on the field jacket

LOCATOR REQUEST

Chapter 20 has a policy of confidentiality of members' telephone numbers and this policy will not be compromised for the sake of a Veteran trying to locate a friend. However, the Chapter should make every effort possible to assist others in trying to locate their former friends. The following procedure should be used when requested to locate a Chapter member:

When a caller or visitor requests a Chapter member's telephone number, take the person's name, address, and telephone number and the name of the Chapter member being sought. Explain the Chapter confidentiality policy and that the Chapter will make the contact for the requester.

Call the member being sought. Give them the requester's name, address, and telephone number. And explain that the individual is trying to locate them. If the member cannot be reached by telephone, a postcard will be mailed to them.

In this way the Veteran being sought then has the option of making contact if they wish without their privacy being compromised.

Remember that some individuals, for whatever reason, may elect not to make contact with the requester. Write to the National Veteran or give phone number.

Jerry B. Popen Memorial Scholarship

*Temporarily suspended at the December 2005 board meeting to research the option of turning this scholarship into an endowment at RIT to perpetuate VVA Chapter #20 and Jerry Popen.

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AWARD

The award shall be one thousand (\$1,000) dollars per year for up to four (4) years of uninterrupted undergraduate studies. There shall be a maximum of two (2) awards per year.

Two new awards shall be given each year to a person who is entering an accredited institution. The person receiving the award must be enrolled as a full-time student at the institution.

The maximum payout by Chapter 20 shall be eight thousand (\$8,000) dollars per year as follows:

- \$1,000 each to two Seniors (carry over from previous year)
- \$1,000 each to two Juniors (carry over from previous year)
- \$1,000 each to two Sophomores (carry over from previous year)
- \$1,000 each to two Freshmen (new awards)

Actual payment of the award will be made to students twice each year. The first payment of five hundred (\$500) dollars to be in August and the second payment in January after the student sends the Chapter verification of enrollment for the upcoming term and verification of maintaining a Grade Point Average (GPA) of 2.75 on a 4.0 scale. The only exception to this requirement will be the new Freshmen's first award payment, they only need to submit verification of enrollment in an accredited institution.

ELIGIBILITY

The award will be given to a child, step-child, grandchild, or step-grandchild of a Veteran who served in the United States Military during the period January 1, 1959 through May 7, 1975. Proof of military service must be established at time of application by submission of a DD214 or similar document.

To claim the award for the second and subsequent terms, the person must provide proof of GPA of 2.75 on a 4.0 scale, and verification of enrollment for the following term. Continuous enrollment is required for receiving the award.

PROCEDURES & DETERMINATION OF WINNERS

All participants shall complete an application, write an essay on a topic outlined by the Board of Directors of the Chapter, and submit a Letter of Recommendation from a teacher or employer.

Applications and related material shall be submitted together and will be accepted from October 1 to March 1 of the year in which commencing studies. Example: 10/1/98 to 3/1/99 for an award to be given in 1999.

A Review Board of three (3) members (one Chapter member and two non-members), shall review all essays and Letters of Recommendation and select the winners. The Chairperson of

the Scholarship Committee will solicit non-members for the Review Board from professional and business leaders, local politicians, and from other non-profit organizations. Those selections shall be submitted to the Board of Directors for final review.

The Review Board will review all essays, etc. without benefit of knowing the name of each entrant until the winners have been selected.

FUNDING AND MECHANICS

All Junior and Senior Class Guidance Counselors at high schools in Chapter 20's six county area will be contacted by letter/ in person and requested to make award information available to all Juniors and Seniors under their guidance.

An announcement shall be published in the September and October issues of Between the Lines, that the application time has begun.

The Scholarship Committee shall meet periodically to review the policy and to recommend changes in procedures, award size, etc. to the Board of Directors.

TIMELINE

JANUARY - Semester payment is due to scholarship recipients. Separate check request forms for each student go to the Treasurer after reviewing the transcripts (check for appropriate GPA). Transcripts and check request forms are to be filed in the Chapter office. Arrange a meeting with the Committee and the Review Board so that everyone can get acquainted and become familiar with the procedures. Give a folder to each Review Board member containing a VVA business card, all names and telephone numbers of Committee and Review Board members, a copy of the Scholarship Policy, a scholarship application, and a Chapter membership application.

MARCH - Arrange a meeting with the Committee and the Review Board to review final essays and select a winner. If many applications were mailed in, try to send a few at a time to Review Board members between January and March 1st, so that they can narrow down the finalists. Call the winners. Explain that we will present the award at the annual dinner and give them the date and explain that they will be expected to read their winning essay at the dinner. Put the winning essays and pictures of winners in June or July's Between the Lines. Send copies of Between the Lines with winners' information to the office of the Guidance Counselor of each winning student with a short letter.

APRIL - Send thank you letters to applicants who did not win, acknowledging their participation. Meet with the Community Services Committee chairperson and sign recognition certificates for Review Board members and present them at the annual dinner.

AUGUST - Semester payment to scholarship recipients. Check request forms for each student to Treasurer as in January. Be sure to file information in office.

SEPTEMBER - Notify Chapter office that it is time to print mailing labels for all high schools (approximately 63 in computer) and affix to large envelopes. Print out letters to counselors and seniors (in computer). Call committee meeting, stuff envelopes with each letter, scholarship applications (2 each) and mail.

OCTOBER - Send out "Invitation to Review Board" letters (in computer) to whomever you have chosen to hopefully accept a Review Board position and find a Chapter volunteer as well (2 members from the community and 1 Chapter member).

NOVEMBER - Send annual budget request form to Chapter Board of Directors. Include total award payments of recipients and new upcoming award payment and any supplies you need (folders, food, etc.). Remember that the fiscal year is March through February and payments are payable at the beginning of each student's semester which may vary, plan accordingly. Any change in letters and/or procedures or budget must be copied and presented to the Chapter Board of Directors for final review and entry into the Chapter Policy Manual.

HOLLEDER SCHOLARSHIP FUND AT MONROE COMMUNITY COLLEGE

The Chapter Board of Directors has established an annual award of \$2000.00 to the Donald Holleder Scholarship Fund at Monroe Community College due to the discontinuation of the former Chapter 10K Race.

Date

School Name

Address

Address

Dear Senior Class Guidance Counselor,

The Vietnam Veterans of America, Chapter 20, sponsors an annual Scholarship award of one thousand dollars (\$1,000.00) to each of two (2) students from area high schools.

You will find in the enclosed material, copies of the application and criteria for eligibility for the award. We ask that you please make this information available to all Senior Class members that are planning on furthering their education and are seeking financial aid. We have included a letter to the students and hope that you will circulate it to the Senior Class Homerooms.

If you have any specific questions regarding the application process, the eligibility criteria, or any other facet of the program please contact us in writing or by telephone at:

Vietnam Veterans of America, Chapter 20
1199 East Main Street
Rochester, New York 14609
585-482-7396

A member of our scholarship committee will contact you to answer your questions.

Thank you in advance for your cooperation.

Sincerely,

Whoever
Chairperson, Scholarship Committee

Date

Dear Student,

Chapter 20 of the Vietnam Veterans of America, located in Rochester, New York has a scholarship program for the children, step-children, grandchildren, and step-grandchildren of any Veteran who served in the United States Armed Forces during the period January 1, 1959 through May 7, 1975. Complete eligibility requirements may be reviewed with your high school class guidance counselor.

Each year Chapter 20 awards two new \$1,000 scholarships to the two students who write the winning essays from among the entrants in a six county area.

For further information please contact either your high school class guidance counselor or write to or call :

Vietnam Veterans of America, Chapter 20
1199 East Main Street
Rochester, New York 14609
585-482-7396

Good luck in your future endeavors.

Sincerely,

Whoever
Chairperson, Scholarship Committee

Date

Name
Address
Address

Dear _____ ,

Chapter 20 of the Vietnam Veterans of America annually conducts an essay contest as part of its Scholarship Award program. The Scholarships will be given to the authors of the winning essays in a competition covering a six county area; Monroe, Livingston, Wyoming, Wayne, Ontario, and Orleans. School districts and students in this six county area are being notified of this competition. The scholarships shall be one thousand dollars (\$1,000.00) per year, for up to four years of undergraduate studies.

All participants shall complete an application, write an essay on a topic determined by the Chapter Board of Directors, and submit a letter of recommendation from either a teacher or employer. These materials must be submitted together and will be accepted from October 1st through March 1st of the year in which commencing studies.

Determination of the winning essay is handled by a Review Board composed of one member of Chapter 20 and two individuals from the community. The Review Board will meet during the month of March and review all submitted essays and letters of recommendation without benefit of knowing the names of the entrants. Should we receive an overwhelming number of entries they will distributed prior to March first for review.

Letters of invitation are being sent to other individuals within the six county area the competition covers. The objective is to develop a cadre of people to draw from for the review board. Because of your stature within the community, Chapter 20 feels that your presence and participation would be of great benefit to our effort to acknowledge a deserving student who is planning to continue his or her education. We would be honored to have you join this effort. Please notify us in writing before (Date), if you will be able to participate on this Review Board.

Thank you for your consideration.

Sincerely,

(Name), Chairperson
Scholarship Committee
Chapter 20
Vietnam Veterans of America

ELECTED POSITIONS OF THE CHAPTER - 1981

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Gary Beikirch	1982
Vice President	1 year	Tom Ragland	1982
Secretary	1 year	Dave Perry (1)	1982
Treasurer	1 year	Paul Leckinger	1982
Director	1 year	Tyrone Kennedy	1982
	1 year	Nelson Peck	1982
	1 year	Bob Nelson (2)	1982
	1 year	Bob Zimmerman (5)	1982
	2 years	Jim Rhoda	1983
	2 years	Tom Cray	1983
	2 years	Charles McBride (3)	1983
	2 years	Dan Penna (4)	1983
	3 years	Juil Robinson	1984
	3 years	Frank Peace	1984
	3 years	Tom Leckinger	1984

(1) Nick DeLeo was appointed for the remainder of Dave Perry's term

(2) Cliff Scutella was appointed for the remainder of Charles McBride's term

(3) Clyde Saxon was appointed for the remainder of Bob Nelson's term

(4) Stirlin Harris was appointed for the remainder of Dan Penna's term

(5) Bill Guilday was appointed for the remainder of Bob Zimmerman's term

ELECTED POSITIONS OF THE CHAPTER - 1982

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Gary Beikirch	1983
Vice President	1 year	Tom Cray (1)	1983
Secretary	1 year	Nick DeLeo	1983
Treasurer	1 year	Jim Greanier	1983
Director	2 years	Bob Behnke (2)	1983
	2 years	Clyde Saxon (3)	1983
	2 years	Cliff Scutella	1983
	2 years	Stirlin Harris	1983
	3 years	Juil Robinson	1984
	3 years	Frank Peace	1984
	3 years	Tom Leckinger	1984
	3 years	Bob Culp	1985
	3 years	Nelson Peck	1985
	3 years	Rori Murrell	1985
	3 years	Greg McClelland	1985

(1) Prior to being elected, Tom Cray was appointed for the remainder of Tom Ragland's term

(2) Bob Behnke was appointed for the remainder of Jim Rhoda's term

(3) Clyde Saxon was appointed for the remainder of Tom Cray's term

ELECTED POSITIONS OF THE CHAPTER - 1983

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Gary Beikirch	1984
Vice President	1 year	Tom Leckinger	1984
Secretary	1 year	Nick DeLeo	1984
Treasurer	1 year	Jim Greanier (1)	1984
Director	3 years	Juil Robinson	1984
	3 years	Frank Peace	1984
	3 years	Pat Pudetti (2)	1984
	3 years	Rob Maclauchlan (3)	1985
	3 years	Nelson Peck	1985
	3 years	Rori Murrell	1985
	3 years	Jim Kurtz (4)	1985
	3 years	Rich Isaman	1986
	3 years	Clyde Saxon	1986
	3 years	Chuck Byers	1986
	3 years	Keith Lape	1986

(1) Greg Graham was appointed for the remainder of Jim Greanier's term

(2) Pat Pudetti was appointed for the remainder of Tom Leckinger's term

(3) Rob Maclauchlan was appointed for the remainder of Bob Culp's term

(4) Jim Kurtz was appointed for the remainder of Greg McClelland's term

ELECTED POSITIONS OF THE CHAPTER - 1984

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Rich Isaman	1985
Vice President	1 year	Nick DeLeo	1985
Secretary	1 year	Chuck Byers	1985
Treasurer	1 year	Greg Graham	1985
Director	3 years	Rob Maclauchlan	1985
	3 years	Nelson Peck	1985
	3 years	Rori Murrell	1985
	3 years	Jim Kurtz	1985
	3 years	Fred Elliott (1)	1986
	3 years	Clyde Saxon	1986
	3 years	Howard Lewczyk (2)	1986
	3 years	Keith Lape	1986
	3 years	Cary Selby	1987
	3 years	Mike Woods	1987
	3 years	Pat Pudetti	1987

(1) Fred Elliott was appointed for the remainder of Rich Isaman's term

(2) Howard Lewczyk was appointed for the remainder of Chuck Byer's term

ELECTED POSITIONS OF THE CHAPTER - 1985

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Rich Isaman	1986
Vice President	1 year	Nelson Peck	1986
Secretary	1 year	Fred Elliott	1986
Treasurer	1 year	Greg Graham	1986
Director	3 years	(1)	1986
	3 years	Clyde Saxon	1986
	3 years	Howard Lewczyk	1986
	3 years	Keith Lape	1986
	3 years	Cary Selby	1987
	3 years	Mike Woods	1987
	3 years	Pat Pudetti	1987
	3 years	Rob Maclauchlan	1988
	3 years	Wayne Miller	1988
	3 years	Joel Siegel	1988
	3 years	Chuck Byers	1988

(1) This position was left open by Fred Elliott's election to the position of secretary. An appointment by the board will be necessary to fill the slot.

ELECTED POSITIONS OF THE CHAPTER - 1986

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Rich Isaman	1987
Vice President	1 year	Pat Pudetti	1987
Secretary	1 year	Gary Kenyon	1987
Treasurer	1 year	Fred Elliott	1987
Director	3 years	Cary Selby	1987
	3 years	Mike Woods	1987
	3 years	(1)	1987
	3 years	Chuck Byers	1988
	3 years	Rob Maclauchlan	1988
	3 years	Irv Matties (2)	1988
	3 years	Wayne Miller	1988
	3 years	Larry D'Angelo	1989
	3 years	John Hrankowski	1989

(1) This position was left open by Pat Pudetti's election to the position of Vice President. An appointment by the board will be necessary to fill the slot.

(2) Irv Matties was appointed prior to the election to fill the remainder of Joel Siegel's term of office.

ELECTED POSITIONS OF THE CHAPTER - 1987

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Nelson Peck	1988
Vice President	1 year	Pat Pudetti	1988
Secretary	1 year	Nick DeLeo	1988
Treasurer	1 year	Rusty Kurtz	1988
Director	3 years	Wayne Miller	1988
	3 years	Irv Matties	1988
	3 years	Otto Wahus (1)	1989
	3 years	John Hrankowski	1989
	3 years	Chuck Byers	1989
	3 years	Larry D'Angelo	1989
	3 years	John Lennox	1990
	3 years	Greg Graham	1990
	3 years	Gary Beikirch	1990

(1) Chuck Helberg was appointed to fill the remainder of Otto Wahus's term who resigned on June 4, 1987

(2) Gary Kenyon was appointed to fill the remainder of John Hrankowski's term who resigned on February 1, 1987

(3) Chuck Macaluso was appointed to fill the remainder of Chuck Byers' term who resigned on August 1, 1987

ELECTED POSITIONS OF THE CHAPTER - 1988

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Nelson Peck	1989
Vice President	1 year	Pat Pudetti	1989
Secretary	1 year	Brian Wirpsa	1989
Treasurer	1 year	Greg Graham	1989
Director	3 years	Chuck Macaluso	1989
	3 years	Gary Kenyon	1989
	3 years	John Goodwin (1)	1989
	3 years	Nick DeLeo (2)	1990
	3 years	Bob Craig (3)	1990
	3 years	Chuck Helberg (4)	1990
	3 years	Tom Hetherington	1991
	3 years	Rusty Kurtz	1991
	3 years	Mike Tedeschi	1991

(1) John Goodwin was appointed to fill the remainder of Larry D'Angelo's term

(2) Nick DeLeo was appointed to fill the remainder of John Lennox's term

(3) Bob Craig was appointed to fill the remainder of Greg Graham's term

(4) Chuck Helberg was appointed to fill the remainder of Gary Beikirch's term

ELECTED POSITIONS OF THE CHAPTER - 1989

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Wayne Miller	1990
Vice President	1 year	Fred Elliott	1990
Secretary	1 year	Bruce McDaniel	1990
Treasurer	1 year	Pat Pudetti	1990
Director	3 years	Nick DeLeo (1)	1990
	3 years	Bob Craig (2)	1990
	3 years	John Freiburger (3)	1990
	3 years	Tom Hetherington	1991
	3 years	Rusty Kurtz	1991
	3 years	Mike Tedeschi	1991
	3 years	Phil Litteer	1992
	3 years	Ron Trovato	1992
	3 years	Chuck Macaluso	1992
	3 years	Ron DiNatale	1992
	3 years	Rick Switzer	1992

(1) Nick DeLeo was appointed for the remainder of John Lennox's term

(2) Bob Craig was appointed for the remainder of Greg Graham's term

(3) Chuck Helberg was appointed for the remainder of Gary Beikirch's term, then John Freiburger was appointed for the remainder of Chuck Helberg's term

ELECTED POSITIONS OF THE CHAPTER - 1990

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Pat Pudetti	1991
Vice President	1 year	Fred Elliott	1991
Secretary	1 year	L. Ken Moore	1991
Treasurer	1 year	Wil Carey	1991
Director	3 years	Mike Tedeschi	1991
	3 years	Chuck Macaluso	1992
	3 years	Ron DiNatale	1992
	3 years	Bob Holloway (1)	1992
	3 years	Phil Litter	1992
	3 years	Ron Trovato	1992
	3 years	Lee Claxton	1993
	3 years	Rosemary Williams	1993
	3 years	John Freiburger	1993
		Jan Freiburger (2)	

(1) Bob Holloway was appointed to fill the remainder of Rick Switzer's term

(2) Jan Freiburger was appointed as Associate Liaison, a non-voting position

ELECTED POSITIONS OF THE CHAPTER - 1991

TITLE	TERM	NAME	RE-ELECTION
President	1 year	Pat Pudetti	1992
Vice President	1 year	L. Ken Moore	1992
Secretary	1 year	Rusty Kurtz	1992
Treasurer	1 year	Wil Carey	1992
Director	3 years	Chuck Macaluso	1992
	3 years	Ron DiNatale (1)	1992
	3 years	Bob Holloway (2)	1992
	3 years	Phil Litteer	1992
	3 years	Ron Trovato	1992
	3 years	Lee Claxton	1993
	3 years	Rosemary Williams	1993
	3 years	John Freiburger	1993
	3 years	Bill Meminger	1994
	3 years	Dick Oleksyn	1994
	3 years	Tim Sturm	1994
		Jan Freiburger (3)	

(1) Bob Holloway was appointed to fill the remainder of Rick Switzer's term

(2) Jan Freiburger was appointed as Associate Liaison, a non-voting position

ELECTED POSITIONS OF THE CHAPTER - 1992

TITLE	TERM	NAME	RE-ELECTION
President	2 years	L. Ken Moore	1994
Vice President	2 years	Bob Holloway	1994
Secretary	2 years	Howard Lewczyk	1994
Treasurer	2 years	Rosemary Williams	1994
Director	3 years	Lee Claxton	1993
	3 years	John Freiburger	1993
	3 years	Pat Pudetti	1993
	3 years	Bill Meminger	1994
	3 years	Dick Oleksyn	1994
	3 years	Wayne Miller	1994
	3 years	Chuck Macaluso	1995
	3 years	Jack Favret	1995
	3 years	Ray Campbell	1995
	3 years	Phil Litter	1995
	3 years	Jim Hunt	1995
		Kay Campbell	

(2) Kay Campbell was appointed as Associate Liaison, a non-voting position

ELECTED POSITIONS OF THE CHAPTER - 1993

TITLE	TERM	NAME	RE-ELECTION
President	2 years	L. Ken Moore	1994
Vice President	2 years	Bob Holloway	1994
Secretary	2 years	Howard Lewczyk	1994
Treasurer	2 years	Rosemary Williams	1994
Director	3 years	Bill Meminger	1994
	3 years	Dick Oleksyn	1994
	3 years	Wayne Miller	1994
	3 years	Chuck Macaluso	1995
	3 years	Jack Favret	1995
	3 years	Ray Campbell	1995
	3 years	Phil Litteer	1995
	3 years	Jim Hunt	1995
	3 years	Lee Claxton	1996
	3 years	Pat Pudetti	1996
	3 years	Gary Rodas	1996
		Kay Campbell	

ELECTED POSITIONS OF THE CHAPTER - 1994

TITLE	TERM	NAME	RE-ELECTION
President	2 years	L. Ken Moore	1996
Vice President	2 years	Lee Claxton	1996
Secretary	2 years	Walt Monahan	1996
Treasurer	2 years	Fred Elliott	1996
Director	3 years	Chuck Macaluso	1995
	3 years	Jack Favret	1995
	3 years	Ray Campbell	1995
	3 years	Phil Litter	1995
	3 years	Jim Hunt	1995
	3 years	Pat Pudetti	1996
	3 years	Gary Rodas	1996
	3 years	Dave VanHerreweghe	1996
	3 years	Kevin Crouch	1997
	3 years	Ray Melens	1997
	3 years	Craig Stickles	1997
		Kay Campbell	

ELECTED POSITIONS OF THE CHAPTER - 1995

TITLE	TERM	NAME	RE-ELECTION
President	2 years	L. Ken Moore	1996
Vice President	2 years	Lee Claxton	1996
Secretary	2 years	Walt Monahan	1996
Treasurer	2 years	Fred Elliott	1996
Director	3 years	Ray Campbell	1995
	3 years	Pat Pudetti	1996
	3 years	Gary Rodas	1996
	3 years	Dave VanHerreweghe	1996
	3 years	Kevin Crouch	1997
	3 years	Ray Melens	1997
	3 years	Craig Stickle	1997
	3 years	Chuck Macaluso	1998
	3 years	Jack Favret	1998
	3 years	Phil Litter	1998
	3 years	Bill Meminger	1998
	3 years	Gary Schojan	1998
		Kay Campbell	

ELECTED POSITIONS OF THE CHAPTER - 1996

TITLE	TERM	NAME	RE-ELECTION
President	2 years	Lee Claxton	1998
Vice President	2 years	Walt Monahan	1998
Secretary	2 years	L. Ken Moore	1998
Treasurer	2 years	Nick DeLeo	1998
Director	3 years	Pat Pudetti	1996
	3 years	Dave VanHerreweghe	1996
	3 years	Gary Rodas	1996
	3 years	Kevin Crouch	1997
	3 years	Ray Melens	1997
	3 years	Craig Stickle	1997
	3 years	Chuck Macaluso	1998
	3 years	Jack Favret	1998
	3 years	Ray Campbell	1999
	3 years	Phil Litter	1998
	3 years	Bill Meminger	1998
	3 years	Gary Schojan	1998
		Kay Campbell	

ELECTED POSITIONS OF THE CHAPTER - 1997

TITLE	TERM	NAME	RE-ELECTION
President	2 years	Lee Claxton	1998
Vice President	2 years	Walt Monahan (1)	1998
Secretary	2 years	L. Ken Moore	1998
Treasurer	2 years	Nick DeLeo	1998
Director	3 years	Chuck Macaluso	1998
	3 years	Jack Favret	1998
	3 years	Phil Litter	1998
	3 years	Gary Schojan	1998
	3 years	Bill Meminger	1998
	3 years	Ray Campbell	1999
	3 years	Fred Elliott	1999
	3 years	Dave VanHerreweghe	1999
	3 years	Charlie Phillips	2000
	3 years	Brad Upson	2000
	3 years	Ray Melens	2000
		Meg Lewczyk	

(1) Phil Litter was appointed to fill the remainder of Walt Monahan's term

ELECTED POSITIONS OF THE CHAPTER - 1998

TITLE	TERM	NAME	RE-ELECTION
President	2 years	Fred Elliott	2000
Vice President	2 years	Phil Litteer	2000
Secretary	2 years	Pat Pudetti	2000
Treasurer	2 years	Nick DeLeo	2000
Director	3 years	Chuck Macaluso	2001
	3 years	Lou Cavicchioli	2001
	3 years	Ray Campbell	1999
	3 years	Ken Moore (1)	2001
	3 years	Dick Oleksyn	2001
	3 years	Charlie Phillips	2000
	3 years	Brad Upson (3)	2000
	3 years	Ray Melens	2000
	3 years	Thurston Chisholm (2)	1999
	3 years	Dave VanHerreweghe	1999
	3 years	Ron Trovato	2001
		Meg Lewczyk	

(1) Ken Moore was appointed to fill the remainder of Jack Favret's term

(2) Thurston Chisholm was appointed to fill the remainder of Fred Elliott's term

(3) Skip O'Brien was appointed to fill the remainder of Brad Upson's term

ELECTED POSITIONS OF THE CHAPTER - 1999

TITLE	TERM	NAME	RE-ELECTION
President	2 years	Fred Elliott	2000
Vice President	2 years	L. Ken Moore (1)	2000
Secretary	2 years	Pat Pudetti	2000
Treasurer	2 years	Nick DeLeo	2000
Director	3 years	Chuck Macaluso	2001
	3 years	Geno Lenyk (2)	2001
	3 years	Dick D'Imperio (3)	2001
	3 years	Dick Oleksyn	2001
	3 years	Ron Trovato	2001
	3 years	Charlie Phillips (4)	2000
	3 years	Skip O'Brien	2000
	3 years	Ray Melens	2000
	3 years	Thurston Chisholm (5)	2002
	3 years	Dave VanHerreweghe	2002
	3 years	Pete Galle	2002

Ken Moore was appointed to fill the remainder of Phil Litteer's term

Geno Lenyk was appointed to fill the remainder of Lou Cavicchioli's term

Dick D'Imperio was appointed to fill the remainder of Ken Moore's term

Charlie Phillips resigned before completing his term of office-no appointment was made

Thurston Chisholm resigned before completing his term of office-no appointment was made

ELECTED POSITIONS OF THE CHAPTER - 2000

TITLE	TERM	NAME	RE-ELECTION
President	2 years	Nicholas DeLeo	2002
Vice President	2 years	Ray Melens	2002
Secretary	2 years	Pat Pudetti	2002
Treasurer	2 years	(1)	2002
Director	3 years	Chuck Macaluso	2001
	3 years	Geno Lenyk	2001
	3 years	Dick D'Imperio	2001
	3 years	Dick Oleksyn	2001
	3 years	Ron Trovato	2001
	3 years	Charlie Phillips	2003
	3 years	Skip O'Brien (3)	2003
	3 years	Dominic Bianchi	2003
	3 years	Jack Prinzing (2)	2002
	3 years	Dave VanHerreweghe	2002
	3 years	Pete Galle	2002
		Andy Place	

(1) Joe Harkness was appointed to fill the Treasurer's position

(2) Appointed by BOD

(3) Appointed by the board to fill the remainder of Skip O'Brien's Term

ELECTED POSITIONS OF THE CHAPTER - 2001

TITLE	TERM	NAME	RE-ELECTION
President	2 years	Nicholas DeLeo	2002
Vice President	2 years	Ray Melens	2002
Secretary	2 years	Pat Pudetti	2002
Treasurer	2 years	Joe Harkness	2002
Director	3 years	Chuck Macaluso	2001
	3 years	Geno Lenyk	2001
	3 years	Dick D'Imperio (2)	2001
	3 years	Dick Oleksyn	2001
	3 years	Ron Trovato	2001
	3 years	Charlie Phillips (1)	2003
	3 years	Nelson Peck	2003
	3 years	Dominic Bianchi	2003
	3 years	Jack Prinzing	2002
	3 years	Dave VanHerreweghe	2002
	3 years	Pete Galle	2002
		Andy Place Member At Large	

(1) Roleigh Newman appointed to Charlie Phillip's position. Charlie resigned form the board

ELECTED POSITIONS OF THE CHAPTER - 2002

TITLE	TERM	NAME	RE-ELECTION
President	2 years	Nelson N. Peck Jr. (1)(2)	2004
1 st Vice President	2 years	Nicholas DeLeo (3)	2004
2 nd Vice President	2 years	Ray Melens (4)	2003
Secretary	2 years	Pat Pudetti	2004
Treasurer	2 years	Joe Harkness	2004
Director	3 years	Roleigh Newman	2003
	3 years	Jack Prinzing	2003
	3 years	Ralph Pascale (5)	2003
	3 years	Dick Oleksyn	2004
	3 years	Dick D'Imperio	2004
	3 years	Geno Lenyk	2004
	3 years	Rich Ruscio	2004
	3 years	Chuck Macaluso	2004
	3 years	Tom Gleason	2005
	3 years	Dominic Bianchi	2005
	3 years	Pete Galle	2005
		Andy Place – Member At Large	

(1) Ken Moore resigned as President 10/2002.

(2) Nelson Peck appointed to President 11/2002.

(3) Nick DeLeo appointed to 1st Vice President 12/2002.

(4) Ray Melens appointed to 2nd Vice President 12/2002.

(5) Ralph Pascale appointed to vacant Board position (left by Nelson Peck) 12/2002.

ELECTED POSITIONS OF THE CHAPTER - 2003

TITLE	TERM	NAME	RE-ELECTION
President	2 years	Nelson N. Peck Jr.	2004
1 st Vice President	2 years	Nicholas DeLeo	2004
2 nd Vice President	2 years	Rich Isaman	2005
Secretary	2 years	Pat Pudetti	2004
Treasurer	2 years	Joe Harkness	2004
Director	3 years	Dan Corona	2006
	3 years	Jack Prinzing	2006
	3 years	Ralph Pascale	2006
	3 years	Dick Oleksyn	2004
	3 years	Geno Lenyk	2004
	3 years	(1)	2004
	3 years	Brian Wirpsa (2)	2004
	3 years	Dave Hooker (3)	2005
	3 years	Tom Gleason	2005
	3 years	Rosemary Williams (4)	2005
	3 years	Pete Galle	2005
		Andy Place Member At Large	

(1) Dick D'Imperio resigned 11/2003 – Board position remained vacant.

(2) Rich Ruscio resigned 10/2003 – Brian Wirpsa was appointed.

(3) Chuck Macaluso resigned – Dave Hooker was appointed.

(4) Dominic Bianchi passed away 3/2003 – Rosemary Williams was appointed.

ELECTED POSITIONS OF THE CHAPTER - 2004

TITLE	TERM	NAME	RE-ELECTION
President	2 years	.Nelson N. Peck Jr.	2006
1 st Vice President	2 years	Nicholas DeLeo	2006
2 nd Vice President	2 years	Rich Isaman	2005
Secretary	2 years	Pat Pudetti	2006
Treasurer	2 years	Bill Reddy	2006
Director	3 years	Tom Gleason	2005
	3 years	Rosemary Williams	2005
	3 years	Pete Galle	2005
	3 years	Ralph Pascale	2006
	3 years	Jack Prinzing	2006
	3 years	Dan Corona	2006
	3 years	Joe Harkness	2007
	3 years	Wally Gekoski	2007
	3 years	Marlin Plymette	2007
	3 years	Dave Hooker	2007
	3 years	Dick Oleksyn	2007

ELECTED POSITIONS OF THE CHAPTER - 2005

TITLE	TERM	NAME	RE-ELECTION
President	2 years	.Nelson N. Peck Jr.	2006
1 st Vice President	2 years	Nicholas DeLeo	2006
2 nd Vice President	2 years	Rich Isaman	2007
Secretary	2 years	Pat Pudetti	2006
Treasurer	2 years	Larry Schulman (2)	2006
Director	3 years	Tom Gleason	2008
	3 years	Skip Snell	2008
	3 years	Pete Galle	2008
	3 years	Ralph Pascale	2006
	3 years	Jack Prinzing	2006
	3 years	Dan Corona	2006
	3 years	Joe Harkness	2007
	3 years	Wally Gekoski	2007
	3 years	Kathleen Ryan (1)	2007
	3 years	Dave Hooker	2007
	3 years	Dick Oleksyn	2007

(1) Marlin Plymette resigned . Kathleen Ryan appointed.

(2) Bill Reddy resigned 4/2005. Larry Schulman appointed 7/2005.

ELECTED POSITIONS OF THE CHAPTER - 2006

TITLE	TERM	NAME	RE-ELECTION
President	2 years	.	2008
1 st Vice President	2 years		2008
2 nd Vice President	2 years	Rich Isaman	2007
Secretary	2 years		2008
Treasurer	2 years		2008
Director	3 years	Tom Gleason	2008
	3 years	Skip Snell	2008
	3 years	Pete Galle	2008
	3 years		2009
	3 years		2009
	3 years		2009
	3 years	Joe Harkness	2007
	3 years	Wally Gekoski	2007
	3 years	Kathleen Ryan (1)	2007
	3 years	Dave Hooker	2007
	3 years	Dick Oleksyn	2007

ELECTED STATE COUNCIL DELEGATES

NAME	TERM OF OFFICE
Rob Maclauchlan	1984 - 1985
Wayne Miller	1985 - 1990
Rich Isaman	1986 - 1990
John Freiburger	1990 - 1994
Rosemary Williams	1990 – 1994, 2000 -
Ken Moore	1994 - 1996
Walt Monahan	1994 - 1996
Chuck Macaluso	1994 - 1998
Lee Claxton	1994 - 1998
Gary Kenyon	1996 - 1998
Craig Stickle	1996 - 1998
Fred Elliott	1994 - 2000
Pat Pudetti	1994 - 2000
Jack Favret	1994 - 2000
Ray Campbell	1994 - 2000
Phil Litteer	1994 - 2000
Ray Melens	1996 - 2000
Howard Lewczyk	1998 - 1999
Dominic Bianchi	1998 – 2003
Bob Gross	2000 –
Nick DeLeo	2003 -
Phil Coville	2004 -

LLC Procedures:

Background:

VVA Chapter 20 has formed a Limited Liability Corporation for the purpose of managing the businesses that provide income to the chapter. The LLC is responsible for all debts, and shields the member (Chapter) from individual liability that may arise in the conduct of business. The board of the LLC will consist of 8 members that must be Vietnam Era veterans and members of the VVA Chapter 20, and will elect a President that can not vote except to break a tie vote from within the 8 members. No more than two members of the LLC board can be elected officers or directors of the VVA Chapter 20 board of directors to ensure that legal separation of authority is maintained. The terms are for (2) two years with alternating groups of 4 expiring in October of each year. The LLC has an operating agreement under which it has agreed to conduct its business, and it has been approved by the VVA Chapter 20 board:

Under the guidelines of changes in regard to the LLC decisions, when designated a "Super Majority" it shall be defined as 2/3 of standing board of director members of VVA Chapter 20.

The LLC budget must be submitted annually to the VVA chapter 20 board for approval and can not make any major changes to that budget without submitting the changes to the LLC budget to the VVA Chapter 20 board of directors for approval.

All managers are appointed to the LLC board by a simple majority vote of the VVA Chapter 20 board of directors.

The removal of a manager from the LLC board requires a super majority vote of the VVA Chapter 20 board of directors.

Any motion to changes under section 4.3 of the Operating Agreement requires a super majority vote of VVA Chapter 20 board of directors.

The elimination of the LLC would transfer all liability of the businesses to the standing members of the VVA Chapter 20 board of directors and therefore will require a unanimous vote of VVA 20 Chapter 20 board of directors.

INTERNET ACCEPTABLE USE POLICY

This policy is intended to encourage responsible and acceptable use of Internet services provided by Vietnam Veterans of America Chapter 20. These resources are provided to support:

- an exchange of information and ideas among the Company, its customers, suppliers and other businesses.
- research and education by providing access to unique resources.
- an opportunity for collaborative work among various working groups.
- information about activities and services at VVA Chapter 20
- the delivery in electronic form of VVA Chapter 20 services.

General Policy

The use of the Internet via VVA Chapter 20 resources is a privilege, not a right. Any violation of the following conditions, policies, and procedures may result in cancellation of that privilege, and may be subject to disciplinary action including dismissal. All uses of Company computer equipment, electronic facilities, and electronic data are restricted to work related purposes only (other than noted below). Users are provided access as approved by supervisors. The employee is responsible for their actions while accessing the Company's computer network and the Internet.

Intended Purpose

Use of e-mail, FTP, Telnet, Usenet, WWW, on-line communications, and the Internet are provided to VVA Chapter 20 employees solely for the purpose of conducting Company business. E-mail, FTP, Telnet, Usenet, WWW, on-line communications, and the Internet are tools for more efficient and effective communication, for research and other purposes that benefit the Company.

Ownership Of Electronic Data

All computer files are the property of the Company, regardless of their physical location or the form in which they are maintained. However, files which the employee can show due ownership will remain the employee's property. All such files should be identified by the employee and approved by their supervisor prior to being put on the computer system. The Company reserves the right to access and disclose all messages and other electronic data, sent over its electronic mail system or stored in its files (including employee owned), for legal and audit purposes. Any personal files that are deemed sensitive should not be on the computer system.

Confidential Information

E-mail and on-line communications should not contain confidential Company information. Good judgment should be exercised in using the electronic transmission and distribution of information, especially if it may be deemed sensitive. E-mail, ListServes, Usenets, and on-line communications are subject to all the same laws, policies, and practices that apply to the use of other means of communication, such as telephone, mail, fax and paper records. This includes, but is not limited to, product endorsements, policies and laws adherence to copyright, software licenses and patent laws, proper business correspondence practices, and proper use of Company equipment and resources.

Unsolicited Receptions

The company realizes that like the telephone, it has little control over all aspects of communications received, especially those received from unsolicited sources. Any unsolicited electronic correspondence received should be completely disposed of accordingly. Suspect files should be deleted immediately before they are opened.

Restrictions

Company network and computer resources will **not** be used to:

- seek or gain unauthorized access to Company network resources.
- seek or gain unauthorized access to resources on the Internet.
- conduct or participate in any actions which are illegal.
- violate any Company policies, city, provincial, or federal laws.
- view, display, transmit, or receive any sexually explicit material.
- conduct commercial or private/personal business enterprises.
- promote private businesses product advertisement or political lobbying.
- transmit unsolicited commercial information (i.e. junk mail, advertising, etc.) or material which may be deemed offensive to its recipient.
- support or solicit on behalf of groups, organizations, etc. that are not related to the Company.
- advocate racial, ethnic, religious, or gender-based slurs.
- destroy the integrity of computer based information.
- disrupt the functions of Company networks or other computer resources, including, but not limited to, propagation of worms or viruses or other debilitating programs.
- threaten or harass others.
- compromise the privacy and/or security of users.
- circumvent legal protection provided by copyright and license to programs and data.

Capability Specific Policies

The following policies are attached to provide specific guidance and direction to Internet related activity, and will never supersede or replace the above General Policy or Company Policies and Procedures.

E-mail (Electronic Mail)

The employee is responsible for all e-mail messages originating from their user id:

- theft and forgery (or attempted forgery) of E-mail messages is prohibited.
- reading, deleting, copying, or modifying the E-mail of other users is prohibited.
- any message that may create a hostile work environment such as sending harassing, discriminating, and/or other threatening E-Mail to another user is prohibited.
- attempts at sending unsolicited junk mail, for-profit messages, or chain letters is prohibited.

Recognize your responsibility as a participant on the Internet to abide by the customs of the Internet, practicing generally accepted "netiquette" guidelines.

Employees should assume that copies (back-up copies or otherwise) of electronic mail messages and other electronic correspondence may exist on other systems even though the

sender and recipient have discarded their copy of the document. Company employees who have been provided e-mail capability have an obligation to read in-coming messages in a timely manner and respond accordingly.

ListServes, Mailing Lists, and Discussion Groups

Company employees are not to establish electronic mailing list servers and/or function as "List Owners", without written authorization.

Employees should carefully select the mailing lists they subscribe to in order to ensure their content will be useful. Some mailing lists are very active (flooding your mailbox with several hundred messages a day), impacting both the employee's time and the networks resources.

Employees must unsubscribe to all mailing lists when their account address changes or when they leave the Company.

Downloading Files Using FTP (File Transfer Protocol)

File transfers should only be performed on a very selective basis. The effects of an FTP connection on a site and its link can vary. The general rule of thumb is that any extra traffic created detracts from the ability of the site's users to perform their tasks.

Extensive file transfers are discouraged during normal working hours. Users must be knowledgeable about the resource requirements for the file transfer both in terms of the network and of the desktop's capacity. Limit downloads, especially large files, to a time after normal business hours locally and for the remote site.

All FTP transfers must be done by the systems administrator unless unavailable. Due to security risks to the network, do not load FTP files onto desktop machines. All downloaded files must be verified by a virus scanner once downloaded.

It is the responsibility of the user to check for copyright or licensing agreements when downloading files. When utilizing "Anonymous FTP", users should type in their e-mail address when the FTP site requests a "Password". **DO NOT** type in your network or Internet password.

Usenet (News Groups)

Usenet groups can be quite numerous and extensive, and can flood a system if caution is not taken when selecting applicable groups.

World Wide Web (WWW)

WWW sites with very large graphics can be very high bandwidth consumers. Multimedia will require special hardware and software to use. Most sound, picture and video files are not in a format that can be automatically played. Even if the desktop has the capability, watch out for those with a very large file size. Personal or employee Web pages and Web sites are not permitted on the Company system.

Extensive file transfers are discouraged during normal working hours. Users must be knowledgeable about the resource requirements for the file transfer both in terms of the network and of the desktop's capacity. Limit downloads, especially large files, to a time after normal business hours locally and for the remote site.

Due to security risks to the network, do not load WWW files onto desktop machines. All downloaded files must be verified by a virus scanner once downloaded. All executable files must be loaded by the systems administrator

It is the responsibility of the user to check for copyright or licensing agreements when downloading files.

Internet Relay Chat (IRC), Video Conferencing, and other On-line Communication Methods

On-line communications, depending on the method employed, may utilize enormous amounts of bandwidth, and therefore, care should be taken when accessing these resources.

Personal Use

Company communication resources can be employed by employees when they are not actively employed (breaks, lunch, etc.). The rules for use are the same as stated above.

**Vietnam Veterans of America
Chapter 20
INVESTMENT POLICY STATEMENT**

Introduction

The purpose of this Investment Policy Statement is to establish a formal framework of guidelines and procedures in which to manage the cash and investment assets of the Vietnam Veterans of America Chapter 20 (“Chapter 20”).

The Board of Directors of Chapter 20 has the responsibility for establishing and approving investment policy, including risk parameters, asset allocation, the appointment of investment managers and contributions and withdrawals of funds from the investment portfolio.

Generally speaking most of the funds received by Chapter 20 come from its two primary fund raising activities, the Thrift Store and the Car Donation business. Each business has its own Board of Managers that oversees their operations and approve the periodic transfer of monies up to Chapter 20 after all business expenses and commitments have been made.

The purpose of these fundraising activities is to finance the operating budget and to make Grants to causes that meet the mission of Chapter 20 and as approved by the Board of Directors.

Account Structure

It is important to distinguish between “operating cash” accounts and “investment asset” accounts, as by their nature they have different investment time horizons due to when such funds will be spent. This has a direct impact on the investment risk that is unique to each account. Operating cash needs to be invested very conservatively in short-term fixed income investments that are available on short demand. Investment assets on the other hand, that will not be drawn upon for a long time, can take on some acceptable level of risk and achieve a greater expected return.

Operating Cash – Deposited into the Chapter checking or savings account at Canandaigua National Bank. These are the resulting funds from transfers into the Chapter from the Thrift Store, Car Donation business and any other fundraising activities offset by the cash outflows from the payment of day-to-day operating expenses and Board approved Grants.

Investment Assets – Held in a separate investment account in the name of Chapter 20 with Board oversight responsibility. Funds are periodically transferred into the Investment account primarily from excess Operating Cash. This account is not intended to be used as a short term investment alternative but rather is intended to be a long term investment account that allows investment in assets that require a time horizon that is longer than that required in the operating cash account.

Investment Objectives

To support the continuation of the strong financial condition of Chapter 20 through the prudent investment of the funds that have been donated directly or through support of the Thrift Store and Car Donation businesses. Therefore it is expected that this investment program plus donations will provide adequate funds to support the annual Granting program and the operating expenses of the Chapter.

To accomplish this objective it is necessary to manage the invested assets in the most cost efficient manner with an emphasis on a very conservative asset allocation due to the Chapter’s limited tolerance for loss of principal.

Investment Structure

Operating Cash should be managed based on sound cash management principles that utilize the resources of commercial banking services for cash receipts and disbursements and temporary investment of idle cash on hand. Separation of duties regarding the preparation of deposits and reconciling bank accounts is maintained, check signing authority is approved by the Board of Directors and idle cash is prudently invested to bank savings accounts that are subject to SBIC insurance coverage.

Investment Assets should be maintained in an investment account that offers cost efficient oversight and access to a broad range of investment vehicles, including actively managed mutual funds, index funds, exchange traded funds, stocks and fixed income securities. Deposits and withdrawals from this account should require Board approval and be documented as to the use of principle.

Asset Allocation

In view of the relatively modest value of total invested assets (\$150,000 as of March 31, 2004) and the Boards aversion to risk and their desire to manage these funds in the most cost efficient manner assets should be allocated 30% in equities of which 24% in large capitalization stocks and 6% is small capitalization stocks. The balance of 70% should be invested in high quality fixed income investments. Real estate is not viewed as an acceptable investment class as if donated to the Chapter it should be liquidated in a prudent and expeditious manner.

Acceptable Form of Investment

Equities –

- Equity Index Funds or Exchange Traded Funds - S&P 500, Wilshire 5000, Russell 1000

Fixed Income

- Corporate Bonds having a credit rating A or greater, US Treasury Bond
- Fixed Income mutual funds that invest in securities having a credit rating A or greater, US Treasury Bond
- Bank CD's covered by SBIC insurance

Account management and recordkeeping services

- Discount Brokerage – Fidelity, Charles Schwab, Vanguard, etc.
- Canandaigua National Bank - existing commercial banking relationship.
- Investment Advisory Firm – focus on low cost management services

VVA Chapter 20
Between the Lines SOP

CONTENTS

Production

- collecting material
- editing submissions
- submission to layout person
- reviewing proofs

Distribution

- mailing list
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- correspondence
- archive and requests for back issues
- Chapter Newsletter of the Year submission

Appendix 1 -- Production Checklist

Appendix 2 -- Standard Format

Appendix 3 -- What to include in *Between the Lines*

Appendix 4 -- Address list for issues mailed from office

Production

Production of *Between the Lines* is coordinated by the editor and the administrative assistant for Chapter 20. There are advantages to having the assembly of submissions and communications with the printer's layout person handled through the office, but it is possible for an editor with a computer and e-mail to process the issue from home. The editor and administrative assistant need to develop a collaborative working relationship which takes into account the skills and time availability of both, giving due consideration to the deadline pressures inherent in producing a monthly publication.

Collecting Material

A few days before the deadline for submissions, reminder notices are e-mailed to people who regularly submit articles.

COMMENT: This used to be done by the office, but it has only been done sporadically in recent months. Most regular submitters seem to be well aware of the deadline.

COMMENT: The deadline for submissions for any particular issue is the 5th of the preceding month, unless the 5th falls on a weekend or holiday, in which case the deadline moves to the next following business day. Although some flexibility can be allowed for late submissions, we need to treat the deadline seriously since we try to edit and submit everything to the layout person within a week of our submission deadline. Sometimes after AdNet lays out the issue additional material is needed to fill the pages, and late submissions can be used, but there can be no promises that this will be possible. Submissions which are not time sensitive can be accepted any time and will be included in the next available issue.

The editor may request persons to submit materials or photos.

COMMENT: Conceptualizing theme issues and assigning articles to staff writers would require more editor time and writers than we currently have, especially considering the frequency of the publication. However, if the editor feels something is needed (for example, reports or photos of some important chapter event) he or she may have to proactively solicit contributions.

Most regular article submissions come by e-mail to the editor. Others (particularly letters from readers and flyers announcing events) often come to the office. Those that require editing are forwarded to the editor.

COMMENT: If the editor is processing an issue without help from the administrative assistant, all submissions which come to the office need to be e-mailed to the editor or placed in the BTL box in the office.

The editor checks the BTL box in the office for submissions that come in by mail or drop-off, and consults with the administrative assistant to be sure no submissions are overlooked.

Editing Submissions

Submissions are edited by the editor or person designated by the editor.

COMMENT: I copy e-mail submissions onto a disk and make corrections on the disk. This is more efficient than marking corrections on paper printouts for processing by the office, as used to be done.

COMMENT: I follow a conservative editing philosophy, trying not to interfere with each writer's unique voice. I see my role not as rewriting submissions in my own style but as correcting errors and making the style consistent throughout the publication. I generally follow the *University of Chicago Manual of Style* as to style. Writers vary in terms of what to watch for: some make errors in grammar or spelling, others overuse initial caps or other emphasis devices. However, persons who have information to submit but are hesitant because of lack of confidence in their writing skills need to know that the editor is willing to rewrite their submissions if necessary. Shortening of submissions for reasons of space may occasionally be necessary. Virtual Vet submissions are a special case; since they are excerpts from websites, I generally leave them as is, except that it is often necessary to significantly reduce their size.

The editor may make corrections of a fact-checking nature when suspected errors appear in a submission.

COMMENT: Examples would include names of public figures, organizations, or locations which the editor suspects are not represented correctly. Googling can be a useful tool for tracking down the correct form of such names. Other questionable matters may be resolved by contacting the writer.

The editor or administrative assistant enters submissions which came on paper into the computer.

The editor may write editorials and write or rewrite other needed items.

COMMENT: The development of a staff of persons willing to do occasional writing would enhance the potential of the publication.

COMMENT: One sensitive issue is coverage of deaths which occur within the chapter. We depend on persons who knew the deceased to submit information and/or photos which can be used to honor such persons. If someone is not able to write an article or story himself but has information to submit, the editor can write something based on that information. However, we are not currently in a position to research and write original articles on deceased members, especially considering the time sensitivity of such coverage and the need to treat different people in a consistent manner.

Recurring features, such as the membership meeting list, the calendar, and board meeting attendance chart, are updated as necessary.

COMMENT: The membership meeting list and calendar are updated on disk. Calendar items such as birthdays and anniversaries and historical events are copied from the calendar for the previous year. Requests for inclusion of birthdays and anniversaries may come into the office. Changes to Numbers to Know and the board meeting attendance chart are noted for the layout person to change. Board meeting attendance can be obtained from the chapter secretary.

COMMENT: Ideally, routine updates should be handled by the administrative assistant.

Decisions are made as to inclusion of any questionable items. This may involve, for example, issues relating to length, appropriateness, and copyright.

COMMENT: Ultimately, this is the responsibility of the editor. People sometimes submit items such as copyrighted newspaper clippings or drawings traced from copyrighted photos; these should not be used without permission. Copyright applies, as well, to items found on the Internet. Occasionally items are submitted of such length that priorities have to be established. For cost reasons, we normally limit each issue to 24 pages. [For more detail on what should and should not be included in *Between the Lines*, see Appendix 2.]

Decisions are made as to the use of photos and artwork.

COMMENT: We often receive more photos of a particular event than we need. Photos may picture persons or events at too great a distance to present a clear picture in print. Out-of-focus and overly dark photos must be omitted even if the subject matter is good.

COMMENT: If the editor decides to request photos from someone, it is best to anticipate this need well ahead of our submission deadline so any difficulties in transmission or other delays do not hold up submission of the issue to the layout person.

COMMENT: The layout person at AdNet has access to art services and historical photos which are often used to illustrate the text in *Between the Lines*.

Submission to Layout Person

Submissions are assembled for transmission to the layout person at AdNet.

COMMENT: Ideally, after editing, the editor would e-mail items to the office. The administrative assistant would then assemble everything for submission to AdNet. This would keep down the number of hours required by the volunteer editor and enable the administrative assistant, who is involved in chapter affairs day-to-day, to make sure the calendar and announcements reflect important events or changes which may be missed by an editor working offsite. However, if the administrative assistant is not available to perform this function, it is

possible for an editor with a computer and e-mail to assemble and submit everything directly from home.

The various documents are named (or renamed) in such a way that the layout person at AdNet will know what each document is.

COMMENT: For example, I have used designations such as "BTL JUN 05--President's message.doc". Photos must also be identified clearly.

An outline of the issue is made up, identifying all of the submissions and where they should go in the issue.

COMMENT: This outline should follow the departments by which the publication is organized. (For the standard format, see Appendix 3.)

COMMENT: Items which can go anywhere should be so labeled. To enable the layout person to fit everything in the number of pages, it is helpful to list some optional items which may be omitted; this can include items such as book reviews which are not time-sensitive, and items repeated from previous issues which are still valid but already well publicized. Items to be repeated from previous issues must be identified. Repeating items do not need to be resubmitted, but the layout person needs to be told to repeat them and where in the previous issue they appeared. Some repeating items will have updates; for example, the announcement of auto dealerships and repair shops supporting our car donation program will be updated with new names submitted by Cindy Rowley. Normally, paid advertisements will not change and the layout person should be so advised. If new ads are to be included, a business card can be mailed to AdNet, or information can be e-mailed to AdNet for them to lay out.

The outline and files for all the submissions are e-mailed to the layout person at AdNet. Instructions as to any needed changes to Numbers to Know and the board meeting attendance chart are included.

COMMENT: I generally send Word files. We do not have to do anything about typeface and point size; the layout person at AdNet will conform everything to the publication's style. We do need to be sure that it is clear where paragraphs begin.

COMMENT: If the editor creates a miscellaneous submissions file for items which he or she has to key in, the outline for the issue can be included in this file. Otherwise, it should be included within the e-mail which sends the submissions to AdNet.

COMMENT: Currently, the layout person is Leslie, at design2@adnetdirect.net. Other persons at AdNet will sometimes lay out an issue; Leslie will inform us whom to send material to when that is the case.

COMMENT: Items which cannot be e-mailed can be mailed to AdNet Direct at 2495 Brickyard

Road, Canandaigua, N.Y. 14424. Such items might include photos which are not available in digital form and business cards to be added to the paid advertising pages. Flyers announcing coming events often come to the editor in digital form and can be sent by e-mail, but otherwise mailing is an option. However, it may be more efficient to e-mail the information to AdNet and let them create their own layout.

If it appears that the amount of submissions is unusually light or unusually heavy, any preferences we have regarding varying from our normal 24-page length are made known to the layout person.

COMMENT: The standard size of the publication is 24 pages; increases or decreases from that length must be made in multiples of 8 pages. In an effort to control costs, 24 pages should normally be considered a limit; rarely (for example, an issue in which a National Convention is covered) an issue of 32 pages may be warranted, but the chapter president should be consulted before authorizing an over-length issue. Occasionally, light submissions may make possible an issue of 16 pages; again, I would advise consulting with the chapter president. If submissions seem light enough to warrant a short issue, or if an over-length issue is planned, the layout person should be informed when material is first submitted so that layout can proceed with our preferences in mind. The amount of space which a particular amount of text takes can vary considerably by how the layout person handles such things as graphics and pull-out quotes.

COMMENT: If possible, submission should be made no later than a week after the deadline for submissions to us.

Reviewing Proofs

After the layout person at AdNet lays out the issue, a proof is e-mailed to the editor and/or the office for review.

COMMENT: The major concerns at the proof stage would be inadvertent omission of any submissions and errors such as incorrect department headings and upside down drawings (that did happen once). The editor may also suggest changing the placement of some items (for example, to keep similar material together); if entire pages can be exchanged, that does not appear to be difficult. However, at the proof stage we prefer not to make unnecessary changes. Although we will correct missed grammatical or spelling errors appearing in the proofs, an effort should be made to catch such things at the initial editing stage before anything is submitted to AdNet, and anything in the proofs that is not actually wrong should probably be left alone. Any preferences as to graphics, placement of photos, etc. should have been communicated to the layout person with the initial submission of material.

If problems arise as to the amount of material submitted, this may be brought to the attention of the editor either before or at the proof stage, and the editor makes decisions and/or submits additional material.

COMMENT: For example, a proof may arrive with a blank page for which we need to submit more material.

Changes to the proofs are suggested in an e-mail to the graphics person, identifying the page, column, and line numbers and explaining the change needed.

COMMENT: In the past, the administrative assistant reviewed the proofs without the assistance of the editor. More recently, I have reviewed the proofs myself, and, in one case, jointly with the person who was in the office at that time. My preference is to have the editor participate in this review, but coordinating with the administrative assistant could build in some delay at a time when quick turnaround is critical. The editor and administrative assistant need to work out a procedure which respects the need for efficiency at this stage. AdNet needs to know who should receive the proofs, and it is critical that the chapter speak with one voice when communicating with AdNet.

COMMENT: Response should be on the same day, or at the latest the next day, if at all possible.

Revised proofs (the entire issue or particular pages on which changes were made) are e-mailed to the editor and/or the office for review.

COMMENT: The proof should be reviewed to make sure any requested changes have been made. Turnaround should be as prompt as possible.

If necessary, a third proof may be e-mailed to the editor and/or the office for review.

When the editor is satisfied that the proof needs no further changes, a formal "approval to print" is e-mailed to AdNet.

COMMENT: If both the editor and administrative assistant are involved in reviewing the proofs, there needs to be no ambiguity as to who has the authority to give this final approval.

Distribution

Mailing List

When the final proof has been approved for printing, the office e-mails a mailing list to Cathy Buksar at Adnet (cathyb@adnetdirect.net).

COMMENT: There are two files, one for membership and one for miscellaneous mailings (AVVA members, other VVA chapters, other veterans organizations, political figures, etc.) Copies of these files are made and information not required for mailing purposes is deleted.

COMMENT: The mailing list must be updated, either at the time it is sent to AdNet, or continuously. (The procedures by which the office maintains the membership and miscellaneous addresses lists are beyond the scope of this SOP.)

COMMENT: Requests to be included in, or removed from, the *Between the Lines* mailing list sometimes come directly to the editor. In that case, the office should be notified so appropriate changes to the list can be made.

Mailing from Office

Multiple copies of *Between the Lines* are mailed by the office to a list of correctional facilities (See Appendix 4).

Website

When the final proof has been approved for printing, a mailing list is e-mailed to Kathy Stone for uploading to the chapter website.

COMMENT: There seems to be no reason to delay uploading *Between the Lines* once the final proof is approved. This results in the issue being available on the website several days before it reaches people by mail.

Other Distribution

Extra copies of *Between the Lines* are delivered to the office and can be distributed as the need arises. Copies may be made available at membership meetings and other events such as the chapter's traveling display.

Paid Advertising

Processing New Advertising

Between the Lines prints paid advertising as a service and to raise revenue for the publication. These ads fall on the center two pages and are printed in color.

Advertising is handled through the office. Business cards or other camera-ready advertising are mailed or otherwise delivered to AdNet. Advertisers may submit text which AdNet will set up.

Cost of a standard 3.75" x 1.75" ad (about the size of a business card) is \$ 75.00 per year, with larger sizes available in multiples of that cost. Ads are billed by calendar year, so the charge for an ad beginning during the year will be prorated. For example, an ad which ran from June through December would be billed at the rate of \$ 43.75 (7 months x \$ 6.25).

Certain types of advertising cannot be accepted. According to Postal Service regulations, paid advertising in publications mailed at non-profit rates cannot include advertising for credit, debit, or charge cards, insurance policies, or travel arrangements. Violation of these regulations would jeopardize our right to mail at nonprofit rates.

Payment Letters

In November, the office mails a letter to the advertisers asking if they wish to continue to advertise for the coming year and requesting payment of \$75.00.

Budget

[I have not been involved in the budgeting process and someone knowledgeable in this area should write the procedures for this. Questions which should be addressed would include: How is the chapter billed by AdNet and what is the payment process? What factors (for example, size of issues and number mailed) affect our cost, and by how much? Who has what responsibilities relating to the chapter's annual budget process? It would seem that these matters could best be handled by the office.]

Miscellaneous Matters

Correspondence

From time to time it may be appropriate to send out correspondence relating to *Between the Lines*. Such correspondence may be processed through the chapter office. However, the editor is authorized to write and send such correspondence on the Chapter 20 letterhead. Copies of all correspondence sent directly by the editor should be provided to the office for filing.

Archive and Requests for Back Issues

The office should keep at least one copy of each issue for the chapter archives. *Between the Lines* is also archived on the chapter website (www.vva20.org).

From time to time we receive requests for extra issues. The office normally has extra copies of the current issue; however, in the event that the supply at the office is exhausted, or if the request is for an older issue, extra copies may not be available. In that case, the requester may be referred to the chapter website. It is possible to print out copies from the website which are comparable in quality to the paper version.

Newsletter of the Year Submission

In several recent years, *Between the Lines* has been nominated for, and received recognition as, VVA's Chapter Newsletter of the Year. The nomination process for this award is publicized in the *VVA Veteran* early in the year. Based on past years' experience, the procedure will probably be as follows:

The nomination materials must be submitted by a deadline early in July. Five copies of the previous three issues must be submitted. Since the July issue may not be printed in time to meet the deadline, the April issue may have to be used. The editor or administrative assistant must anticipate this need and set aside five copies of the April, May, and June issues as they are published.

A nomination form and letter of support from the New York State Council must also be submitted. The form is printed in the *VVA Veteran* early in the year. The Chapter president and *Between the Lines* editor fill out the form and sign it. The form and a request for a letter of support are then sent to the New York State Council president. He signs the form and returns it, along with his letter of support, to Chapter 20. The editor responds with a letter of thanks for his support.

The nomination form with the required signatures, the letter of support, and the five copies of the three most recent issues are then sent to the address indicated on the nomination form.

The above procedures have applied in the past. The editor or administrative assistant should

check the instructions on the nomination form which appears in the *VVA Veteran* early in the year to be sure we are aware of the current nomination procedures.

Between the Lines SOP

APPENDIX 1 -- Production Checklist

Collecting Material

A few days before the deadline for submissions, reminder notices are e-mailed to people who regularly submit articles. [*office*]

The editor may request persons to submit materials or photos. [*editor*]

Most regular article submissions come by e-mail to the editor. Others (particularly letters from readers and flyers announcing events) often come to the office. Those that require editing are forwarded to the editor. [*office*]

The editor checks the BTL box in the office for submissions that come in by mail or drop-off, and consults with the administrative assistant to be sure no submissions are overlooked. [*editor*]

Editing Submissions

Submissions are edited by the editor or person designated by the editor. [*editor*]

The editor may make corrections of a fact-checking nature when suspected errors appear in a submission. [*editor*]

The editor or administrative assistant enters submissions which came on paper onto the computer. [*editor; office*]

The editor may write editorials and write or rewrite other needed items. [*editor*]

Recurring features, such as the membership meeting list, the calendar, and board meeting attendance chart, are updated as necessary. [*office*]

Decisions are made as to inclusion of any questionable items. This may involve, for example, issues relating to length, appropriateness, and copyright. [*editor*]

Decisions are made as to the use of photos and artwork. [*editor; office*]

Submission to Layout Person

Submissions are assembled for transmission to the layout person at AdNet. [*office*]

The various documents are named (or renamed) in such a way that the layout person at AdNet

will know what each document is. [office]

An outline of the issue is made up, identifying all of the submissions and where they should go in the issue. [editor; office]

The outline and documents are e-mailed to the layout person at AdNet. Instructions as to any needed changes to Numbers to Know and the board meeting attendance chart are included. [office]

If it appears that the amount of submissions is unusually light or unusually heavy, any preferences we have regarding varying from our normal 24-page length are made known to the layout person. [editor; office]

Reviewing Proofs

After the layout person at AdNet lays out the issue, a proof is e-mailed to the editor and/or the office for review. [editor; office]

If problems arise as to the amount of material submitted, this may be brought to the attention of the editor either before or at the proof stage, and the editor makes decisions and/or submits additional material. [editor]

Changes to the proofs are suggested in an e-mail to the graphics person, identifying the page, column, and line numbers and explaining the change needed. [editor; office]

Revised proofs (the entire issue or particular pages on which changes were made) are e-mailed to the editor and/or the office for review. [editor; office]

If necessary, a third proof may be e-mailed to the editor and/or the office for review. [editor; office]

When the editor is satisfied that the proof needs no further changes, a formal "approval to print" is e-mailed to AdNet. [editor; office]

Between the Lines SOP

APPENDIX 2 -- What to Include in *Between the Lines*

Between the Lines provides a vehicle for Chapter 20 to communicate with its own membership, members of other VVA chapters, and the general public. It not only informs people of chapter events, but provides an outlet for persons to write articles, stories, and poetry about the Vietnam War and matters of interest to veterans and their families. *Between the Lines* is happy to receive submissions from persons other than members of Chapter 20.

Submission of material to *Between the Lines* is understood to constitute consent to the inclusion of the material, with appropriate editing, in the print publication and on the chapter website, but not as a transfer of copyright, which remains with the author.

Between the Lines is mailed to several incarcerated VVA chapters, and inclusion of material relating to these chapters (for example, reports on visits by our members to their events) has been a much-appreciated service to them.

Although *Between the Lines* encourages submissions, editorial caution must be exercised as to certain types of material:

Copyrighted material should not be used without securing the appropriate permissions. Copyright applies to material found on the Internet.

Matters which may be libelous must be avoided, as well as complaints or criticisms relating to particular persons.

Between the Lines should be open to the expression of various opinions, and the editor's role is not to censor views with which he or she disagrees. However, submissions relating to highly controversial or emotional matters should be treated with caution, especially if the available submissions present only one side of an issue. *Between the Lines* should avoid giving the impression that Chapter 20 endorses a particular view of an issue, when that is not the case. Consultation with the chapter president is appropriate in doubtful cases. The publication needs to respect the fact that Vietnam veterans, and members of Chapter 20 in particular, hold differing views on a wide range of subjects.

Matters relating to political controversies are particularly sensitive. Chapter 20 and its publications can not and do not endorse candidates for any elective office. Experience has shown that even clearly stated disclaimers may not be adequate to avoid the impression of partisanship if items are printed which seem to favor a candidate. For this reason, statements issued by candidates, even if arguably of interest from an informational standpoint, should not be printed, and letters expressing political views, particularly regarding particular candidates, should be avoided. On the other hand, we have published articles referring favorably to actions by local public officials and photos of chapter events in which such persons are pictured. Cautious and sound editorial judgment must be brought to bear on such matters. References to political figures in issues close in time to an election in which they are running are probably more problematic than references made at other times.

Some sensitive matters may be inappropriate for a publication which reaches not only military veterans but their families and the general public. For example, a story describing in explicit detail how the bodies of Vietnam War casualties were processed by Graves Registration was rejected as potentially upsetting to some of our readers.

We will run articles which may have the incidental effect of helping someone in his or her business if the matter seems likely to be of interest to our readers; an example is an announcement of the publication of a war-related book. However, we have avoided running ads of a personal nature, such as those selling particular items or seeking roommates.

If information is submitted relating to matters of national significance (for example, legislation affecting veterans), the editor should consider whether we have the ability to treat such matters in a full and accurate way. For example, on one occasion it was decided not to reprint an article about federal legislation affecting incarcerated veterans because the legislation had not been funded and the editor felt that we did not have the ability to monitor the issue and update the information.

According to Postal Service regulations, paid advertising in publications mailed at non-profit rates cannot include advertising for credit, debit, or charge cards, insurance policies, or travel arrangements. There are also restrictions relating to the advertising of lotteries. Questions may be directed to Cathy Buksar at AdNet (cathyb@adnetdirect.net) or to the Postal Service (Andy Mills, 585-272-5977).

Between the Lines SOP

APPENDIX 3 -- Standard Format

Cover
President's Message
Free Fire Zone (editorials, letters, opinion pieces)
Front and Center (committee reports)
 Marching Unit
 POW/MIA
 Agent Orange/Health Affairs
 Membership
 Chaplain's Corner
 (others?)
Virtual Vet
Flyers, announcements of coming events, etc.
Paid advertisements
Meeting schedule
Car donation program--participating businesses
Membership application
BTL statement
Numbers to Know/board meeting attendance
Calendar

Between the Lines SOP

APPENDIX 4 -- Address list for copies mailed from office

6 copies

VVA Chapter 489
c/o Staff Advisor
Attica Correctional Facility
Box 149
Attica, NY 14011-0149

8 copies

Veterans 2 Self Help Group
c/o Staff Advisor
Collins Correctional Facility
PO Box 490
Collins, NY 14034-0490

2 copies

Craig McLaren #115624
President VVA Chapter 190/N.I.V.N.
Holman Unit 3700 (Honor Dorm)
Armory, AL 36503-3700

8 copies

William F. Homer
SK2, USN, Ret
VVA Chapter 616 Staff Advisor
Mansfield Correctional Institute
1150 N. Main Street
Mansfield, OH 44901

2 copies

David L. Cunningham #902299
Washington State Reformatory
PO Box 777 C1-15L
Monroe, WA 98272-0777

**THE CONSTITUTION
OF
VIETNAM VETERANS OF AMERICA
INCORPORATED**



**Adopted at the
National Convention
November 9, 1983**

**As amended at the
National Conventions
November 24, 1985
August 2, 1987
August 6, 1989
August 21, 1991
August 5, 1993
August 18, 1995
August 10, 1997
August 14, 1999
August 3, 2001
August 1, 2003
August 12, 2005**

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DECLARATION OF PRINCIPLES

WE, the veterans who served during the Vietnam War, who embraced through sacrifice and service to country the most fundamental and cherished bonds of our democracy, reaffirm that commitment to spirit and ideals, accepting it as the solemn responsibility of our survival, to bear the burden of what has been, so that tragedy once endured can never be forgotten.

AND so do we resolve that the true measure of our worth as citizens, as veterans, and as patriots be found in our willingness to draw from and abide by these strengths and convictions born of heritage and experience.

TO HOLD that a sacred and binding contract exists between governors and governed, with the latter recognizing an obligation of compulsory foreign or domestic service equitably shared by all, and the former morally obligated to implement foreign and domestic policies that are clear, consistent, and reflective of the will of the people.

TO HOLD further, that the contract extends to post obligatory service with the Nation, bound whenever and wherever appropriate to the prompt delivery of compensation to individuals or survivors in direct proportion to sacrifice and service rendered.

TO HONOR with dignity the sacred memory of the war dead, and so in dignity, ensure that the lasting legacy of the fallen is responsibility toward, not exploitation of, their sacrifice.

TO STAND for cooperation, dialogue, and friendship among the nations of the world community, with full respect and support of those principles central to our national life.

ARTICLE I

NATIONAL PROVISIONS

SECTION 1 – OFFICES

- A. The National headquarters of Vietnam Veterans of America, Inc., hereinafter called the Corporation, shall be located within the District of Columbia metropolitan area. The Corporation may have such other offices, either within or without the State of New York, as the Board of Directors may determine, or as the affairs of the Corporation may require from time to time.
- B. The Corporation shall have and continuously maintain in the State of New York, a registered office and a registered agent whose office is identical with such registered office as required by the Not-For-Profit Corporation Law of the State of New York; and the address of such office may be changed from time to time by the Board of Directors.

SECTION 2 – PURPOSES

The purposes of the Corporation, its State Councils, and its Chapters are:

- A. To help foster, encourage, and promote the improvement of the condition of the Vietnam-era veteran.
- B. To promote physical and cultural improvement, growth and development, self-respect, self-confidence, and usefulness of Vietnam-era veterans and others.
- C. To eliminate discrimination suffered by Vietnam-era veterans and to develop channels of communication which will assist Vietnam-era veterans to maximize self-realization and enrichment of their lives and enhance life-fulfillment.
- D. To study, on a non-partisan basis, proposed legislation, rules, or regulations introduced in any Federal, State, or local legislative or administrative body which may affect the social, economic, educational, or physical welfare of the Vietnam-era veteran or others; and to develop public policy proposals designed to improve the quality of life of the Vietnam-era veteran and others, especially in the areas of employment, education, training, and health.
- E. To conduct and publish research, on a non-partisan basis, pertaining to the relationship between Vietnam-era veterans and the American society, the Vietnam War experience, the role of the United States in securing peaceful co-existence for the world community, and other matters which affect the social, economic, educational, or physical welfare of the Vietnam-era veteran or others.
- F. To assist disabled and needy military veterans including, but not limited to, Vietnam-era veterans and their dependents, and the widows and orphans of deceased veterans.

SECTION 3 - MEMBERSHIP

- A. Membership in the corporation is open to any veteran of the military service of the United States of America, who served on active duty during the dates established by federal law for the Vietnam

War, paying in advance annual dues set by the Board of Directors, and conforming to, and complying with, this Constitution, bylaws, and rules of the Corporation now or hereinafter in effect. The Board of Directors shall have the right to set rules for waiver of dues in situations it deems appropriate. Members shall file with their Chapter, or with the Corporation, if they are not affiliated with a Chapter, a DD Form 214, or other proof of qualification for membership.

B. The Board of Directors shall have the authority to designate classes of members, and the dues, entitlements, eligibility requirements, and available services concerning such members, and shall have the authority to restrict from membership a person or group of persons when, in their judgment, admission of such person or persons would be inconsistent with, or detrimental to, the purposes, principles, objectives, or goals of the Corporation or otherwise.

SECTION 4 - NATIONAL BOARD OF DIRECTORS (hereinafter the Board of Directors)

- A. Except as otherwise provided by law or in this Constitution, control and management of the Corporation and its funds and affairs shall be vested in the Board of Directors.
- B. The number of the Directors shall be twenty-four (24).
1. The Board of Directors of the Vietnam Veterans of America shall be composed of the four (4) elected officers, ten (10) At-Large Directors, nine (9) Regional Directors, and the Chairperson of the Conference of State Council Presidents.
- a. The Chairperson of the Conference of State Council Presidents or designated Conference of State Council Presidents officer, shall only be seated after satisfying the following requirements:
- Must have been a member of the Corporation, in good standing, for a continuous period of not less than the twelve (12) months immediately prior to assuming their position.
 - Must have held an elected position at the national, state or chapter level, during any continuous 12-month period prior to the date of assuming their board seat.
 - Must supply a valid form DD-214 and any other documentation required by a majority of the Board of Directors.

At the National Convention, held as hereinafter set forth, the delegates thereto shall elect by the greatest number of votes, from among the nominees, the Directors necessary to fill the Directorships for terms of two (2) years.

All Directors shall be members of the Corporation in good standing. Commencing with the National Convention held in 1987, the Board of Directors shall be formulated as follows:

2. **Regional Directors** - At the National Convention, there shall be one (1) Director elected, from among the candidates for such position, from each of the nine (9) regions, as set forth in Appendix I to this Constitution, for terms of two (2) years by plurality vote of the delegates representing the Chapters and State Councils located within the respective regions of the candidates.

To qualify for election, a candidate must have been a member of the Corporation, in good standing, for a continuous period of not less than the twelve (12) months immediately preceding the opening of the National Convention at which candidate seeks election. The

candidate must have held an elected position at the national, state, or chapter level, for any continuous period of twelve months prior to the date of the opening of the National Convention. The candidate must reside in the region.

The Board of Directors may, after review of the membership patterns of the Corporation and in consultation with the Conference of State Council Presidents, amend and modify the boundaries of the regions set forth by a two-thirds vote, provided however, that any such amendment must be adopted and effective at least one (1) year prior to any National Convention.

3. **At-Large Directors** - There shall be ten (10) At- Large Directors, who shall be elected for terms of two (2) years by a plurality of the delegates at the National Conventions.

To qualify for election, or appointment (in the event of a vacancy as provided in paragraph C of this Section), a candidate must have been a member of the Corporation, in good standing, for a continuous period of (1) not less than the twelve months immediately preceding the opening of the National Convention at which candidate seeks election; or (2) in the event of appointment for the purposes of filling a vacancy, not less than 12 months immediately prior to the date of such appointment. A candidate must have held an elected position at the national, state, or chapter level, for any continuous period of twelve months prior to the date of the opening of the National Convention or the date of appointment.

C. A vacancy on the Board of Directors shall arise on the death, resignation, inability, refusal of a Director to serve, or a Regional Director no longer maintaining their physical residence in the region they were elected to represent. The unexcused absence of a Director from attendance at two (2) board meetings is deemed as a resignation from the Board of Directors. Any vacancy among the At-Large members of the Board of Directors shall be filled for the remaining term thereof by the majority vote of the remaining Directors. A vacancy in a position of a Regional Director shall be filled for the remaining term thereof by a vote of the Chapters and State Councils of that Region, in an election conducted in a manner determined by the remaining Board members. Such an election shall be conducted in a manner which ensures that all such Chapters and State Councils, in good standing in the affected region, shall be entitled to cast the votes determined in accordance with Section 7. C. 1 and 2 of this Article I. Voting strength shall be based upon membership paid, or otherwise excepted, as of a record date established by the remaining Board members. A vacancy in the position of a Regional Director must be filled by a member who resides in the Region.

D. A quorum of the Board of Directors shall be two-thirds of the number of the Directors then in office, or that number greater than two-thirds which is closest to two-thirds in the event that said number of Directors holding office is not divisible by three. Except as otherwise provided herein, the affirmative vote of the majority of the Board present shall constitute the act of the Board of Directors.

E. The President of the Corporation shall establish, with the concurrence of the Board of Directors, regularly scheduled quarterly meeting dates of the Board of Directors. The Board of Directors shall meet at other times on the call of the President of the Corporation or on the request of a majority of its members.

F. Notice of regular meetings of the Board of Directors shall be given by sending copies thereof in the mail at least thirty (30) days prior to the day of the meeting, addressed to the respective members of the Board and to each State Council President. Meetings shall be held at the place

designated by the President, unless the Board of Directors, at a previous meeting, shall authorize another place, or unless a majority of the Board shall, in writing, have requested another place for such meeting. Notice of special meetings of the Board of Directors, specifying the subjects to be considered at such meeting, shall be given, in writing, by first class mail, at least fourteen (14) days prior to the day of such meeting to all members of the Board and to all State Council Presidents.

G. In the intervals between meetings of the Board of Directors, the President of the Corporation may refer and submit by mail, telegram, telephone, or email, to the elected members of the Board of Directors, specific questions relating to the affairs or management of the Corporation, or elections to fill vacancies, which in the opinion of the President require immediate attention on the part of the Board. The results of such referenda shall constitute the act of said Board of Directors and shall be binding upon the Corporation, its Officers, Directors, agents, committees, and other persons and employees in the same manner as if the vote were taken at a duly constituted meeting. In the event that the President submits a question to the Board of Directors, as set forth above, he or she shall, within seven (7) days of said referendum, file with the Secretary an affidavit setting forth the date of contact of the Directors, the question submitted, and the vote of each Director. The Secretary shall communicate the results of said referendum to all members of the Board and to all State Council Presidents within seven (7) days of the aforementioned filing with the Secretary.

H. With respect to any resolution adopted by a State Council and directed to the Board, the Board shall report back to that State Council, in writing, setting forth the action taken by the Board at its next meeting, and the Board shall do so within thirty (30) days of said meeting.

I. Votes by the Board of Directors on all non-procedural motions shall be recorded by the Secretary in an appendix to be included in the minutes.

J. After written recommendation from the Board of Directors of the Associates of Vietnam Veterans of America, Inc. (AVVA), a separate and distinct corporation not to be confused with Vietnam Veterans of America, Inc., the National Board of Directors shall seat an AVVA liaison to serve as a non-voting Special Advisor to the Board of Directors entitled to be heard on each matter brought before the Board of Directors.

K. After election, a Regional Director shall nominate, within 30 days, an alternate, subject to ratification by a majority of the region's State Council Presidents. In the event of illness, or injury to the Regional Director, the ratified alternate shall be empowered to sit as a voting member of the National Board of Directors, for no more than two (2) consecutive meetings and entitled to be heard on each matter brought before the National Board of Directors. To qualify for appointment, a nominee shall only be seated after satisfying the same qualifications as required for the Regional Director.

SECTION 5 - OFFICERS

A. The delegates to the National Convention shall elect from the membership of the Corporation a President, a Vice President, Secretary, and a Treasurer. To qualify for election or appointment (in the event of a vacancy as provided in paragraph C of this Section) to any of these offices a candidate must have been a member of the Corporation, in good standing, for a continuous period of (1) not less than the twelve months immediately preceding the opening of the National Convention at which such candidate seeks election; or (2) in the event of appointment for the purposes of filling a vacancy, not less than twelve months immediately prior to the date of such appointment. A candidate must have held a position as an officer or

Board member at the National level, or as an officer at the State or Chapter level, during any continuous period of twelve months prior to the date of the opening of the National Convention at which such candidate seeks election, or in the event of appointment for the purposes of filling a vacancy, during any continuous period of twelve months prior to the date of such appointment.

B. The Officers shall have such powers and authority and shall perform such duties as are prescribed by this Constitution and otherwise as are usual to such offices, and shall have such other powers and duties as are assigned to them by the Board of Directors. The Officers shall be members of the Board of Directors, with full voting rights thereon, and shall serve for a term of two (2) years or until a successor is elected. The Officers shall, unless excepted by the Board of Directors, devote their full interests to their respective positions, shall be compensated therefore in accordance with a schedule of compensation promulgated by the Board of Directors, and shall be entitled to such other emoluments as the Board of Directors deems necessary or appropriate. Officers may receive income from outside sources, unless such is determined by the Board of Directors to be against the interests of the Corporation. Honoraria received by any Officer, Board Director, or salaried employee of the Corporation during his or her elected term and/or employment with the Corporation, from any outside source, while acting for or on behalf of the Corporation, or in his or her organizational capacity with the Corporation, including but not limited to paid endorsements, speaking fees, consultant fees or personal appearance fees, shall be the sole and exclusive property of the Corporation, and shall be immediately conveyed by the above specified recipients to the Treasurer of the Corporation upon receipt.

C. Except as provided in paragraph E of this Section, a vacancy in any Office because of death, resignation, removal, disqualification, or otherwise, shall be filled by the remaining Officers, subject to the approval of the Board of Directors, for the unexpired portion of the term.

D. The President shall be the principal executive officer of the Corporation, and shall, in general, supervise and control all the business and affairs of the Corporation. He or she shall preside at all meetings of the Board of Directors and shall, for all purposes, be deemed the chairperson thereof. The President may sign, with the Treasurer, or other proper Officers of the Corporation, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or this Constitution or by law to some other Officer or agent of the Corporation; and, in general, he or she shall perform all duties incident to the office of President and such other duties as may be prescribed from time to time by the Board of Directors, and may assign to other Officers such duties as are not inconsistent with their oaths of office.

E. The Vice President shall, in the absence of the President, or his or her inability or refusal to act, perform the duties of the President, and when so acting, shall have the powers of, and be subject to all the restrictions upon, the President. The Vice President shall perform such other duties as may be assigned to him or her by the President or the Board of Directors. The Vice President shall, upon the death, resignation, or removal of the President, assume the position of the President for the remainder of his or her term.

F. The Secretary shall keep the minutes of the meetings of the Board of Directors and of the National Conventions in one or more books provided for that purpose; ensure that all notices are given in accordance with this Constitution or required by law; be custodian of the corporate records and of the seal of the Corporation and ensure that the seal of the Corporation is affixed to all documents, the execution of which has been authorized by the Board of Directors, or otherwise in accordance with this Constitution; and, in general, perform all the duties incident to the office of Secretary and such other duties as may be assigned to him or her by the President or the Board of Directors. The Secretary shall also ensure timely (60 days)

reproduction (8 1/2" x 11") and distribution of the amended National Constitution to each Chapter following each National Convention.

G. The Treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the Board of Directors shall determine. He or she shall have charge and custody and be responsible for all funds and securities of the Corporation; receive and give receipts for moneys due and payable to the Corporation from any source whatsoever, and deposit all such moneys in the name of the Corporation in such banks, depositories, or trust companies as shall be selected by the Board of Directors; and, in general, perform all duties incident to the office of Treasurer, and such other duties as may be assigned to him or her by the Board of Directors.

SECTION 6 - NATIONAL CONVENTIONS

A. The Corporation shall hold a National Convention in 1983 and every two (2) years thereafter, at such times, dates, and places as may be designated by the Board of Directors. The National Convention shall be the highest authority of the Corporation. Except as otherwise provided in Section 8 of this Article, the President shall preside as the Chairperson of the Convention.

B. The National Convention shall be open to attendance by the membership as defined in this Constitution.

C. The delegates, and their voting rights as concerns the business before the Convention, shall be as follows:

1. Each Chapter shall be entitled to one (1) vote for its first twenty-five (25) members. A Chapter which has fifty (50) members shall be entitled to a second vote at the Convention. For each full block of fifty (50) members thereafter, the Chapter shall be entitled to one (1) additional vote. In the event that a Chapter shall have less than twenty-five (25) members, the Chapter shall receive no vote, but the members thereof shall be included in the number of non-affiliated members for representation by the State Council, as set forth below. Chapter delegates to the Convention must be selected from the Chapter membership or from the membership of the state in which the Chapter is located.

2. Each State Council President shall be entitled to one (1) vote at the National Convention. In addition, each State Council shall be entitled to one (1) vote for each full block of one-hundred (100) members of Vietnam Veterans of America, who are either not affiliated with a Chapter or who are members of a Chapter whose membership is less than twenty-five (25) as set forth above.

3. The votes described herein shall be cast in person, by each of the delegates selected by the Chapters or the State Councils. Proxy voting shall not be permitted at the National Convention.

D. Each Chapter and State Council shall be entitled to be physically represented at a National Convention by its appointed delegates as determined by the voting strength set forth above.

E. Voting strength shall be based upon membership paid, or otherwise excepted, determined as of February 28 of the year of the National Convention.

F. The delegates, Officers, Directors, and past Presidents of the Corporation shall be entitled to be heard on each and every subject to come before the National Convention, subject to rules of procedure and

debate as reported by the Rules Committee and adopted by the delegates at the commencement of the Convention.

G. A secret ballot shall not be permitted upon any floor vote called for at the National Convention. Casting of votes for election of Officers and Directors shall be in the manner adopted by the delegates with the recommendation of the Elections Committee.

H. A majority of the accredited delegates to the Convention shall constitute a quorum.

SECTION 7 - COMMITTEES

A. There shall be established by the President of the Corporation, subject to the approval of the Board of Directors, five Convention committees: Elections, Rules, Credentials, Resolutions, and Convention Planning. The members of the Convention Committees shall serve as individuals and shall not be subject to instructions by any person or designated body.

1. The Elections Committee shall generally supervise the election process, to include receiving nominations, distributing the names and qualifications of candidates to the delegates, chairing the National Convention during the election process, and certifying the results of said elections. The Elections Committee shall set a date, not less than thirty (30) days prior to the commencement of a National Convention, by which date all candidates must file with the Committee an announcement of their candidacy. Additional candidates may be placed in nomination at the National Convention by submission of a written petition naming the candidate and signed by twenty-five (25) percent of the delegates, and by his or her showing compliance with the rules, requirements, and procedures of the Elections Committee, prior to the close of nominations at the National Convention.

Membership on the Elections Committee shall be made up of members of the corporation in good standing. A member of the Elections Committee shall not become a candidate for a National Office or National Board position; nor, shall they serve as a delegate or as an alternate delegate to the National Convention. A member of the Elections Committee shall not campaign for or against any candidate who is standing for election to a National Office or National Board position. They shall not endorse, or support in any other manner, or by any other means, any candidate who is standing for election to a National Office or National Board position.

2. The Rules Committee shall establish, with the approval of a majority of the Convention delegates, the rules of procedure and debate at the National Convention which shall be Robert's Rules of Order, Newly Revised, with such modifications or restrictions as the Committee and the Convention delegates deem necessary for the orderly conduct of business.

3. The Credentials Committee shall certify the qualifications of delegates and verify the membership of any person seeking to attend the National Convention as a delegate.

4. The Resolutions Committee shall report the resolutions to be addressed by the delegates assembled from among those submitted by the Chapters, State Councils, standing committees, membership, or other sources. Provided, however, that any such resolution shall be filed with the Resolution Committee at least one-hundred-twenty (120) days prior to the commencement of the National Convention, at which resolutions are to be addressed. The Resolution Committee shall review proposed resolutions received, and shall, not less than sixty (60) days prior to the commencement of the National Convention, forward to the Chapters and State Councils copies of all proposed resolutions submitted to the Committee pursuant to this section along with the Committee's recommended action with regard to each proposed

resolution. Resolutions not reported by the Resolutions Committee may be brought to the floor for debate and action upon the motion of any delegate and concurrence by a majority of the delegates.

5. The Convention Planning Committee shall examine and recommend to the Board of Directors a specific plan concerning the logistics of a prospective Convention, including location, dates, and other such information. Such recommendation shall be made and published not less than one (1) year prior to the date of such Convention.

B. The President of the Corporation may establish, with the approval of the Board of Directors, the standing committees defined in Appendix II of this constitution and may establish such subcommittees or special committees as is necessary or desirable to the affairs of the Corporation. Each of the standing committees shall perform the functions ascribed to it under Appendix II. The chairpersons of the committees shall be appointed by the President, with the approval of the Board of Directors, provided however that any individual so appointed shall not concurrently chair any standing committee, special committee or task force. The chairperson of the respective committees shall appoint the members thereof, subject to the approval of the Board of Directors. Committees shall serve to advise the President and the Board of Directors as to matters germane to their respective areas of subject-matter jurisdiction, and perform such other duties as the President and Board of Directors shall from time to time assign to them. The committees shall closely coordinate with and assist the corresponding committees at the State Council and Chapter levels. The committee chair may nominate qualified non-members to serve as non-voting Special Advisors to the committee.

C. The committees shall meet at such times and places as the chair of the committee or the President or Board of Directors shall direct.

SECTION 8 - FISCAL YEAR

The fiscal year of the Corporation shall begin on the first day of March and end on the last day of February in each year.

SECTION 9 - SEAL

The Board of Directors shall provide a corporate seal, which shall be in the form of a circle and shall have inscribed thereon the name of the Corporation, the state and year of the incorporation, and identify the imprint thereof as the corporate seal of the Corporation.

SECTION 10 - WAIVER OF NOTICE

Whenever any notice is required to be given pursuant to the provisions of the New York Not-For-Profit Corporation Law, the Certificate of Incorporation, this Constitution, or the rules of procedure adopted by the Board of Directors, a waiver thereof in writing, signed by the person entitled to such notice, executed at any time, shall be deemed the equivalent of the giving of such notice.

SECTION 11 – CONFERENCE OF STATE COUNCIL PRESIDENTS MEETINGS.

A. Membership on the Conference of State Council Presidents shall be open to every State Council President or his or her designee. The Conference shall elect, from among the State Council Presidents, a chairperson and such other officers as the conference deems appropriate. Election of officers of the Conference shall be by a vote of the members at the Conference, at the first meeting to be held after June 30 in each even numbered year.

B. The Corporation shall ensure that the Conference has the opportunity to meet, not less than twice per year, to share information and to discuss matters of common concern. The Conference shall be entitled to issue such opinions and recommendations to the Board of Directors as the Conference deems desirous or advisable, and the Board of Directors shall, at the next regular meeting thereof, address such opinions or recommendations.

ARTICLE II

STATE PROVISIONS

SECTION 1 - ESTABLISHMENT OF STATE COUNCILS

Upon written petition by at least three (3) Chapters from within a state, duly organized as hereinafter set forth, or by two hundred (200) members from within a state in which less than three (3) Chapters have been organized, the President may authorize the formation of a State Council of the Chapters within the petitioning state. Each such authorized State Council shall be established as a not-for-profit corporation pursuant to the appropriate provisions of the laws of the state within which it is established, provided, however, that no officer of a Chapter within a state which has less than three (3) Chapters shall be officers of the State Council. Each State Council shall, upon completion of the incorporation process, adopt the Constitution of the Corporation as then in existence, and execute such other instruments and documents as may be required, and forward the same to the Secretary of the Corporation.

SECTION 2 - PURPOSES

The purposes of the State Councils shall be to promote and enforce the principles and policies of the Corporation as set forth in this Constitution, and the rules and resolutions and the Code of Disciplinary Procedure of the Corporation.

SECTION 3 - MEMBERSHIP

A. Each Chapter within a state which has organized a State Council shall be represented on the State Council. At large membership may be represented on the State Council. The number of delegates, a system of alternate delegates, and the voting procedures of the delegates shall be established by the respective State Councils, provided, however, that such rules must be uniform in fact and application, must be in compliance with this Constitution, and are subject to review and modification by the Board of Directors of the Corporation if the Board, in its judgment, deems a modification necessary or desirable.

Each Chapter shall elect delegates to the State Council, and these delegates shall represent the Chapter on all matters to come before the Council. Chapters shall be responsible for ensuring the attendance of at least one (1) delegate per Chapter at not less than one half of all of the meetings of the State Council during the preceding twelve months, and the unexcused absence of at least one (1) delegate from such meetings of the council during the preceding twelve months may be sufficient grounds for disciplinary action against the Chapter, in accordance with the provisions of this Constitution and the Code of Disciplinary Procedure, adopted by the Corporation.

B. After written recommendation from the Associates of Vietnam Veterans of America, Inc. (AVVA) in the state, the State Council shall seat a Liaison on the State Executive Committee/Board of Directors, who shall serve as a non-voting Special Advisor to the State Council Executive Committee/Board of Directors entitled to be heard on all matters.

SECTION 4 - OFFICERS

A. The delegates to a State Council shall elect from the membership within the state, whether Chapter or otherwise, a President, a Vice President, a Secretary, a Treasurer, or Secretary/Treasurer, and such other officers as may be deemed necessary or proper by the Council. Election of officers of the Council, held after December 31, 1986, shall, upon nomination, be by vote at a meeting of the Council to be held in June of

each even-numbered year. Officers shall serve for a term of two (2) years or until the seat held by such officer shall be deemed vacant pursuant to the provisions of this Constitution.

B. Except as provided in Paragraph B of Section 5 of this Article, a vacancy in any office of the State Council shall be filled, for the unexpired term, by a vote of the delegates to the Council. The first order of business at the meeting immediately following such an event shall be the election of a member to fill the office so vacated.

SECTION 5 - DUTIES OF OFFICERS

A. The State Council President shall be the principal executive officer of a State Council, shall preside at all meetings of the Council, and shall appoint the chairpersons of all committees, subject to the approval of the Council. He or she shall be the formal representative of the Council to the Corporation on all matters. The State Council President shall execute all instruments or documents authorized for such execution by the Council, except where other persons have been expressly delegated that authority by the Council, this Constitution, or by the Board of Directors of the Corporation. The State Council President shall also review all fund-raising proposals which require the approval of the Board of Directors of the Corporation, as set forth in Article IV of this Constitution, and make a recommendation as to approval to the Board of Directors, and forward a copy of the recommendation to the Chapter and the Corporation, within fifteen (15) days of receipt of a completed proposal. The President of the State Council shall have the authority to ensure that all Chapters and the State Council are in compliance with all governmental statutes, rules and regulations.

B. The State Council Vice-President shall assist the President, shall perform the duties of the State Council President in the event of his or her inability or refusal to act, and shall perform such other duties as the Council may from time to time determine. In the event of the death, removal, or resignation of the State Council President, the Vice-President shall assume the position of President for the remainder of his or her term.

C. The Secretary shall attend all meetings and shall be the custodian of the minutes, correspondence, and other documents relating to the business of the Council. The Secretary shall record the minutes of the regular and special meetings of the Council, and shall provide each Chapter in the state with a copy thereof within a reasonable time after such meetings.

D. The Treasurer shall attend all meetings of the Council and shall collect, receive, deposit, and disburse the funds of the Council as directed by the Council, and shall render financial statements and reports as may be requested by the Council or the Corporation, and shall perform such other duties as the Council shall assign to him or her.

E. The State Council President, Vice-President, Treasurer, or any other officer designated by the Council, shall be authorized to sign checks and drafts. Any officer so authorized shall obtain a fidelity bond or other surety for the faithful discharge of the above duties in such sum and with such surety as the Council may determine, the expense of which shall be a charge to the Council. A bond may be dispensed with for any such officer upon his or her written request to the Board of Directors of the Corporation and its consent thereto.

SECTION 6 - MEETINGS

A. Regular meetings of the Council shall be held on a schedule and at a location designated by the Council. Each Council shall meet not less than twice per year, and notice of any such regular meeting

shall be given to the members of the Council by the Secretary at least twenty (20) calendar days prior to the meeting.

B. Special meetings of the Council may be called by the President or by petition of twenty-five (25) percent of the regular delegates to the Council. Written notice of any special meeting shall be given to each member of the Council at least ten (10) calendar days prior to any such special meeting. Notice shall be deemed to have been given upon a first-class mailing to the recipient at the address on file with the Council. The President of the Corporation may call a special meeting of the State Council when he or she deems such a meeting to be in the best interests of the Corporation.

SECTION 7 - COMMITTEES

The Council may establish the standing committees defined in Appendix II to this constitution and may establish such special committees as are necessary or proper to the conduct of the business of the Council. Each of the standing committees shall perform the functions ascribed to it in Appendix II. The President of the State Council shall appoint the chairperson of such committees, who shall then appoint the members of said committees, subject to the approval of the State Council. The committee chair may nominate qualified non-members to serve as non-voting Special Advisors to the committee.

SECTION 8 - FINANCE

Subject to the provisions of this Constitution and the rules, resolutions and procedures of the Corporation, each Council shall have the power to raise funds as are necessary to its operation in such manner as the Council deems appropriate, provided, however, that the State Council must seek to obtain the written permission of each Chapter located in a geographic area where the State Council proposes to conduct a fund-raising campaign, prior to the commencement of any such activity. Chapters shall have sixty (60) days to respond favorably or unfavorably to any request for permission to conduct such a fund-raising activity. A failure by a Chapter to respond to any such request within sixty (60) days shall be deemed to be a grant of permission to the State Council. Any denial of permission by a Chapter shall be subject to review by the entire State Council at its next regular meeting or at a special meeting. A two-thirds (2/3) vote of the entire State Council shall be required to overrule a Chapter.

SECTION 9 - FISCAL YEAR

The fiscal year of a State Council shall commence on the first day of March and end on the last day of February in each year.

SECTION 10 - SEAL

The Council shall provide a corporate seal, which shall be in the form of a circle and shall have inserted thereon the name of the Council and the state and year of incorporation.

SECTION 11 - WAIVER OF NOTICE

Whenever any notice is required to be given pursuant to the provisions of the Articles of Incorporation of the Corporation or of the State Council, or by this Constitution, or the rules and procedures of the Corporation, a waiver thereof in writing, signed by the person entitled to such notice, executed at any time, shall be deemed the equivalent of the giving of such notice.

SECTION 12 – REPORTING

The State Council shall submit the election results to the National Membership Department not later than sixty (60) days after the council elections and a list of committee chairpersons within one-hundred-twenty (120) days after the council elections.

ARTICLE III

CHAPTER PROVISIONS

SECTION 1 - CHAPTER FORMATION

Twenty-five (25) members in good standing may petition for a charter. Upon receipt of the petition, the corporation and appropriate State Council shall determine if the petitioning members have adopted the standards and policies of Vietnam Veterans of America, Inc., as set forth in this document and State Council By-Laws. Upon completion of these steps, the Corporation shall authorize the incorporation of the chapter as a non-profit corporation in the state of incorporation. Within sixty (60) days following incorporation, the chapter will be presented with a charter recognizing them as a duly authorized chapter of the corporation. State law, in the state of incorporation, may require other documentation. In the event a chartering petition is denied, the petitioning members may appeal to the National Board of Directors.

SECTION 2 - OFFICES

The principal offices of a Chapter shall be located at an address within the incorporating state, to be designated by the chapter.

SECTION 3 - MEMBERS

A. A Chapter may set rules and guidelines for the waiver of Chapter dues in situations deemed appropriate. In the event that the Board of Directors of the Corporation has waived the national dues for any person or class of persons, such waiver shall act as a waiver of the Chapter dues of any such person or class of persons.

B. Failure of any member to maintain membership in good standing in the Corporation shall automatically result in the termination of said member's membership in the Chapter.

C. Each member shall be entitled to one vote on each matter submitted to a vote of the members, as set forth in the rules and regulations of the Corporation, as shall be adopted by the National Board of Directors.

SECTION 4 - MEETINGS OF CHAPTERS

A. Regular meetings of the Chapter shall be held on such date as shall be determined by the Board of Directors of the Chapter and announced to the members at a Chapter meeting, or by notice to the members at least ten (10) days prior to the meeting.

B. The annual meeting of the members of the Chapter, held after December 31, 1986, shall be held in April of each year on a day and at a time and place to be determined by the Board of Directors of the Chapter for the purpose of electing Officers, each for a one-(1) or two-(2)-year term as determined by the Chapter; Nominating Committee members, each for a one-(1), or two-(2)-year term as determined by the Chapter; Directors, each for a one-(1), two-(2), or three-(3) year term as determined by the Chapter; State Council delegates, who shall be elected for a term of two (2) years at the annual meeting occurring in each even-numbered year; and for the transaction of such other business as may properly come before the meeting.

C. Special meetings of the members may be called at any time by the President of the Chapter, and shall be called by the President or the Secretary at the written request of a majority of the Board of Directors, or of the members in good standing. A special meeting may also be called by the President of the Corporation or the President of the State Council of the state in which the Chapter is located.

D. All meetings of the members shall be held at the principal offices of the Chapter or at such other place as the Board of Directors of the Chapter shall designate in the notice of such meeting.

E. Notice of the annual meeting and special meetings, specifying the purposes for which such meeting is called, the date, time, and place it is to be held, shall be delivered either personally or by mail to each member entitled to vote at such meeting, at least ten (10) days before any special meeting, and not less than thirty (30) days nor more than fifty (50) days before any annual meeting.

F. Each chapter shall define their quorum as required by state or local law.

G. Each member shall be entitled to one (1) vote on all business submitted to the membership for a vote. Votes must be cast in person in a manner designated by the Board of Directors. Except as otherwise provided by this Constitution, the vote of a majority of the members present and entitled to vote on a matter at a meeting at which a quorum for the transaction of any business is present, shall be necessary for the adoption thereof.

SECTION 5 - BOARD OF DIRECTORS

A. The membership of the Board of Directors, inclusive of the Officers set forth below, shall consist of not less than five (5) nor more than twenty (20); and the exact number shall be determined by the Board of Directors, subject to the approval of the members of the Chapter. The Board of Directors shall consist of the elected officers plus at least two (2) directors elected from the membership.

B. The President, Vice President, Secretary, Treasurer, and such other Officers as have been authorized and elected by a Chapter, shall be members of the Board of Directors of a Chapter; and their terms of directorship shall be coterminous with that of the office that they hold.

C. The Directors shall be elected from among the members in good standing of the Chapter by the vote of the members present, in person, and entitled to vote at the annual meeting of the members, or as hereinafter provided. Each Director shall hold office for a one (1), two (2), or three (3) year term, as determined by the Chapter, until the next annual meeting and until his or her successor is elected and has qualified. A Director may succeed himself or herself any number of times.

D. The Board of Directors of the Chapter shall be responsible for the control and management of the affairs, property, and interests of the Chapter; for keeping the Corporation advised of all activities of the Chapter; for complying with all reporting requirements established by this Constitution, the rules, resolutions, or directives of the Corporation, or any local, state or Federal law; and for guiding and administering the Chapter so that the purposes, principles, and goals of the Corporation, as set forth in the Certificate of Incorporation, and the rules, resolutions, and directives of the Corporation are followed; and for making suggestions and recommending programs.

E. The Board of Directors shall meet immediately prior to the annual meeting of the Chapter members. The meeting shall be considered to be the annual meeting of the Board of Directors.

F. The Board of Directors shall meet at least four (4) times per year, inclusive of the annual meeting as scheduled, or when called by the President of the Chapter, or by one-third of the Directors, at such time and place as may be specified in the notice thereof. The President of the Corporation or the President of the State Council may call a meeting of the Chapter when he or she deems such to be in the best interests of the Corporation.

G. Notice of any meeting of the Board of Directors shall be given at least five (5) days prior thereto by written notice delivered personally or sent by mail or telegram to each Director at his or her address as it appears on the records of the Chapter. Said notice shall be deemed delivered when mailed, or delivered for telegraphic transmittal. Any Director may waive notice of any meeting, in the manner hereinafter prescribed. The attendance of a Director at any meeting shall constitute waiver of notice of said meeting, except when a Director attends the meeting for the express and stated purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

H. A quorum of the Board of Directors shall be two-thirds of the whole number of the Board of Directors, or that number greater than two-thirds which is closest thereto when the number of the Directors is not divisible by three. The act of the majority of the Directors present at any duly constituted meeting at which there is a quorum present, shall be the act of the Board of Directors, except as otherwise provided by law, this Constitution, or the rules, procedures, or directives of the Corporation.

I. Any vacancy occurring in the Board of Directors, or in the position of State Council delegate due to the death, resignation, refusal, or inability to serve, shall be filled, for the unexpired portion of the term, by a majority vote of the full number of the remaining Directors, though less than a quorum.

J. Any member of the Board of Directors who shall be absent from three Board meetings without adequate notice and excuse acceptable to the Board, shall be deemed to have resigned from the Board.

K. After recommendation from the local members of the Associates of Vietnam Veterans of America, Inc. (AVVA), the chapter should seat a Liaison on the Chapter Board of Directors, who shall serve as a non-voting Special Advisor to the Chapter Board of Directors on matters of particular concern to AVVA members.

SECTION 6 - OFFICERS

A. The officers of a Chapter shall be the President, one or more Vice Presidents, a Secretary, a Treasurer, or Secretary/Treasurer and such other officers as the Board may, from time to time, deem advisable.

B. The officers of a Chapter shall be elected by the members at the annual meeting of the members. All such officers so elected shall hold office for a term of one (1) year unless the Chapter, by resolution of the membership taken at least sixty (60) days prior to the election, shall have determined that all such officers shall serve for a term of two (2) years. Each officer shall hold office until his or her successor is elected and has qualified. An officer may succeed himself or herself any number of times. A vacancy in any office due to death, resignation, refusal, or inability to serve, shall be filled by the Board of Directors, for the remaining term thereof, subject to the approval of the members at the next meeting, except that a vacancy in the office of the President shall be filled for the remaining term thereof as specified in Subsection D of this Section.

C. The President shall be the chief executive officer of the Chapter and shall, subject to the direction of the Board of Directors, supervise and control all of the business affairs and property of the Chapter, and shall see that all orders and resolutions of the Board are carried into effect. The President shall preside at all meetings of the members and of the Board, and shall appoint all chairpersons of committees, except the Chairperson of the Nominating Committee.

D. In the absence of the Chapter President, or in the event of his or her inability or refusal to act, the Vice President, or in the event that there be more than one (1) Vice President, the Vice Presidents in the order designated, shall perform the duties of the President, and when so acting, shall have all the powers of, and be subject to, all the restrictions upon the President. The Vice Presidents shall perform such other duties as the Board may from time to time prescribe. In the event of the death, removal, or resignation of the President, the Vice President shall assume the position of the President for the remainder of his or her term.

E. The Secretary shall record all the proceedings of the meetings of the Board of Directors, and of the members, in a book kept for that purpose, and shall perform like duties for the Executive Committee when required. He or she shall give or cause to be given, notice of all meetings for which notice is required by this Constitution, and shall operate under the supervision of and perform such other duties as may be prescribed by the Board of Directors or the President. In the event of a conflict, the Secretary shall act pursuant to the instructions of the Board. The Secretary shall obtain and have custody of a corporate seal for the Chapter if required by law. The Secretary or Assistant Secretary shall have the authority to affix the same to any instrument requiring it, and when so affixed it may be attested by the signature of the Secretary or such Assistant Secretary. The Board may give general authority to any other officer to affix the seal of the Chapter and to attest the fixing by his or her signature. The Secretary shall be responsible for the safe-keeping of all DD Forms 214 or other acceptable forms of proof of military service tendered to him or her by any member. He or she shall forward to the office of the Corporation a copy of said form for each duly elected officer and director.

The Assistant Secretary, if there be one, shall, in the absence of the Secretary or in the event of his or her inability or refusal to act, perform the duties and exercise the powers of the Secretary, and shall perform such other duties and have such other powers as the Board may from time to time prescribe.

F. The Treasurer shall have charge and custody of all funds and securities of the Chapter and all funds and securities in any way generated, collected, or obtained in connection with Chapter activities; and the Treasurer shall be responsible for such funds and securities and the receipt and disbursement thereof. He or she shall keep full and accurate accounts of receipts and disbursements in books belonging to the Chapter and shall deposit all moneys and other valuable effects in the name of, and to the credit of, the Chapter in such depositories as may be designated by the Board.

The Treasurer shall disburse the funds of the Chapter as may be ordered by the Board, taking proper vouchers for such disbursements, and shall render to the President and the Board at its annual meeting, or when the Board, the President, or the Corporation so require, an accounting of all transactions as Treasurer, of the financial condition of the Chapter, in compliance with local, state, and federal regulations.

The Assistant Treasurer, if there be one, shall, in the absence of the Treasurer or in the event of his or her inability or refusal to act, perform the duties and exercise the powers of the Treasurer, and shall perform such other duties and have such other powers as the Board may from time to time prescribe.

G. The Chapter President, Vice President, Treasurer, or any other officer designated by the Board, shall be authorized to sign checks and drafts. Any officer so authorized shall obtain a fidelity bond or other surety for the faithful discharge of the above duties in such sum and with such surety as the Board may

determine, the expense of which shall be a charge to the Chapter. A bond may be dispensed with for any such officer upon his or her written request to the Board of Directors of the Corporation and its consent thereto.

SECTION 7 - COMMITTEES

A. The Nominating Committee shall consist of at least three (3) members elected by the membership at the annual meeting, one of which must serve as the committee chair. The Committee shall prepare a slate of candidates for all of the positions of Officers and Directors and submit the list for consideration by the Chapter members at least thirty (30) days prior to the election. Additional persons may be nominated by any member at the annual meeting. Any person nominated, by the Nominating Committee or otherwise, shall immediately submit a copy of his or her DD Form 214 or other acceptable forms of proof of military service to the Secretary, and shall not be entitled to be considered for election until such act is accomplished.

B. The Board may appoint an Executive Committee and such other committees of Directors as may be required. Such committees shall consist of three (3) or more Directors, shall have such powers as the Board shall set forth in the resolution creating such committees, and shall make recommendations to the Board and perform such other services as the Board may require, but they shall not have the authority to modify any action taken by the Board.

C. The President of the Chapter may establish the standing committees as defined in Appendix II of this constitution. The chairpersons of the committees shall be appointed by the President. The members of the committees shall be appointed by the chairperson from members of the Chapter. Non-voting Special Advisors may be appointed to all committees from among qualified citizens.

D. The terms of the committee chairpersons and members of the committees shall be as follows:

1. The members of the Nominating Committee shall be elected to serve for a one (1) or two (2) year term of office until their successors are elected and have qualified.

2. The members of the Executive Committee and other committees of Directors shall serve for such terms, not to exceed the member's term of office as a Director, as shall be determined by the Board of Directors.

3. The members of the standing and other committees shall serve for a term terminating at the annual meeting of members when the term of the President who appointed the chairperson of the respective committee terminates.

4. A member of a committee may be reelected or reappointed to additional terms, as long as the individual remains a member in good standing of the corporation.

5. The Board of Directors of the Chapter, by vote of the majority of its members, may remove the chairperson of any committee, including the Nominating Committee, in accordance with the provisions of this Constitution, and the rules, procedures, and directives of the Corporation.

SECTION 8 - FINANCE

Subject to the provisions of this Constitution, and the rules, resolutions, and procedures of the Corporation, each Chapter shall have the power to raise funds as are necessary to its operation in such manner as the Chapter deems appropriate.

SECTION 9 - ELECTION RESULTS

The Chapter shall submit the election results and a report of committee chairpersons to both the State Council and National Membership Department not later than sixty (60) days after the Chapter elections.

SECTION 10 - FISCAL YEAR

The fiscal year of each Chapter shall commence on the first day of March and end on the last day of February in each year.

SECTION 11 - SEAL

The Chapter shall provide a corporate seal, if required by law, which shall be in the form of a circle and shall have inserted thereon the name of the Chapter, and the state and year of incorporation.

SECTION 12 - WAIVER OF NOTICE

Whenever any notice is required to be given pursuant to the Articles of Incorporation of the Corporation or of the Chapter, or by this Constitution or the rules and procedures of the Corporation, a waiver thereof in writing, signed by the person entitled to such notice, executed at any time, shall be deemed the equivalent of the giving of such notice.

ARTICLE IV

GENERAL PROVISIONS

SECTION 1 - FINANCE

A. Each Chapter and State Council shall conform to all applicable Federal, state, and local laws, and with this Constitution, the rules and directives of the Corporation, as concerns the reporting of any financial activities of the Chapter or State Council. By July 15 of each year, each Chapter shall file an annual financial report with its State Council and with the Corporation in a format to be specified by the Corporation. By July 15 of each year, each State Council shall file a similar annual report with the Corporation. Notwithstanding any other provision of this constitution or the National Disciplinary Policy, the Charter of any Chapter or State Council that fails to file its annual financial report by the date specified herein shall be automatically suspended upon written notice of such suspension sent to the appropriate State Council and to the National Board of Directors. In such cases, no charges shall be required under the National Disciplinary Policy for such suspension to be effective. Written notice of such suspension shall be sent to the Chapter or State Council at its last known address.

Such suspension shall continue until (1) the Chapter or State Council shall file its financial report for the year which caused the suspension; or (2) the Board of Directors of the Corporation shall relieve the Chapter or State Council of the responsibility for the filing of such report for the year in question; or (3) the Charter of such Chapter or State Council shall be thereafter revoked upon the filing of charges under the National Disciplinary Policy.

B. The Corporation shall be empowered to examine the financial records of any Chapter or State Council, during normal business hours, at a time and place designated by the President or his or her authorized representative, said location shall be convenient to the principal executive officer of the Chapter or State Council.

C. Copies of all bonds or other sureties, obtained as a result of the requirements of this Constitution or otherwise, shall be filed, together with any renewal thereof, with the Corporation.

D. The Corporation shall obtain an audit, of all funds and accounts controlled by the Treasurer or any other Officer of the Corporation, prepared in accordance with generally accepted auditing standards, by an independent certified public accounting firm selected by the National Board, not less than annually, and further obtain a review and report of the financial records prepared in similar fashion, not less than semi-annually, to include a comparison of actual to budgeted revenues and expenditures, and shall distribute copies of said audits and reports to all State Councils and Chapters not more than thirty (30) days after the meeting of the Board of Directors at which said audits or reports have been presented, but no later than one-hundred fifty (150) days after the last day of the period being reported upon.

SECTION 2 - DISCIPLINE

A. There was adopted on April 21, 2001, a National Disciplinary Policy to be followed in the event charges are filed against any member, State Council, or Chapter. Said Policy shall provide for adequate protection of the rights of the accused party to a fair hearing, representation by counsel of his, her, or its choosing, to appeal an adverse determination before appropriate committees of the Corporation, or otherwise to present evidence on his, her, or its behalf, and to confront his, her, or its accusers. The National Disciplinary Policy may be amended by the Board of Directors, provided however, that any such amendment

by the National Board before taking effect must be ratified by a majority vote of the Conference of State Council Presidents.

SECTION 3 - RESTRICTED ACTIVITIES

A. No member of the Corporation may receive any compensation, by gift or otherwise, from the Corporation, a State Council, or a Chapter, or own any interest in any organization which receives such compensation without written notification to the National Treasurer. It is the compensating body's responsibility to provide this notification within thirty (30) days of the inception of the relationship, reporting the amount of the anticipated annual compensation. For purposes of this subsection, reimbursement of reasonable expenses incurred shall not be deemed to be compensation. No member shall be an Officer or Director of a Chapter, State Council, or of the Corporation while holding any office or directorship in any organization whose purposes or activities are, or have been declared by the Board of Directors to be, in conflict with those of the Corporation. No member shall use the property of the Corporation, a State Council, or a Chapter except in the course of the business of the Corporation.

B. Chapters and State Councils may engage in fund-raising activities which do not conflict with the purposes of the Corporation, provided that they strictly adhere to the following guidelines:

1. All such fund-raising activities which conflict with the activities of other Chapters, State Councils, or the Corporation, shall not be engaged in without the prior written consent of affected Chapters, State Councils, or the Corporation.

2. The sale of products by Chapters or State Councils which bear the logo or name of the Corporation shall not be permitted unless the products clearly identify the Chapter or State Council marketing the product.

3. Fund-raising activities involving telephone solicitation, direct mail, work-place donations, the regular and continuous sale of alcoholic beverages, or the solicitation of household goods shall be considered to be restricted and may not be engaged in without the prior written consent of the Board of Directors of the Corporation. For purposes of this subsection, the following definitions shall apply:

a. Telephone solicitation will mean a fund-raising campaign which uses the telephone as the primary method of contacting members of the general public in an appeal for donation of property or funds.

b. Direct mail solicitation shall mean a fund-raising campaign which uses the mail system as the primary method of contacting members of the general public in an appeal for donation of property or funds.

c. Workplace donation shall mean a fund-raising campaign by which members of the general public are solicited to donate funds through deductions from their wages or salaries at their places of employment.

d. The regular and continuous sale of alcoholic beverages shall mean any sale of such beverages which requires the issuance of a license or permit to conduct such activity by the laws of the jurisdiction in which the Chapter or State Council is located.

e. Solicitation of household goods shall mean a campaign to solicit, by telephone, by mail or otherwise, the contribution of household items for disposition or sale by a Thrift Store.

4. All such fund-raising activities must comply with applicable Federal, state, and local laws, rules, and regulations.

C. Chapters or State Councils seeking to engage in restricted fund-raising activities shall give written notice thereof to the Corporation, by certified mail return receipt requested, at least forty-five (45) days prior to commencing such activities or executing any documents in furtherance thereof. Chapters shall submit any such proposal, by certified mail return receipt requested, to the President of the State Council of the state in which the Chapter is located, if any, for his or her review and recommendation, and shall include such recommendation in the application of the Chapter to the Corporation.

D. The Board of Directors, or its designated representatives, shall make a determination regarding such restricted activity and shall issue a decision to the Chapter or State Council, in writing by certified mail return receipt requested, as soon as possible, but in no event later than thirty (30) days after receipt of the proposal. In the event that a response to a request for approval of a restricted activity is not received by the Chapter or State Council, within 30 days following receipt of such request by the National Office, the event shall be considered to have been approved. In the event that a restricted activity is not approved by the National office, such denial shall require a detailed explanation as to the reason for such disapproval, referencing the particular item of this Constitution, law or policy prohibiting the particular activity.

Notwithstanding any other provisions of this or any other Article of the National Constitution, the Corporation, National Board of Directors, National Officers and/or anyone acting at their direction, or on their behalf, shall not enter into any exclusive contracts that bind the Chapters and/or State Councils, or a portion of either, unless a majority of the affected Chapters and/or State Councils concur.

E. A member, Chapter, State Council, or the Corporation may not endorse, on behalf of the Chapter, State Council, or the Corporation, any candidate for any elected office or position.

F. The Corporation, and any Chapter or State Council, may comment upon, and endorse on behalf of said Corporation, Chapter, or State Council, any candidate holding, or proposed for, an appointed position that directly affects veterans affairs, provided that all such comments and/or endorsements made by Chapters or State Councils, with respect to Federal appointees, must be made in consultation with the appropriate Department Head or Officer of the Corporation.

G. The Corporation, and any State Council thereof, may not adopt any policy or position with respect to matters involving foreign or domestic affairs unless such issues directly affect veterans affairs, or are issues of domestic concern related to the economic, physical, or emotional well-being of veterans. The Corporation, and any State Council thereof, shall not take any action which would imply that any policy or position had been adopted when the same had not been adopted.

Chapters may, after debate and upon the affirmative vote of two-thirds of the members present at a duly constituted meeting of the members thereof, adopt positions or policies on other foreign or domestic issues, provided, however, that any such policy or position must be clearly identified as the position of the Chapter adopting such policy or position, and not that of the Corporation, any State Council, or any other Chapter. Neither the Corporation, any State Council, nor any Chapter shall take any action which would tend to impair the right of any Chapter to adopt any position in accordance with the above provisions.

SECTION 4 - RULES OF ORDER

The rules of order at any meeting of the Corporation, a State Council, Chapter, or committee, shall be Robert's Rules of Order, Newly Revised.

SECTION 5 - AMENDMENTS

This Constitution, or provisions hereof, may be altered, amended, or repealed, or new provisions added hereto, by the affirmative vote of two-thirds of the delegates present and voting at any National Convention, provided, however, that any such proposed amendment shall be filed with the Constitution Committee at least one-hundred-twenty (120) days prior to the commencement of the National Convention at which such proposed amendment is to be addressed, and in compliance with rules adopted by the Board of Directors. The Constitution Committee shall review proposed amendments received, and shall, not less than sixty (60) days prior to the commencement of the National Convention, forward to the Chapters and State Councils copies of all proposed amendments submitted to the Committee pursuant to this section along with the Committee's recommended action with regard to each proposed amendment.

APPENDIX I to the CONSTITUTION

of

VIETNAM VETERANS OF AMERICA, Inc.

REGIONS

The nine (9) regions of Vietnam Veterans of America, Inc., for purposes of representation on the National Board of Directors by Regional Directors, shall be defined as follows:

1. Region 1 - the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.
2. Region 2 - the States of New York, Pennsylvania, New Jersey, and Delaware.
3. Region 3 - the States of West Virginia, Virginia, North Carolina, South Carolina, Kentucky, Tennessee, Maryland, and the District of Columbia.
4. Region 4 - the States of Georgia, Florida, Alabama, Mississippi, the Commonwealth of Puerto Rico, and the Territory of the Virgin Islands of the United States.
5. Region 5 - the States of Michigan, Ohio, Indiana, and Illinois.
6. Region 6 - the States of Minnesota, Iowa, Missouri, Kansas, Nebraska, South Dakota, North Dakota, and Wisconsin.
7. Region 7 - the States of Arkansas, Louisiana, Texas, and Oklahoma.
8. Region 8 - the States of Montana, Wyoming, Idaho, Oregon, Washington, and Alaska.
9. Region 9 - the States of Colorado, New Mexico, Arizona, California, Hawaii, Nevada, Utah, and the United States Territory of Guam.

**APPENDIX II to the CONSTITUTION
of
VIETNAM VETERANS OF AMERICA, Inc.**

STANDING COMMITTEES

The standing committees established at the various levels of the organization shall perform the functions described below. State Councils and Chapters have the ability to establish any of the Standing Committees as deemed necessary to the conduct of business relative to the issues that are important to their membership.

- A. The Membership Affairs Committee, or its staff designee, shall receive and approve applications from individuals and others wishing to become members of the Corporation, and shall be alert to build the membership of the Corporation by pointing out the advantages and services available to members. The Membership Affairs Committee shall also establish procedures by which an individual member's status as a veteran may be authenticated. Such procedures shall be in accordance with guidelines established by the Corporation.

- B. The Public Affairs Committee shall act as a liaison between various committees of Vietnam Veterans of America with matters concerning the media. It also should be instrumental in publicizing in the communities the purposes, goals, roles, activities, and projects of the Corporation, State Council, and Chapters.

- C. The Government Affairs Committee shall seek, through a program of education, to improve the social, economic, and educational well-being and physical welfare of the Vietnam-era veterans and other persons through the legislative process at the local, state, and Federal level. The Committee shall monitor legislative activities and represent the opinion of the membership at public hearings and with public officials.

- D. The Veterans Affairs Committee shall present programs related to a variety of subjects and special interests. The Committee should coordinate its activities closely with the President, other Officers, and committee chairpersons.

- E. The Employment, Training, and Business Opportunities Committee shall develop programs of awareness on the part of the economic and employment sector of the needs of veterans in employment and business, and shall seek to improve the economic well-being of veterans through such programs.

- F. The Minority Affairs Committee shall identify and develop programs of awareness of, and programs of interest to, minority veterans of the Vietnam Veterans of America, and shall seek to expand the membership of minorities in the Vietnam Veterans of America. The Committee shall coordinate its activities closely with the President, other Officers, and committee chairpersons.

- G. The Constitution Committee shall serve to advise the Board of Directors as to matters of interpretation of the provisions of this Constitution, in accordance with guidelines and determinations of the Corporation.
- H. The Veterans Benefits Committee shall provide oversight, as directed by the Board of Directors of the Corporation, for the Corporation's Veterans Benefits Program and shall recommend to the Board, policies to govern that program.
- I. The Finance Committee shall provide oversight of the financial activities of the Corporation, the State Council, or Chapter, and shall recommend policies on financial matters, to include, but not limited to, assisting and consulting with the Treasurer on all financial planning, budgeting, reporting, and other related matters.
- J. The Women Veterans Committee shall identify issues and needs relevant to women veterans, develop strategies to address and resolve them, and serve as a resource or liaison to and between all other communities. The Women Veterans Committee will maintain communication, advocacy, and outreach on behalf of women veterans at all levels of the organization.
- K. The POW/MIA Committee shall seek and promote the fullest accounting of those still listed as POW/MIA's in Southeast Asia and any other areas of the world, regardless of the conflict that initiated their disappearance. The committee shall disseminate information received on the POW/MIA issue to the National Board of Directors, State Councils, Chapters, POW/MIA families and friends, and VVA membership as called upon.
- L. The Agent Orange/Dioxin Committee shall accumulate and disseminate information regarding Agent Orange and Dioxin and actively pursue the recognition of presumptive disabilities from exposure to Agent Orange and Dioxin by the Department of Veterans Affairs. The Agent Orange/Dioxin Committee shall provide assistance to State Councils, Chapters, and service programs in the handling of Agent Orange-related problems. The Committee shall encourage and foster the sponsorship of legislation to help the victims of Agent Orange and Dioxin, and encourage scientific and medical research in the field of dioxin-related ailments.
- M. The Veterans Incarcerated Committee shall develop advocacy programs of awareness with regard to the special needs of veterans who are presently or formerly incarcerated. The committee shall work with various state and federal agencies to develop programs to assist in the rehabilitation of veterans incarcerated.
- N. The Community Services Committee shall identify essential social needs related to Vietnam-era veterans, their families, and others, projects in the community related thereto, and shall stimulate appropriate Chapter involvement of resources to meet the needs or assist the projects.
- O. The Health Care Committee shall identify issues and needs relevant to the social, psychological, and physical well-being of veterans and their families: monitor programs and services at the Federal, state, and local levels to assess quality of health care and

develop strategies and policies to assure adequate access for veterans and their families to appropriate, timely, and quality health care. The committee will serve as a liaison to health care providers and agencies.

APPENDIX III to the CONSTITUTION

of

VIETNAM VETERANS OF AMERICA, Inc.

OATH OF OFFICE

Oath of Office for officers, directors, and committee chairs of the national organization of the Vietnam Veterans of America, Inc.

I do solemnly swear (or affirm) that I, _____(state your name), will faithfully execute the office of _____(state your office, directorship, or committee chair) of the Vietnam Veterans of America, Inc., and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States of America and the Constitution of Vietnam Veterans of America, Inc.

Oath of Office for officers, directors, and committee chairs of State Councils of the Vietnam Veterans of America, Inc.

I do solemnly swear (or affirm) that I, _____(state your name), will faithfully execute the office of _____(state your office, directorship, or committee chair) of the Vietnam Veterans of America, Inc., _____(state your state or commonwealth) State Council and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States of America and the Constitution of Vietnam Veterans of America, Inc., and the by-laws of the _____State Council.

Oath of Office for officers, directors, and committee chairs of Vietnam Veterans of America, Inc., chapters.

I do solemnly swear (or affirm) that I, _____(state your name), will faithfully execute the office of _____(state your office, directorship, or committee chair) of the Vietnam Veterans of America, Inc., Chapter_____ and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States of America and the Constitution of Vietnam Veterans of America, Inc., the by-laws of the _____State Council, and the by-laws of Chapter_____.

ARTICLE I – NAME

This body shall be known as the New York State Council, Vietnam Veterans of America, Inc.

ARTICLE II – GOALS A.

The objectives (goals) of the Council are to enhance the social, economic, educational and physical welfare of Vietnam Era Veterans.

ARTICLE III – PURPOSES AND OBJECTIVES

The Council is formed to provide a formal, unified and democratic body, representative of the chapters of the Vietnam Veterans of America located in New York State. The Council shall represent the interests of its member Chapters at the State level and with the Vietnam Veterans of America, Inc. It shall exchange information and coordinate the activities of its Chapters to attain its objectives and those of Vietnam Veterans of America, Inc.

The Council shall promote and enforce the principles and policies of the Corporation as set forth in the Constitution, and the rules and resolutions of Code of Disciplinary Policy of the Corporation.

The Council shall, through its representative process:

- A. Develop the strength of Vietnam Era Veterans as an entity through a coordinated effort of the Chapters to enhance membership in Vietnam Veterans of America.
- B. Identify issues of concern to Vietnam Era Veterans at the local, state and national levels and develop policy statements which address those issues. Examine legislative or administrative proposals which may affect Vietnam Era Veterans and their families, and to provide input, through communications with appropriate officials, as to the positions of Vietnam Era Veterans of New York State relative to such matters
- C. Establish communications network to assist Vietnam Era Veterans in gaining awareness of those issues which may affect their social, economic, educational or physical well-being, and to provide a mechanism by which Vietnam Era Veterans may raise issues of concern.
- D. Develop moral, legislative and financial support for the Council and its Chapters, through a program of educational and community awareness.

ARTICLE IV – MEMBERSHIP

A. Membership on the Council will be open to all duly organized Chapters of Vietnam Veterans of America, Inc., in good standing, in the State of New York. Each Chapter shall have such delegates to the Council as determined in accordance with sub-paragraph B of the Article. Each delegate shall be a member in good standing of the Chapter he/she represents and the National Organization of Vietnam Veterans of America, Inc. Each Chapter shall certify the name of its delegates and alternate delegates. In the event that any delegate shall cease to be a member in good standing of the National Organization of Vietnam Veterans of America, Inc., the seat held by such delegate shall be deemed vacant as of the date that said delegate ceased being a member

in good standing. In the event of such vacancy, the Chapter represented by such delegates shall immediately notify the Council Secretary in writing. In the event that the seat held by a delegate shall be deemed vacant, as provided for in these By Laws, the seat held by such delegates shall be filled by an alternate, designated by the Chapter.

B. The delegates and their voting rights as concerned business before the Council meetings and State Conventions, shall be as follows: Each chapter shall be entitled to one (1) vote for its first twenty-five (25) members. A Chapter which has fifty (50) members shall be entitled to a second vote at the Council. For each block of fifty (50) members, thereafter, the Chapter shall be entitled to one (1) additional vote.

C. Chapter membership, for purposes of determining representation to the Council meetings and State Conventions, shall be determined by the Council, annually, on the last day of February. Such determination, shall be made on the basis of a membership list for each chapter prepared by the Membership Director of the National Organization and certified correct by the Chapter.

D. Voting – A duly elected delegate of any Chapter of the State of New York shall be permitted to cast up to five (5) votes, up to the limitations of Article IV, Letter B, above.

E. Chapters shall be responsible for ensuring the attendance of at least one (1) delegate per Chapter at not less than one-half of all the meetings of the council during the preceding twelve (12) months and the unexcused absence of at least one (1) delegate from such meetings of the Council during the preceding twelve (12) months may be sufficient grounds for disciplinary action against the Chapter, in accordance with the provisions of the National Constitution and the Code of Disciplinary Policy, adopted by the Corporation.

ARTICLE V – EXECUTIVE COMMITTEE

The delegates of the Council shall elect, from the individual membership within the State, whether Chapter or otherwise *(at large individual members), a President, Vice President, Secretary, Treasurer or Secretary/Treasurer, District Directors, and such other officers as may be deemed necessary by the Council. These elected officers and district directors shall constitute the Executive Committee of the New York State Council, Vietnam Veterans of America, Inc. Candidates that are to run for office at the state level, must be a member in good standing, for a continuous period of (1) not less than the 12 months preceding the annual election at which the candidates seek election and (2) candidates must have held positions as an elected officer (President, Vice President, Secretary or Treasurer), director or delegate of VVA, at the chapter level, during any continuous period of twelve months prior to the date of the election. Election of Officers and District Directors of the Council shall be by vote at the June meeting of the Council in each even numbered year. Officers and District Directors so elected shall serve for a term of two (2) years or until the seat held by such officer shall be deemed vacant according to these By Laws.

In the event that any member of the Executive Committee shall be deemed to have vacated his or her seat as provided herein; any office held by such officer, except the President, shall likewise be deemed vacant. The first order of business at the next meeting of the Council following such vacancy, shall be the election of a regular delegate to fill the office so vacated. In the event of the vacancy of President, the Vice President will assume the presidency for the remainder of his or

term. Any officer or director must have his or her primary residence in the State or District to continue as an elected officer or director. Any officer or director who must move his or her residence to another state will be asked to resign that position and the position filled as per Article V, 2nd paragraph.

The State of New York shall be divided into four (4) Districts. The member Chapters of the State Council located in these four (4) Districts shall vote at the June meeting, in each even numbered year, for a district director of each district. Only the Chapters in a given District will be able to vote for the new director for that district. The four (4) districts shall be the Western, Central, Eastern and Southern. The duties of the Executive Committee of the Council shall be as follows

A. President – The President shall be the principal representative of the Council, preside at all meetings of the Council, and shall be an ex-officio member of all committees. He or she shall appoint all standing and ad-hoc committees and the chairpersons thereof subject to the approval of a majority of the delegates of the Council. He or she shall be the formal representative of the Council to the National Office of Vietnam Veterans of America, Inc., on all matters. The President shall also execute all formal documents authorized by the Council, except where persons have been expressly delegated to do so. The President shall also review all fundraising proposals, which require the approval of the Executive Committee, as set forth in Article IV of the Constitution of Vietnam Veterans of America, Inc., as revised, and forward a copy of recommendations to the Chapters and the Corporation within fifteen (15) days of receipt of a completed proposal. The President of the State Council shall have the authority to assure that all Chapters in the State are in compliance with all governmental statutes, rules and regulations.

B. Vice President- The Vice President shall, in the absence if the President, and when so acting, have the powers of and be subject to all the restrictions upon the President. The Vice President shall perform other such duties as may be assigned to him or her by the President. The Vice President shall, upon the death, resignation or removal of the President, assume the position of the President, for the remainder of his or her term.

C. Secretary - The Secretary of the Council shall attend all meetings and shall be the custodian of all minutes, correspondence and other documents relative to Council business. The Secretary shall record the minutes of the regular and special meetings of the Council and shall provide each Chapter with a copy thereof . The Secretary of the Council and/or staff (committee) shall review all records and documents in the custodial control of the Secretary. On an individual basis, each record and/or document will be classified into one of three categories: Retained permanently for Historical Value. Retained for seven years as Archived and Stored Records. Retained for one year as Operational Records. All Archived Records and Documents will remain in the original form genre. Archival and Stored Records may be stored on electronic retention files, such as microfiche, compact data disks or original form genre. Historical Records and Documents will never be loaned or out of the Secretary's possession.

D. Treasurer - The Treasurer of the Council shall attend all meetings of the Council and shall collect, receive, disburse and deposit the funds of the Council as directed by the Council, render bi-monthly financial statements and such other reports and accounts as may be required by the Council, and shall perform such other duties incident to the office of the Treasurer. The quarterly

financial reports from the Treasurer will be mailed to the Chapters if a State Council meeting does not fall within thirty (30) days of that reporting period.

E. District Directors – The District Directors of the Council; shall attend all meetings of the Council; shall serve to coordinate and facilitate all activities among Chapters in their districts and shall be the first line of communication between the member chapters in their district and the State Council. The District Directors shall perform and other such duties as directed by the State Council President of the State Council.

F. The Executive Committee of the State Council shall be responsible and accountable to the delegates for the control and management of the affairs, property and interests of the State Council; for keeping the Corporation advised of all the activities of the State Council; for complying with all reporting requirements established by this Constitution, the rules and regulations or directives of the Corporation, or any local, state or federal law, and for guiding and administering the State Council so that the purposes, principles and goals of the Corporation, as set forth in the Certificate of Incorporation, and the rules, resolutions and directives of the Corporation are followed; and for making suggestions and recommending programs.

G. A.V.V.A - After written recommendation from the Associates of Vietnam Veterans of America, Inc., in New York State, to the State Council shall seat a Liaison of the State Council Executive Committee/Board of Directors, who shall serve as a non-voting Special Advisor to the State Council Executive Committee/Board of Directors entitled to be heard on all matters

ARTICLE VI – MEETINGS

Regular meetings of the Council shall be held quarterly at such times as the Council shall designate. The President shall give notice to each delegate, either by telephone, electronic mail and/or written notice to each delegate to the Council the time and location of any regular meeting at least twenty (20) calendar days in advance of the date for said meeting. The State Council shall not meet less than twice per calendar year. A special meeting of the Council may be called by the President or by a vote of twenty-five (25) percent of the delegates to the Council.

The President shall give notice to each delegate, either by telephone, electronic mail and/or written notice of any special meetings to the Council at least ten (10) days in advance of such special meeting. The President shall give notice to each delegate, either by telephone, electronic mail and/or written notice of any mailing shall be deemed to be given when such notice is mailed to the delegate at the address designated by them. In the event of a special meeting, the President shall make a diligent effort to contact each delegate to the Council by phone, and advise him or her of the time and location and purpose of each special meeting.

Meetings of the Council shall be held at such other locations as may be designated by the President.

The order of business of each regular meeting shall include roll call, reading of minutes, Treasurer's reports, committee reports, unfinished business and new business. The order of business of each special meeting shall be stated in a notice of such meeting. The procedural

authority for all regular and special meetings shall be Robert's Rules of Order, Newly Revised, 10th Edition

ARTICLE VII - QUORUM

The presence of a majority of the delegates or delegates representing a majority of the votes eligible to be cast as outlined Article IV, Letter B of these by laws, regular or alternate, shall constitute a quorum for the transaction of business. A majority of the delegates present (regular or alternate) whether or not a quorum is present, may adjourn any meeting to another time and place. Notice of adjournment shall be given to all regular and alternate delegates at time of adjournment.

ARTICLE VIII – VOTING

Each chapter, through its regular or alternate delegates, shall be entitled to the number of votes as outlined in Article IV, Letter B of this document, relative to all business before the Council. In the event that a regular delegate shall be unable to attend such meeting of the Council, the vote of that Chapter shall be cast by the first alternate or, he or she is unable to attend such meeting, it would go to the second alternate, if applicable. The vote of the majority of the votes eligible to be cast by the delegates (regular or alternate) present at such time, shall be the act of the council.

In the event that there is a notice given to the Executive Board between regularly scheduled meetings, that a vote by the Board must be taken, such vote may be made by telephone or electronic mail and the record of the vote will be taken by the Secretary and provided to the delegates at the next regularly scheduled meeting, the results of the vote taken.

ARTICLE IX – COMMITTEES

Committees shall be established by the Council, insofar as is necessary to accomplish the business of the Council. Committees may be Standing or Ad-Hoc, except as mandated by the National Corporation, and membership of such committees shall be by appointment of the President, with the approval of the delegates present.

The following Nationally mandated Standing Committee's shall be established: **Membership; Public Affairs; Government Affairs; Veterans Affairs; Employment, Training and Business Opportunities, Minority Affairs; Constitution; Veterans Benefits; Finance and Women Veterans.**

The following committees shall be established: **Agent Orange; Veterans Incarcerated; Nominating and POW/MIA and Good and Welfare.**

ARTICLE X – AMENDMENTS

Amendments to these By Laws shall be by the majority of the total eligible delegate votes as outlined in Article IV, Letter B of this document present or otherwise, at a meeting at which such amendment is being considered. Notification of any proposed amendment to the By Laws shall be given to each of the regular delegates and alternate delegates at least twenty (20) days prior to the meeting at which such amendment shall be presented. This provision may be waived by any delegate entitled to vote on such amendment.

ARTICLE XI – FISCAL YEAR

The fiscal year of the State Council shall commence on the first day of March and end on the last day of February in each year.

ARTICLE XII – MANAGEMENT

A. There shall be appointed by the President with a two-thirds vote of the State Council delegates, an Executive Director, who shall serve at the will of the State Council President.

B. The Executive Director shall be responsible for the administration of the Corporation. He or she shall supervise and coordinate the administrative and professional activities of the Corporation, supervise staff and volunteers, and shall employ and direct staff and such other personnel as is deemed necessary for the conduct of the business of the Corporation and its programs, in accordance with the policies, procedures and directives of the State Council.

C. The Executive Director shall not hold any elective office at the State Council or be a delegate to the State Council (elected or appointed).

VIETNAM VETERANS OF AMERICA

CODE OF DISCIPLINARY POLICY & PROCEDURES



Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
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PURPOSE

In order to maintain the highest degree of integrity for Vietnam Veterans of America, Inc. (VVA), it is necessary to be able to remedy inappropriate behavior that can bring discredit to the organization.

This policy identifies the mechanism and procedures for addressing acts of misconduct, neglect or dishonesty, and violations of the VVA Constitution, State Council or Chapter articles of incorporation and by-laws, and other applicable requirements.

All aspects of the disciplinary process must be performed with integrity, competence, and fairness to the accused. VVA must strive for consistency in carrying out the disciplinary process and in applying sanctions where necessary. The VVA Disciplinary Policy and Procedures are designed to allow both the accuser and the accused ample time to comply with the requirements of this policy. Any questions on the procedures, terminology, or time frames, should be directed immediately to the appropriate Chair.

This Policy & Procedure shall be available to each member, Chapter, and State Council on-line or upon request. By paying the membership fee, every member, Chapter and State Council agrees to abide by the rules of the Corporation, which includes this procedure, and to accept all final decisions of the Corporation's assigned Disciplinary Review Committees and Disciplinary Hearing Panels in interpreting and/or applying this Procedure once the appeal process is complete.

Use of the word "State" in this document will also mean "Commonwealth", "Territory" and the "District of Columbia".

Use of the word "Corporation" will also mean the National Corporation, State Council or a Chapter.

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SECTION I – CHARGES

A. There are three (3) classifications of offenses for which charges may be filed:

1. Misconduct:

- a. An act by the accused in the course of conducting business, or participating in any activity or function which is in violation of any provision of the VVA Constitution, State Council or Chapter articles of incorporation or by-laws, or other applicable requirement which is of such seriousness and consequence as to damage or jeopardize the reputation, good will, security, community standing, facilities and equipment, or the purpose and mission of the Corporation or VVA State Council or Chapter.
- b. Intentional or reckless conduct by the accused, which results in harassment, annoyance, or alarm to any member, Chapter, State Council or the Corporation; or the intentional and undue interference with any conduct of business or activity within the Corporation or VVA State Council or Chapter
- c. Violation of federal, state or local law by any member or group of members that result in damage to the Corporation or any VVA State Council or Chapter, or members. Such violation of law must have occurred while the member(s) is acting in his or her capacity as a member or officer.

2. Gross Neglect:

- a. Gross neglect is more than simple negligence. Gross neglect is:
 - i) a failure to perform any duty that is required by the VVA Constitution, VVA State Council or Chapter articles of incorporation and by-laws and;
 - ii) reckless disregard of the consequences of failing to perform the duty.
- b. Both a "failure to perform any duty. . ." and "reckless disregard of the consequences. . ." are necessary to establish gross neglect.

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3. Dishonesty

Any intentional act of fraud, deceit, untruthfulness, trickery, forgery, embezzlement, theft, or any other act of moral turpitude, which could result, or has resulted, in damage to the reputation, good will, security, community standing, facilities and equipment, or the purpose and mission of the Corporation.

B. All charges brought against the accused must be brought in the following manner:

1. Against a member who did not hold any office at the time of the offense may be brought by:
 - a. A majority vote of the individual members present, and voting, or a majority vote of the Directors present, and voting, at a regular or special meeting of the appropriate Chapter; or
 - b. The appropriate State Council President; or a majority vote of the delegates present, and voting, at a regular or special meeting of the appropriate State Council; or
 - c. The appropriate Regional Director; or
 - d. A majority vote of the National Board of Directors present and voting at a regular or special meeting; or
 - e. Any National Officer
2. Against a Chapter or a Chapter Officer/Director may be brought by:
 - a. The appropriate State Council President; or
 - b. A majority vote of the delegates present, and voting, at a regular or special meeting of the appropriate State Council; or
 - c. The appropriate Regional Director; or
 - d. Any National Officer.

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3. Against a State Council or State Council Officer may be brought by:
 - a. The appropriate Regional Director; or
 - b. A majority vote of the National Board of Directors present and voting at a regular or special meeting; or
 - c. Any National Officer.
 - d. Any member or Chapter who may have evidence that a violation of this policy may have occurred through misconduct, gross neglect or dishonesty can present their evidence to the appropriate Regional Director or a National Officer and request that he or she bring charges against the individual(s), regardless of the position the accused may hold.
4. Against a National Officer, member of the National Board of Directors, a Chairperson of a National Committee, Sub-committee or Task-force may be brought by a majority vote of Directors present, and voting, during a regular or special meeting of the National Board of Directors.
5. Any charges brought forth by the National Board of Directors or any National Officer shall be processed by the National Disciplinary Committee. (There is no Review Panel at the national level of this policy).

C. Procedure:

1. All charges must be set forth in writing in a formal Statement of Charges (SOC) in the form prescribed in Attachment #1 – Statement of Charges.
2. The SOC must be signed by the complainant under oath before a Notary Public, Commissioner of Deeds, or similar officer.
3. When charges are authorized by a group (e.g., vote of chapter members or State Council delegates), a representative designated by that entity will sign the SOC and act as the complainant.
4. The SOC must specify in detail the facts upon which the charges are based. The SOC shall (a) reference the provisions of the VVA Constitution, or VVA State Council, Chapter articles of incorporation or by-laws, the policy alleged to have been violated, the conduct giving rise to the charges, or the federal, state or local

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law alleged to have been violated and (b) state the conduct giving rise to the charges that is alleged to have been violated the provision/s.

5. The SOC must be accompanied by evidence substantiating the charges. Evidence may consist of copies of documents or records or other written documentation that is verified as true and accurate; or sworn statement/s of witnesses in the form prescribed in Attachment #2, Witness Affidavit.
6. The SOC and all evidence will be sent by the complainant to the Chair of the appropriate Disciplinary Review Panel. A copy of the statement of charges (NO EVIDENCE) will be sent, by the complainant, to the VVA National Secretary and the appropriate Regional Director. **The complainant does not send a copy of the SOC to the accused.**

SECTION II – TEMPORARY SUSPENSION

In order to maintain the good of the order within the Corporation, it may be necessary to suspend temporarily, anyone being charged under the Code of Disciplinary Policy & Procedures. Temporary suspension is not automatic when charges are filed and it often may not be necessary. Sound judgment should be used before deciding that a temporary suspension is necessary.

A. For good cause shown, after charges have been filed, a temporary suspension of a member may be imposed by the State President, of the appropriate state, the Regional Director, of the appropriate region, or any national officer. Good cause shown means that the facts and circumstance are sufficient to convince a reasonable person: (1) that there is a substantial likelihood that a member who has been charged may attempt to disrupt, damage or discredit VVA, a State Council, a Chapter or another member before the hearing on the charges and (2) that a prehearing suspension of the member's VVA membership is necessary to reduce or eliminate the likelihood of disruption, damage, or discredit. Mere suspicion or belief, unsupported by facts or circumstances, is insufficient to establish good cause shown. The temporary suspension of membership shall be in writing, shall state the good cause shown that makes the temporary suspension necessary, and shall be given, or sent to the suspended member with a copy sent to the National Membership Director and National Secretary.

B. The National Board of Directors shall have the exclusive right, upon the filing of charges, to suspend any State Council or Chapter when it is in VVA's best interest to take such action before a hearing on the charges.

1. While under temporary suspension a chapter or state council may continue to use VVA name and logo; continue to receive unsolicited tax-deductible contributions; conduct chapter, council business only for the purposes of calling

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meeting for disbursing funds previously raised in VVA's name to pay chapter/council obligations.

2. While under temporary suspension a chapter or state council **MAY NOT** engage in fund-raising activities, regardless of contractual arrangements; receive revenues generated by VVA, to include member dues rebates or Household Goods Solicitation Program funds; send delegates to the national convention; send delegates to state council conventions.

C. All such actions must be reported to the National Membership Director immediately upon effect. A letter via verifiable delivery system must be sent to the accused from the National Membership Director confirming the effective date of the temporary suspension and stating the reason or reasons for the temporary suspension.

SECTION III – DISCIPLINARY REVIEW COMMITTEES

A. Responsibility:

1. The Disciplinary Review Committee reviews the Statement of Charges and the evidence submitted by the complainant to determine if:
 - a. The alleged offense meets the definition of misconduct, gross neglect, and/or dishonesty as defined in this procedure; and
 - b. The charges have been filed in accordance with the administrative requirements specified in this policy & procedure, i.e., a formal statement of charges executed by the complainant under oath; and
 - c. The evidence submitted is sufficient to proceed.
2. The Disciplinary Review Committee shall not discuss the statement of charges with any parties involved in the alleged allegations; nor make any decision as to guilt or innocence of the accused.

B. Jurisdiction and Appointment of Disciplinary Review Committee

1. The Regional Disciplinary Review Committee will conform to the regions as set forth in Appendix I of the Vietnam Veterans of America Constitution. A Regional Disciplinary Review Panel will review all charges originating from their region, or may review other charges assigned to the region by the Chair of the National Disciplinary Committee.

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- a. The Regional Disciplinary Review Committee shall consist of ten (10) members from within the Region;
 - i. The Committee will consist of the State Council Presidents or State Council Vice Presidents within the region;
 - ii. The remaining unfilled positions shall be appointed by the Regional Director;
 - iii. The Chair shall be appointed by the Regional Director.
 - b. A Regional Disciplinary Review Panel shall be selected by the Chair – Regional Disciplinary Review Committee – consisting of no less than three (3) members; and no more than five (5) members to review filed charges.
 - c. A list of the Chair and members shall be forwarded to the Chair, National Disciplinary Committee and the VVA National Secretary by the appropriate Regional Director.
2. Members of the Regional Disciplinary Review Committees will serve for a term of two (2) years.
- a. The term of any member of a Disciplinary Review Panel engaged in a proceeding under this procedure will be automatically extended until the conclusion of the proceeding upon which they are reviewing.
 - b. Any vacancy occurring in the membership of a Disciplinary Review Committee will be filled in the same manner that the position was originally filled.

SECTION IV – DISCIPLINARY REVIEW PANEL PROCEDURES

- A. The written Statement of Charges and all evidence will be submitted to the Chair of the appropriate Disciplinary Review Committee by the complainant.
- B. The Chair (Disciplinary Review Committee) is responsible for ensuring that the members selected to review the complaint do not have conflicts of interest.

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- C. The Disciplinary Review Panel will have thirty (30) days from receipt of the Statement of Charges, and support documents, to sustain or reject the charges. Under no circumstances will the Disciplinary Review Panel conduct hearings, question the complainant, the accused, any witnesses or request additional information.
- D. If the Disciplinary Review Panel determines that the administrative requirements of this policy & procedure have not been met, or the evidence submitted is not sufficient to proceed, the Chair will notify the complainant in writing, outlining the deficiencies. (See attachment #3 – Letter from Disciplinary Review Panel to Complainant-Requirements of Disciplinary Policy Not Met). A copy of the deficiency letter will be sent to the VVA National Secretary, the National Disciplinary Committee Chair and the appropriate Regional Director.
 - 1. The matter will be considered closed unless the complainant resubmits documentation, within thirty (30) days, which corrects the deficiencies noted by the Disciplinary Review Panel.
 - 2. The Chair of the Disciplinary Review Panel will return the original copies of the charges, and all evidence, to the complainant.
- E. If the Disciplinary Review Panel determines that the charges meet the administrative requirements of this policy & procedure, and the evidence submitted is sufficient to proceed, the Chair of the Disciplinary Review Panel will send a copy of the written Statement of Charges, and all evidence, to the accused at his/her last known address by certified mail.
- F. When charges are being brought against a Chapter or State Council, the written Statement of Charges, and all evidence, will be sent to all Officers of the accused Chapter or State Council at their last known address. (See Attachment #4 – Letter of Disciplinary Review Panel to Accused – Charges Filed).
- G. Notify the National Secretary, the National Disciplinary Committee Chair, and the appropriate Regional Director, by regular mail, of the action taken by the Disciplinary Review Panel.
- H. The original copies of the charges, and all evidence, submitted by the complainant, and a copy of the determination letter of the Disciplinary Review Panel, will be sent by certified mail to the Chair of the Disciplinary Committee that will hear the charges.

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SECTION V – DISCIPLINARY COMMITTEES

A. Responsibility:

The Disciplinary Committee will conduct a hearing on Statement of Charges referred from the Disciplinary Review Panel; render a decision sustaining or rejecting the charges, and determine the appropriate sanction to be imposed against the accused when charges are sustained.

B. Jurisdiction and Appointment of Disciplinary Committees:

1. The Regional Disciplinary Committees will conform to the regions as set forth in Appendix I of the Vietnam Veterans of America Constitution. The Regional Disciplinary Committee will hear all charges referred from the appropriate Disciplinary Review Panel.
 - a. Regional Disciplinary Committees will consist of ten (10) members, of the appropriate region, in good standing, in which they are appointed to serve. At least one (1) member will be appointed from each of the states within the region.
 - b. The Regional Director will select the Chair and the members of the Regional Disciplinary Committee.
 - c. A list of Chair and members shall be forwarded to the Chair National Disciplinary Committee and the VVA National Secretary by the appropriate Regional Director.
2. The National Disciplinary Committee will hear all charges referred by the Chair of the National Disciplinary Committee.

The National Disciplinary Committee will consist of ten (10) members; nine (9) of which will be three (3) individual members, three (3) State Council Presidents and three (3) Regional Directors; the additional member, the Chair, shall be appointed by the National President, with the concurrence of the National Board of Directors no later than the first duly scheduled (Oct/Nov) National Board of Directors meeting following the convention.

3. Members of the Disciplinary Committees (Regional & National) will serve for a term of two (2) years.

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- a. The term of any member of a Disciplinary Committee engaged in a proceeding under this policy & procedure will be automatically extended until the conclusion of the proceeding.
- b. Any vacancy occurring in the membership of the Disciplinary Committee will be filled in the same manner that the position was originally filled.

SECTION VI – DISCIPLINARY HEARING PANEL PROCEDURE

- A. The Chair of the Disciplinary Committee will select a Hearing Panel of no less than three (3) members, nor more than five (5) members of the committee to hear the complaint. The Chair is responsible for ensuring that the members selected to hear the complaint do not have conflicts of interest.
 1. Within thirty (30) days of receipt of the Statement of Charges from the appropriated Disciplinary Committee, the accused may file with the Chair of the appropriate Disciplinary Hearing Panel, by registered or certified mail, a signed, notarized written statement admitting or denying the charges.
 - a. A copy of written notarized statement will be sent to the VVA National Secretary by regular mail
 - b. If the accused admits the charges in a signed and notarized written statement, the members of the Disciplinary Hearing Panel selected to hear the charges will determine the sanction/s to be imposed. The Disciplinary Hearing Panel will forward a copy of its finding and the sanction to the accused, the complainant, the VVA National Secretary and the National Disciplinary Committee Chair.
 - c. If the accused fails to file a signed, and notarized, written statement admitting or denying the charges with the appropriate Disciplinary Hearing Panel within thirty (30) days, of receipt of the charges, the accused is deemed to have waived the right to hearing.
 - i. When the accused fails to admit or deny the charges, the Disciplinary Hearing Panel will determine if the evidence submitted by the complainant sustains the charges. If the charges are sustained, the Disciplinary Hearing Panel will determine the sanction/s to be imposed.

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- ii. The Disciplinary Hearing Panel will provide a written statement of its determination within thirty (30) days following the expiration of the time the accused had to response. The Hearing Panel will send a copy of its determination to the accused, the complainant, the VVA National Secretary, the National Disciplinary Committee Chair and the appropriate Regional Director.
- iii. The Chair of the Disciplinary Hearing Panel will keep the original copies of the charges, evidence and the Hearing Panel's determination until the accused files an appeal; or the time allotted for filing an appeal has expired. After forty-five (45) days the Chair of the Disciplinary Hearing Panel will forward all documents pertaining to the charges to the VVA National Office – Attention of National Secretary.
- iv. Charges that are rejected may not be resubmitted.
- d. If the accused files a signed, and notarized, written statement denying the charges within thirty (30) days of receiving the charges, the Disciplinary Hearing Panel will schedule a hearing.

2. Hearings

- a. The Chair of the Disciplinary Hearing Panel that will hear the charges will schedule a hearing within forty-five (45) days of the date the accused files a signed, and notarized, statement denying the charges. The Chair should make every effort to schedule the hearing at a time and place convenient to both the accused and the complainant.
- b. At least twenty (20) days prior to the date of the hearing, the complainant, and the accused, must file with the Chair of the Disciplinary Hearing Panel, and with each other, the following:
 - i. The name and address of the representatives, if any, chosen by the complainant, and the accused, to present witnesses and evidence.
 - ii. A written list of witnesses that each party intends to present in support of his/her position. The Disciplinary Hearing Panel may refuse to hear any other witnesses unless the proponent is able to show good cause for failure to include such person on the witness list filed with the Hearing Panel.

- iii. Copies of any documents, photographs, or other tangible evidence, which can be copied that each party intends to present in support of his/her position. The Disciplinary Hearing Panel may refuse to accept any other evidence at the hearing, unless the proponent of such evidence is able to show good cause for the failure to provide the evidence prior to the hearing.
3. Hearings will be conducted in an informal fashion, and the strict rules of evidence will not apply. Hearings will be audio or videotape recorded. The order of the hearing will be as follows:
 - a. Opening statement of the complainant, unless waived;
 - b. Opening statement of the accused, unless waived;
 - c. Presentation of witnesses and evidence by the complainant, subject to cross examination of the witness by the accused or his/her representative;
 - d. Presentation of witnesses and evidence by the accused, subject to cross examination of the witnesses by the complainant or his/her representative;
 - e. Closing statement of the complainant, unless waived;
 - f. Closing statement of the accused, unless waived.
4. A majority vote of the Disciplinary Hearing Panel hearing the charges is required to sustain the charges.

B. Sanctions:

If the Disciplinary Hearing Panel sustains the charges against the accused, the Hearing Panel, after consideration of the facts in the matter, will determine the appropriate sanction/s to be imposed. Sanctions are limited to one, or more, of the following:

1. If the accused is a member, including a member serving in any elected, or appointed office or position, at any level within the National Corporation, State Council and Chapter;

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- a. Suspension of membership in the National Corporation, for a specified period of time, no less than one (1) year and no more than three (3) years. This will automatically suspend the member's Chapter membership, if any;
- b. Revocation of membership in the National Corporation. A member whose membership in the National Corporation has been revoked may be readmitted to Vietnam Veterans of America, Inc., upon written request and approval of the National Board of Directors;
- c. Removal of the member from all elected, or appointed positions held within the National Corporation, State Council and Chapter, and the opportunity to hold an elected, or appointed position for an unspecified period of time;
- d. Restitution of any monetary loss to the Corporation, or any State Council, Chapter or member due to conduct, which formed the basis of the charges against the accused.

2. If the accused is a Chapter or State Council:

- a. Suspension of the Charter of the Chapter or State Council for a specified period of time, not to exceed one (1) year from the date of suspension;
 - i. While under suspension a chapter or state council may continue to use VVA name and logo; continue to receive unsolicited tax-deductible contributions; conduct chapter, state council business only for the purposes of calling meetings for disbursing funds previously raised in VVA's name to pay chapter/council obligations.
 - ii. While under suspension a chapter or state council **MAY NOT** engage in fund-raising activities, regardless of contractual arrangements; receive revenues generated by VVA, to include member dues rebates or Household Goods Solicitation Program funds; send delegates to the national convention; send delegates to state council conventions.
- b. Revocation of the Charter of the Chapter or State Council.

C. Costs:

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The Disciplinary Hearing Panel is empowered to direct that the losing party pay all, not to exceed fifteen hundred (\$1500) dollars, or a portion of, the costs incurred by the successful party in prosecuting, or defending, any complaint brought under this procedure. For the purpose of this provision, "costs" shall not include attorney fees for either party.

(If restitution is desired, the successful party will submit documentation of the costs incurred to the Disciplinary Hearing Panel within ten (10) days of being notified of the Disciplinary Hearing Panel's determination).

D. Documentation of Findings:

1. The Disciplinary Hearing Panel will provide its written findings within fifteen (15) days after the hearing and will send a copy of its determination to the accused, complainant, VVA National Secretary and the National Disciplinary Committee Chair. When the charges are sustained, the written findings will include the sanction/s and any costs levied.

All suspensions, revocations of membership, suspension or revocation of Chapters or State Councils Charters shall be reported to the VVA National Membership Director.

2. The audio or videotapes of the hearing and the written determination of the Disciplinary Hearing Panel will be sent to the Chair of the Disciplinary Committee having jurisdiction by certified mail. The Chair of the Disciplinary Hearing Panel will keep the original copies of the charges, evidence, and the Hearing Panel's determination until an appeal is filed, or the time allotted for appeal has expired. If an appeal is not filed within the specified time frame, the Chair of the Disciplinary Hearing Panel will send **all** records of the matter to the VVA National Secretary, who shall maintain them on file in the national office.

E. Option for Mediation.

- (i) Within seven (7) days of a Disciplinary Review Panel sending a Statement of Charges and all evidence to an accused (Section IV.E.) and providing required notice and copies to others (Section IV. F.-G.), a designated member of the National Disciplinary Committee shall contact the complainant and the accused; offer to serve as a neutral mediator; and determine whether mediation would obviate the need for the Disciplinary Hearing Panel to hold a hearing in the case. When a Disciplinary Review Panel sends a Statement of Charges and all evidence to an accused (Section IV.E.), it shall also send a copy of the Statement of Charges and all evidence to the Chair of the National

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Disciplinary Committee.

- (ii) If: (a) the mediator facilitates a mutually acceptable written agreement resolving the dispute; (b) the agreement is signed by the complainant and the accused and signed by the mediator; and (c) the mediator files the signed agreement with the Disciplinary Hearing Panel within twenty-five (25) days of the scheduled hearing, then the Disciplinary Hearing Panel shall deem the matter resolved; cancel the scheduled hearing; and send a copy of the signed agreement to the accused, the complainant, the VVA National Secretary, and

the National Disciplinary Committee Chair **within twenty (20) days of the date of the canceled hearing.**

- (iii) If mediation does not result in a written agreement or if no written agreement is filed within thirty (30) days of the National Disciplinary Committee's receipt of the Statement and Charges and evidence from the Disciplinary Review Panel, then the hearing shall go forward as scheduled. The mediator from the National Disciplinary Committee shall recluse himself or herself from any appeal in the case he or she attempted to mediate.

- (iv) The mediator shall not be a witness at the hearing and any offers, concessions, admissions, or statements made for purposes of mediation shall not be admissible as evidence in the hearing or in any appeal.

SECTION VII – APPEALS

A. The accused, or accuser, or both, may appeal the decision of the Disciplinary Hearing Panel on the following grounds:

1. New substantial evidence not reasonably available at the time of the hearing;
2. Conflict of interest of a member of the Disciplinary Hearing Panel that heard the case;
3. Misinterpretation or misapplication of the VVA Constitution, State Council or Chapter Articles of Incorporation or By-laws, the VVA Disciplinary Procedure, or other applicable statute, regulation, or policy.

B. Procedure:

1. A written, sworn, notice of appeal, in the form prescribed in Attachment #14, Notice of Appeal, must be filed with the VVA National Secretary by verified

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delivery service, postmarked within fifteen (15) days of receipt of the Disciplinary Hearing Panel's decision. The Notice of Appeal must specify one or more of the grounds for the appeal set forth in Section VII.A. and must be accompanied by evidence relevant to the grounds upon which the appeal is based. Documentation of evidence must meet the criteria in Section 1, paragraph C.5.

2. If new substantial evidence was not reasonably available at the time of the hearing, a copy of the appeal and the new evidence shall be served on the other side and the other side will be allowed ten (10) days to file a reply limited to addressing the new evidence.
3. The National Secretary, upon receipt of a Notice to Appeal will:
 - a. Forward a copy of the Notice of Appeal to the Chair of the National Disciplinary Committee or in the case of an appeal of a decision of the National Disciplinary Hearing Panel the National Secretary will present the Notice of Appeal to the Special National Disciplinary Hearing Panel.
 - b. Upon receipt of a notice of appeal that complies with this section, the Chair of the National Disciplinary Committee will set a bond to cover the costs of the appeal. The minimum bond amount will be Five Hundred Dollars (\$500.00) and no greater than Two Thousand Five Hundred Dollars (\$2500.00). The appeal process will not commence until the set bond amount is received by the National Treasurer. Bonding may only be posted by certified funds.
 - c. If the Notice of Appeal does not comply with this section, the Chair of the National Disciplinary Committee shall promptly notify the appellant in writing by verifiable delivery means and shall state the reason or reasons the Notice of Appeal does not comply with this section. No further action shall be taken on a Notice of Appeal that does not comply with this section.
 - d. Instruct the Chair of the appropriate Disciplinary Hearing Panel to forward "all" files related to the case, including copies of all evidence considered and/or introduced at the hearing of the case, to the Chair of the National Disciplinary Committee.

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C. Appeals will be heard as follows:

1. Cases heard by Regional Disciplinary Hearing Panel will be appealed to the National Disciplinary Committee;
2. Cases heard by a National Disciplinary Hearing Panel will be appealed to the Special National Disciplinary Hearing Panel composed of three (3) members of the National Disciplinary Hearing Committee who did not participate in or decide the initial appeal. When a charge or charges was/were approved by or filed by or on behalf of the National Board of Directors, a Special National Disciplinary Hearing Panel Will, in the interests of a fair and impartial appeal, be the final appellate authority instead of the National Board of Directors.

D. Determination of Appeals:

1. The appellate body will examine the written appeal;
2. If a majority of the appellate body determines that the grounds for appeal do not have merit, the appellate body will issue its findings in a written statement and the matter will be closed.
3. If a majority of the appellate body determines that the grounds for appeal have merit, the appellate body will review all evidence submitted to the Disciplinary Hearing Panel, the audio or videotape of the hearing held by the Disciplinary Hearing Panel and any new evidence submitted. If the appellate body determines a hearing is necessary, it may question the appellant, members of the Disciplinary Hearing Panel, which heard the case and such other individuals, as it deems appropriate to its deliberations.
 - a. After reviewing all evidence, and if needed, conducting a hearing, the appellate body may, by majority vote, reject or sustain the original charges;
 - b. If the charges are rejected, the sanction/s and any cost imposed by the Disciplinary Hearing Panel will be voided;
 - c. If the charges are sustained, the appellate body will determine if the sanction/s imposed by the Disciplinary Hearing Panel are still appropriate in light of any new evidence that was presented, or if they should be modified.

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4. The appellate body will provide its written finding within fifteen (15) days after the conclusion of its review or hearing. The appellate body will send a copy of its determination to the accused, the complainant, the VVA National Secretary and the National Disciplinary Committee Chair.
 - a. When the charges are sustained, the written findings will include the sanction/s and any cost levied;
 - b. If the appellate body vacates the determination of the Disciplinary Hearing Panel, or modifies the sanction/s imposed, the reasons for doing so will be set forth in its determination.
5. The determination of the appellate body will be final.
6. The Chair of the appellate body will send all records regarding the matter to the VVA National Secretary who shall maintain them on file in the national office.

SECTION VIII – CONFLICT OF INTEREST

No person who has a conflict of interest in a matter before a Disciplinary Review Panel or a Disciplinary Hearing Panel may take any action, exercise any judgment, or make any decision under the provisions of this Procedure. If the Chair of the National Disciplinary Committee, with the concurrence of one of the four National Officers, determines that there is a conflict of interest (real or perceived), a case may be reassigned to another region for processing

SECTION IX – PROCEDURES FOR FRAUDULENT OR ALTERED PROOF OF SERVICE

- A. In order to preserve the integrity of Vietnam Veterans of America, and its membership, this mechanism will be used to address fraudulent or altered DD Form 214/215's, or other proofs of service, used to obtain membership in VVA, or used after membership has been obtained, that causes discredit to VVA.
 1. In the case of a Chapter member, all accusations are to be addressed to the Chapter President;
 2. In the case of any Chapter Officer/Director, all accusations are to be addressed to the appropriate State Council President;

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3. In the case of any State Council or National Officer, Director, Chair of any State Council or National Committee, Sub-committee or Task Force, all accusations are to be addressed to the National President.

B. This procedure will be followed upon receiving and reviewing allegations:

1. The appropriate President will make a determination as to the validity of the claim;
2. If the appropriate President determines the evidence fails to support a claim of falsification, the President will notify the accused and the accuser by mail of the decision;
3. If the appropriate President determines that the evidence supports a possible case of fraudulent or altered documents the President will;
 - a. Notify the Chair of the National Disciplinary Committee, by mail, of the decision and forward the appropriate evidence;
 - b. Notify the accused by mail of the decision to forward the allegations to the National Disciplinary Committee.
4. Upon receipt of the allegations, the Chair of the National Disciplinary Committee will send the accused, by certified mail, return receipt requested, a Standard Form 180 (SF-180) to be completed and returned.
5. The accused will have fourteen (14) days from receipt to return the completed SF-180 to the Chair, as directed. If the accused fails to respond to the request within the fourteen (14) days, the accused membership will be immediately revoked.
6. Upon receipt of the completed SF-180, the Chair will send it to the National Personnel Records Center (NPRC) for an “undeleted report of separation” to include issuance of awards/medals. The National Membership Office will be designated for receipt of information from NPRC.
7. The records provided by the NPRC will be reviewed by the Chair of the National Disciplinary Committee;
 - a. If no discrepancies are found, the accused and the appropriate President will be notified by mail;

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- b. If discrepancies are found, disciplinary charges may be filed against the accused, following the procedures set forth in this Procedure.
- c. All records obtained during process must be handled, and stored, in a confidential manner in order to protect the privacy of the accused.
- d. Any person, whose membership is revoked, under this section, is permitted to reapply for membership, supported by appropriate documented evidence of military service. An application for membership, under these circumstances, must be approved by the National Board of Directors.

C. Sanctions:

- 1. If the accused is a member, including a member serving in any elected, or appointed office or position, at any level within the National Corporation, State Council or Chapter, sanctions may include one or more of the following:
 - a. Suspension of membership in the National Corporation, for a specified period of time, no less than one (1) year and no more than three (3) years. This will automatically suspend the member's Chapter membership, if any;
 - b. Revocation of membership in the National Corporation. A member whose membership in the National Corporation has been revoked may be readmitted to Vietnam Veterans of America, Inc., upon written request and approval of the National Board of Directors;
 - c. Removal of the member from all elected, or appointed positions held within the National Corporation, State Council or Chapter, and the opportunity to hold an elected, or appointed position for an unspecified period of time;
 - d. Restitution of any monetary loss to the Corporation, or any State Council, Chapter or member due to conduct, which formed the basis of the charges against the accused.

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Attachment #1: Statement of Charges

VIETNAM VETERANS OF AMERICA, INC.

STATEMENT OF CHARGES

IN THE MATTER OF THE DISCIPLINARY ACTION AGAINST

(Name of Accused)

I, _____ *(Your Name)*, on behalf of _____ *(myself, Chapter, State Council)*, accuse the above named member or entity of _____ *(misconduct, gross neglect, dishonesty)* under the provisions of the Vietnam Veterans of America Disciplinary Policy.

(Summarize the facts related to the charge or charges authorized by the Disciplinary Policy, including when the actions occurred and what happened as a result of the actions.)

The above charge(s) is sustained by the attached evidence: *(List all documents, affidavits, certified records, and other evidence being submitted to support the allegations.)*

I UNDERSTAND THAT THE ABOVE CHARGE(S) MUST BE SUPPORTED BY CREDIBLE EVIDENCE AND MUST FALL WITHIN THE DEFINITIONS OUTLINED IN THE VIETNAM VETERANS OF AMERICA DISCIPLINARY POLICY (Section 1, Paragraph C5). I UNDERSTAND I MAY BE SUBJECT TO PENALTIES UNDER THE DISCIPLINARY POLICY, AND/OR CIVIL PENALTIES UNDER LAW FOR KNOWINGLY MAKING FALSE ALLEGATIONS AGAINST THE ACCUSED.

(Signature) Date: _____

Sworn before me this _____ day of _____:

(Seal)Notary Public or Commissioner of Deeds

cc: Accused

Adopted June 2001
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Attachment #2: Witness Affidavit

VIETNAM VETERANS OF AMERICA, INC.

WITNESS AFFIDAVIT

IN THE MATTER OF THE DISCIPLINARY ACTION AGAINST

(Name of Accused)

STATE (COMMONWEALTH) OF _____
COUNTY OF _____

(Your Name) being duly sworn deposes and says:

1. That I am a witness to the above referenced matter, and my home address and telephone number are:
2. The facts and statements contained in this affidavit are based upon my personal knowledge and my review of any and all relevant papers, documents and records;
3. That my relationship with the accused is:
4. That the following facts are submitted in support of the above referenced charge(s);

(Signature) Date: _____

Sworn before me this ____ day of _____:

(Seal)
Notary Public or Commissioner of Deeds

Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
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Attachment #3: Letter from Disciplinary Review Panel to Complainant – Requirements of Disciplinary Policy Not Met

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Review Panel**

(Date)

Name of Complainant
Address of Complainant

Dear (name of complainant):

The (Region or National) Disciplinary Review Panel has reviewed the charges that you submitted against (name of accused). The charges do not meet the following administrative requirements of the VVA Disciplinary Policy:

(Specify the deficiencies and what is needed to correct the deficiencies.)

If you submit the documentation needed to correct these deficiencies, the (Region, National) Disciplinary Review Panel will again review the complaint. If you cannot or do not correct these deficiencies within 30 days of receipt of this letter, this matter will be closed.

A copy of the current VVA Disciplinary Policy is enclosed for your information. The requirements for complaints are found in Section 1: Charges.

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Review
Committee

cc: National Secretary
Accused

Encl: VVA Disciplinary Policy

**Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005**

Attachment #4, Letter from Disciplinary Review Panel to Accused – Charges Filed

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Review Panel**

(Date)

Name of Accused
Address of Accused

Dear (name of accused) :

The (Region or National) Disciplinary Review Panel has received and reviewed charges against you. The charges meet the administrative requirements of the VVA Disciplinary Policy and the evidence submitted appears to be sufficient to proceed. The Statement of Charges and the evidence submitted are enclosed.

Also enclosed is a copy of the VVA Disciplinary Policy. Within 30 days of receiving this letter and under this policy, you may do one of three things:

(1) Deny the charges by filing a signed and notarized statement to that effect with the Chair of the (Region, National) Disciplinary Committee with a copy to the VVA National Secretary. Their addresses are:

 (name of Disciplinary Committee Chair)
Chair, (Region, National) Disciplinary Committee
 (Mailing Address of Chair)

National Secretary
Vietnam Veterans of America, Inc.
8605 Cameron St., Suite 400
Silver Spring, MD

If you deny the charges, the (Region, National) Disciplinary Committee will be in touch with you to schedule a hearing. Information on hearings is in Section 6; paragraph A2 of the Disciplinary Policy.

(2) Admit the charges by filing a signed and notarized statement to that effect with Chair of the (Region, National) Disciplinary Committee with a copy to the VVA National Secretary at the addresses above. If you admit the charges, the (Region, National) Disciplinary Committee will determine the sanctions to be imposed and will notify you of their decision.

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(3) If you fail to file a signed and notarized statement either denying or admitting the charges, you are deemed to have waived the right to a hearing. The (Region, National) Disciplinary Committee will determine if the evidence submitted by the complainant sustains the charges. The Disciplinary Committee will notify you if it rejects or sustains the charges and, if the charges are sustained, of the sanctions to be imposed.

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Review
Committee

cc: National Secretary
Complainant

Encl: Statement of Charges and evidence
VVA Disciplinary Policy

Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005

**Attachment #5, Letter of Determination from Disciplinary Review Panel to
Accused Whom Admits Charges**

**VIETNAM VETERANS OF AMERICA, INC.
(State, Region or National) Disciplinary Hearing Panel**

(Date)

Name of Accused
Address of Accused

Dear (name of accused):

The (Region or National) Disciplinary Hearing Panel has reviewed the charges that were submitted by (name of complainant). The (Region or National) Disciplinary Hearing Panel has reviewed the charges and the evidence, which were submitted by (name of complainant). As you admitted the charges, the Disciplinary Hearing Panel has determined that the appropriate sanction(s) is (are):

(Specify the sanction: suspension or revocation of membership, offices from which the accused is suspended or removed, restitution. Include the specific beginning and ending dates for suspensions or the specific date of revocation, and details regarding to whom restitution is to be made.)

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Hearing Panel

cc: National Secretary
Complainant

**Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005**

Attachment #6, Letter of Determination from Disciplinary Hearing Panel to Accused Who Neither Admits nor Denies Charges – Charges Sustained

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Committee**

(Date)

Name of Accused
Address of Accused

Dear (name of accused):

As you neither admitted nor denied the charges against you, you waived your right to a hearing. The (Region or National) Disciplinary Hearing Panel has reviewed the charges and the evidence, which was submitted by (name of complainant). The Disciplinary Hearing Panel has determined that the evidence sustains the charges and that the appropriate sanction(s) is (are):

(Specify the sanction: suspension or revocation of membership, offices from which the accused is suspended or removed, restitution. Include the specific beginning and ending dates for suspensions or the specific date of revocation, and details regarding to whom restitution is to be made.)

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Hearing Panel

cc: National Secretary
Complainant

**Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005**

**Attachment #7, Letter of Determination from Disciplinary Hearing Panel to
Accused Who Neither Admits nor Denies Charges – Charges Rejected**

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Hearing Panel**

(Date)

Name of Accused
Address of Accused

Dear (name of accused):

As you neither admitted nor denied the charges against you, you waived your right to a hearing. The (Region or National) Disciplinary Hearing Panel has reviewed the charges and the evidence, which was submitted by (name of complainant). The Disciplinary Hearing Panel has determined that the evidence does not sustain the charges and the charges are therefore rejected. This matter is now closed.

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Hearing Panel

cc: National Secretary
Complainant

**Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005**

Attachment #8, Letter from Disciplinary Hearing Panel to Accused Who Denies Charges – Notice of Hearing

**VIETNAM VETERANS OF AMERICA, INC.
(State, Region or National) Disciplinary Hearing Panel**

(Date)

Name of Accused
Address of Accused

Dear (name of accused) :

The (Region or National) Disciplinary Hearing Panel has received your statement denying the charges filed against you. The hearing on these charges will be held (date, time, place). Directions to the hearing location are enclosed.

The VVA Disciplinary Policy, which you were previously sent, contains information on the conduct of hearings in Section 6, paragraph A2. Please review this information. You are required to file with the Chair of the Disciplinary Hearing Panel and the Complainant, (name of complainant), the names and addresses of your representative(s), if you desire one; a written list of witnesses you plan to call, and copies of any evidence you wish to submit no later than twenty (20) days prior to the hearing. The Disciplinary Hearing Panel may refuse to accept any evidence or witnesses not submitted by (date 20 days prior to the hearing).

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Hearing Panel

cc: National Secretary
Complainant

Encl: Directions to hearing location

**Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005**

Attachment #9, Letter from Disciplinary Hearing Panel to Complainant – Notice of Hearing

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Hearing Panel**

(Date)

Name of Complainant
Address of Complainant

Dear (name of complainant):

The (Region or National) Disciplinary Review Panel has reviewed the charges you filed against (name of accused). The Review Panel has determined that the charges meet the requirements of the VVA Disciplinary Policy and that the evidence is sufficient to proceed. The hearing on these charges will be held (date, time, place). Directions to the hearing location are enclosed.

The VVA Disciplinary Policy, which is enclosed, contains information on the conduct of hearings in Section 6, paragraph A2. Please review this information. You are required to file with the Chair of the Disciplinary Hearing Panel and the Accused, (name of accused), the names and address of your representative(s), if you desire one; a written list of witnesses you plan to call, and copies of any evidence you wish to submit no later than twenty (20) days prior to the hearing. The Disciplinary Committee may refuse to accept any evidence or witnesses not submitted by (date 20 days prior to the hearing).

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Hearing Panel

cc: National Secretary
Accused

Encl: Directions to hearing location
VVA National Disciplinary Policy

Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005

Attachment #10, Letter of Determination from Disciplinary Hearing Panel to Accused Following Hearing – Charges Sustained

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Hearing Panel**

(Date)

Name of Accused
Address of Accused

Dear (name of accused):

The (Region or National) Disciplinary Hearing Panel, as a result of the evidence presented at the hearing held (date, time, place) has determined that the evidence sustains the charges and that the appropriate sanction(s) is (are):

(Specify the sanction: suspension or revocation of membership, offices from which the accused is suspended or removed, restitution. Include the specific beginning and ending dates for suspensions or the specific date of revocation, and details regarding to whom restitution is to be made.)

As stated in the VVA Disciplinary Policy, which you previously received, you have the right to appeal if you can provide new substantial evidence which was not available at the time of the hearing, or if you have evidence that any member of the Disciplinary Hearing Panel which heard your case had a conflict of interest. A notice of appeal (Attachment # 12 to the VVA Disciplinary Policy) must be filed with the National Secretary by registered or certified mail within fifteen (15) days of receiving this letter.

The Disciplinary Hearing Panel is empowered to direct you to pay all or a portion of the costs, not to exceed fifteen hundred (\$1500) dollars, that the Complainant incurred as a result of filing this complaint. If the Complainant requests such reimbursement, you will receive a letter from me within two (2) weeks.

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Hearing Panel

cc: National Secretary
Complainant
(Name of complainant)

Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005

Attachment #11, Letter from Disciplinary Hearing Panel to Complainant Regarding Reimbursement of Costs

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Hearing Panel**

(Date)

Name of Complainant
Address of Complainant

Dear (name of accused):

The (Region or National) Disciplinary Hearing Panel, as a result of the evidence presented at the hearing held (date, time, and place) has determined that the evidence sustains the charges.

The Disciplinary Hearing Panel is empowered to direct the losing party to pay all or a portion of the costs, not to exceed fifteen hundred (\$1500) dollars, that you incurred as a result of this complaint. Costs do not include attorney fees. If you wish to request reimbursement, you must submit documentation of the costs you incurred within ten (10) days of receiving this letter.

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Hearing Panel

cc: National Secretary
Accused

**Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005**

Attachment #12, Letter of Determination from Disciplinary Hearing Panel to Accused Following Hearing – Charges Rejected

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Hearing Panel**

(Date)

Name of Accused
Address of Accused

Dear (name of accused) :

The (Region or National) Disciplinary Hearing Panel, as a result of the evidence presented at the hearing held (date, time, and place) has determined that the evidence does not sustain the charges and the charges are therefore rejected.

The Disciplinary Hearing Panel is empowered to direct the Complainant to pay all or a portion of the costs, not to exceed fifteen hundred (\$1500) dollars, that you incurred as a result of this complaint. If you wish to request reimbursement, you must submit documentation of the costs you incurred within ten (10) days of receiving this letter. If I do not hear from you, this matter will be closed.

Sincerely,

(Signature of Chair)
Typed and signed Name of Chair
(Region, National) Disciplinary Hearing Panel

cc: National Secretary
Complainant
(Name of Complainant)

**Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005**

Attachment #13 Letter to Losing Party Directing Payment of Costs

**VIETNAM VETERANS OF AMERICA, INC.
(Region or National) Disciplinary Hearing Panel**

(Date)

Name of Losing Party
Address of Losing Party

Dear __(name of losing party)__:

The (Region or National) Disciplinary Hearing Panel is empowered to direct the losing party in the matter of charges against __(name of accused)__ to pay all or a portion of the costs, not exceed fifteen hundred (\$1500) and not to include attorney fees, that the successful party incurred as a result of this complaint.

The successful party in this matter has requested reimbursement. You are hereby directed to reimburse __(name of successful party)__ the amount of \$ ____.

Sincerely,

__(Signature of Chair)__
Typed and signed Name of Chair
__(Region, National) Disciplinary Hearing Panel

cc: National Secretary
__(Name of Successful Party)__

Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005

Attachment #14, Notice of Appeal

VIETNAM VETERANS OF AMERICA, INC.

NOTICE OF APPEAL

National Secretary
Vietnam Veterans of America, Inc
8605 Cameron St., Suite 400
Silver Spring, MD

IN THE MATTER OF THE DISCIPLINARY ACTION AGAINST

(Your name)

I have reviewed the Disciplinary Policy, and wish to appeal the Disciplinary Hearing Panel's action upon the following grounds:

- New substantial evidence not reasonably available at the time of the hearing – do not resubmit evidence already on record.
- Conflict of interest of a member of the Disciplinary Hearing Panel that heard the case.
- Misinterpretation or misapplication of the VVA Constitution, State Council or Chapter Articles of Incorporation or By-laws, the VVA Disciplinary Procedure, or other applicable statute, regulation, or policy.

My appeal is based on the attached evidence:

(List all documents, affidavits, certified records and other evidence being submitted. If the appeal is based on new substantial evidence not available at the time of the hearing, indicate when you became aware of the evidence and/or it came into your possession.)

I UNDERSTAND THAT ALLEGATIONS OF CONFLICT OF INTEREST AGAINST A MEMBER OF THE DISCIPLINARY HEARING PANEL THAT HEARD THE CASE MUST BE BASED ON CREDIBLE EVIDENCE. I UNDERSTAND I MAY BE SUBJECT

Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005

TO PENALTIES UNDER THE VIETNAM VETERANS OF AMERICA DISCIPLINARY POLICY, AND/OR CIVIL PENALTIES UNDER LAW FOR KNOWINGLY MAKING FALSE ALLEGATIONS AGAINST THE A MEMBER OF THE DISCIPLINARY HEARING PANEL.

_____(Signature)_____ Date: _____

Sworn before me this____ day of _____:

(Seal)
Notary Public or Commissioner of Deeds

Adopted June 2001
Amended March 23, 2002
Amended November 15, 2003
Amended April 24, 2004
Amended April 23, 2005
Amended October 7, 2005

ARTICLE I – NAME

This body shall be known as the New York State Council, Vietnam Veterans of America, Inc.

ARTICLE II – GOALS A.

The objectives (goals) of the Council are to enhance the social, economic, educational and physical welfare of Vietnam Era Veterans.

ARTICLE III – PURPOSES AND OBJECTIVES

The Council is formed to provide a formal, unified and democratic body, representative of the chapters of the Vietnam Veterans of America located in New York State. The Council shall represent the interests of its member Chapters at the State level and with the Vietnam Veterans of America, Inc. It shall exchange information and coordinate the activities of its Chapters to attain its objectives and those of Vietnam Veterans of America, Inc.

The Council shall promote and enforce the principles and policies of the Corporation as set forth in the Constitution, and the rules and resolutions of Code of Disciplinary Policy of the Corporation.

The Council shall, through its representative process:

A. Develop the strength of Vietnam Era Veterans as an entity through a coordinated effort of the Chapters to enhance membership in Vietnam Veterans of America.

B. Identify issues of concern to Vietnam Era Veterans at the local, state and national levels and develop policy statements which address those issues. Examine legislative or administrative proposals which may affect Vietnam Era Veterans and their families, and to provide input, through communications with appropriate officials, as to the positions of Vietnam Era Veterans of New York State relative to such matters

C. Establish communications network to assist Vietnam Era Veterans in gaining awareness of those issues which may affect their social, economic, educational or physical well-being, and to provide a mechanism by which Vietnam Era Veterans may raise issues of concern.

D. Develop moral, legislative and financial support for the Council and its Chapters, through a program of educational and community awareness.

ARTICLE IV – MEMBERSHIP

A. Membership on the Council will be open to all duly organized Chapters of Vietnam Veterans of America, Inc., in good standing, in the State of New York. Each Chapter

shall have such delegates to the Council as determined in accordance with sub-paragraph B of the Article. Each delegate shall be a member in good standing of the Chapter he/she represents and the National Organization of Vietnam Veterans of America, Inc. Each Chapter shall certify the name of its delegates and alternate delegates. In the event that any delegate shall cease to be a member in good standing of the National Organization of Vietnam Veterans of America, Inc., the seat held by such delegate shall be deemed vacant as of the date that said delegate ceased being a member in good standing. In the event of such vacancy, the Chapter represented by such delegates shall immediately notify the Council Secretary in writing. In the event that the seat held by a delegate shall be deemed vacant, as provided for in these By Laws, the seat held by such delegates shall be filled by an alternate, designated by the Chapter.

B. The delegates and their voting rights as concerned business before the Council meetings and State Conventions, shall be as follows: Each chapter shall be entitled to one (1) vote for its first twenty-five (25) members. A Chapter which has fifty (50) members shall be entitled to a second vote at the Council. For each block of fifty (50) members, thereafter, the Chapter shall be entitled to one (1) additional vote.

C. Chapter membership, for purposes of determining representation to the Council meetings and State Conventions, shall be determined by the Council, annually, on the last day of February. Such determination, shall be made on the basis of a membership list for each chapter prepared by the Membership Director of the National Organization and certified correct by the Chapter.

D. Voting – A duly elected delegate of any Chapter of the State of New York shall be permitted to cast up to five (5) votes, up to the limitations of Article IV, Letter B, above.

E. Chapters shall be responsible for ensuring the attendance of at least one (1) delegate per Chapter at not less than one-half of all the meetings of the council during the preceding twelve (12) months and the unexcused absence of at least one (1) delegate from such meetings of the Council during the preceding twelve (12) months may be sufficient grounds for disciplinary action against the Chapter, in accordance with the provisions of the National Constitution and the Code of Disciplinary Policy, adopted by the Corporation.

ARTICLE V – EXECUTIVE COMMITTEE

The delegates of the Council shall elect, from the individual membership within the State, whether Chapter or otherwise *(at large individual members), a President, Vice President, Secretary, Treasurer or Secretary/Treasurer, District Directors, and such other officers as may be deemed necessary by the Council. These elected officers and district directors shall constitute the Executive Committee of the New York State Council, Vietnam Veterans of America, Inc. Candidates that are to run for office at the state level, must be a member in good standing, for a continuous period of (1) not less than the 12 months preceding the annual election at which the candidates seek election and (2) candidates must have held positions as an elected officer (President, Vice President, Secretary or

Treasurer), director or delegate of VVA, at the chapter level, during any continuous period of twelve months prior to the date of the election. Election of Officers and District Directors of the Council shall be by vote at the June meeting of the Council in each even numbered year. Officers and District Directors so elected shall serve for a term of two (2) years or until the seat held by such officer shall be deemed vacant according to these By Laws.

In the event that any member of the Executive Committee shall be deemed to have vacated his or her seat as provided herein; any office held by such officer, except the President, shall likewise be deemed vacant. The first order of business at the next meeting of the Council following such vacancy, shall be the election of a regular delegate to fill the office so vacated. In the event of the vacancy of President, the Vice President will assume the presidency for the remainder of his or term. Any officer or director must have his or her primary residence in the State or District to continue as an elected officer or director. Any officer or director who must move his or her residence to another state will be asked to resign that position and the position filled as per Article V, 2nd paragraph.

The State of New York shall be divided into four (4) Districts. The member Chapters of the State Council located in these four (4) Districts shall vote at the June meeting, in each even numbered year, for a district director of each district. Only the Chapters in a given District will be able to vote for the new director for that district. The four (4) districts shall be the Western, Central, Eastern and Southern. The duties of the Executive Committee of the Council shall be as follows

A. President – The President shall be the principal representative of the Council, preside at all meetings of the Council, and shall be an ex-officio member of all committees. He or she shall appoint all standing and ad-hoc committees and the chairpersons thereof subject to the approval of a majority of the delegates of the Council. He or she shall be the formal representative of the Council to the National Office of Vietnam Veterans of America, Inc., on all matters. The President shall also execute all formal documents authorized by the Council, except where persons have been expressly delegated to do so. The President shall also review all fundraising proposals, which require the approval of the Executive Committee, as set forth in Article IV of the Constitution of Vietnam Veterans of America, Inc., as revised, and forward a copy of recommendations to the Chapters and the Corporation within fifteen (15) days of receipt of a completed proposal. The President of the State Council shall have the authority to assure that all Chapters in the State are in compliance with all governmental statutes, rules and regulations.

B. Vice President- The Vice President shall, in the absence of the President, and when so acting, have the powers of and be subject to all the restrictions upon the President. The Vice President shall perform other such duties as may be assigned to him or her by the President. The Vice President shall, upon the death, resignation or removal of the President, assume the position of the President, for the remainder of his or her term.

C. Secretary - The Secretary of the Council shall attend all meetings and shall be the custodian of all minutes, correspondence and other documents relative to Council

business. The Secretary shall record the minutes of the regular and special meetings of the Council and shall provide each Chapter with a copy thereof . The Secretary of the Council and/or staff (committee) shall review all records and documents in the custodial control of the Secretary. On an individual basis, each record and/or document will be classified into one of three categories: Retained permanently for Historical Value. Retained for seven years as Archived and Stored Records. Retained for one year as Operational Records. All Archived Records and Documents will remain in the original form genre. Archival and Stored Records may be stored on electronic retention files, such as microfiche, compact data disks or original form genre. Historical Records and Documents will never be loaned or out of the Secretary's possession.

D. Treasurer - The Treasurer of the Council shall attend all meetings of the Council and shall collect, receive, disburse and deposit the funds of the Council as directed by the Council, render bi-monthly financial statements and such other reports and accounts as may be required by the Council, and shall perform such other duties incident to the office of the Treasurer. The quarterly financial reports from the Treasurer will be mailed to the Chapters if a State Council meeting does not fall within thirty (30) days of that reporting period.

E. District Directors – The District Directors of the Council; shall attend all meetings of the Council; shall serve to coordinate and facilitate all activities among Chapters in their districts and shall be the first line of communication between the member chapters in their district and the State Council. The District Directors shall perform and other such duties as directed by the State Council President of the State Council.

F. The Executive Committee of the State Council shall be responsible and accountable to the delegates for the control and management of the affairs, property and interests of the State Council; for keeping the Corporation advised of all the activities of the State Council; for complying with all reporting requirements established by this Constitution, the rules and regulations or directives of the Corporation, or any local, state or federal law, and for guiding and administering the State Council so that the purposes, principles and goals of the Corporation, as set forth in the Certificate of Incorporation, and the rules, resolutions and directives of the Corporation are followed; and for making suggestions and recommending programs.

G. A.V.V.A - After written recommendation from the Associates of Vietnam Veterans of America, Inc., in New York State, to the State Council shall seat a Liaison of the State Council Executive Committee/Board of Directors, who shall serve as a non-voting Special Advisor to the State Council Executive Committee/Board of Directors entitled to be heard on all matters

ARTICLE VI – MEETINGS

Regular meetings of the Council shall be held quarterly at such times as the Council shall designate. The President shall give notice to each delegate, either by telephone, electronic mail and/or written notice to each delegate to the Council the time and location of any

regular meeting at least twenty (20) calendar days in advance of the date for said meeting. The State Council shall not meet less than twice per calendar year. A special meeting of the Council may be called by the President or by a vote of twenty-five (25) percent of the delegates to the Council.

The President shall give notice to each delegate, either by telephone, electronic mail and/or written notice of any special meetings to the Council at least ten (10) days in advance of such special meeting. The President shall give notice to each delegate, either by telephone, electronic mail and/or written notice of any mailing shall be deemed to been given when such notice is mailed to the delegate at the address designated by them. In the event of a special meeting, the President shall make a diligent effort to contact each delegate to the Council by phone, and advise him or her of the time and location and purpose of each special meeting.

Meetings of the Council shall be held at such other locations as may be designated by the President.

The order of business of each regular meeting shall include roll call, reading of minutes, Treasurer's reports, committee reports, unfinished business and new business. The order of business of each special meeting shall be stated in a notice of such meeting. The procedural authority for all regular and special meetings shall be Robert's Rules of Order, Newly Revised, 10th Edition

ARTICLE VII - QUORUM

The presence of a majority of the delegates or delegates representing a majority of the votes eligible to be cast as outlined Article IV, Letter B of these by laws, regular or alternate, shall constitute a quorum for the transaction of business. A majority of the delegates present (regular or alternate) whether or not a quorum is present, may adjourn any meeting to another time and place. Notice of adjournment shall be given to all regular and alternate delegates at time of adjournment.

ARTICLE VIII – VOTING

Each chapter, through its regular or alternate delegates, shall be entitled to the number of votes as outlined in Article IV, Letter B of this document, relative to all business before the Council. In the event that a regular delegate shall be unable to attend such meeting of the Council, the vote of that Chapter shall be cast by the first alternate or, he or she is unable to attend such meeting, it would go to the second alternate, if applicable. The vote of the majority of the votes eligible to be cast by the delegates (regular or alternate) present at such time, shall be the act of the council.

In the event that there is a notice given to the Executive Board between regularly scheduled meetings, that a vote by the Board must be taken, such vote may be made by telephone or electronic mail and the record of the vote will be taken by the Secretary and

provided to the delegates at the next regularly scheduled meeting, the results of the vote taken.

ARTICLE IX – COMMITTEES

Committees shall be established by the Council, insofar as is necessary to accomplish the business of the Council. Committees may be Standing or Ad-Hoc, except as mandated by the National Corporation, and membership of such committees shall be by appointment of the President, with the approval of the delegates present.

The following Nationally mandated Standing Committee's shall be established: **Membership; Public Affairs; Government Affairs; Veterans Affairs; Employment, Training and Business Opportunities, Minority Affairs; Constitution; Veterans Benefits; Finance and Women Veterans.**

The following committees shall be established: **Agent Orange; Veterans Incarcerated; Nominating and POW/MIA and Good and Welfare.**

ARTICLE X – AMENDMENTS

Amendments to these By Laws shall be by the majority of the total eligible delegate votes as outlined in Article IV, Letter B of this document present or otherwise, at a meeting at which such amendment is being considered. Notification of any proposed amendment to the By Laws shall be given to each of the regular delegates and alternate delegates at least twenty (20) days prior to the meeting at which such amendment shall be presented. This provision may be waived by any delegate entitled to vote on such amendment.

ARTICLE XI – FISCAL YEAR

The fiscal year of the State Council shall commence on the first day of March and end on the last day of February in each year.

ARTICLE XII – MANAGEMENT

A. There shall be appointed by the President with a two-thirds vote of the State Council delegates, an Executive Director, who shall serve at the will of the State Council President.

B. The Executive Director shall be responsible for the administration of the Corporation. He or she shall supervise and coordinate the administrative and professional activities of the Corporation, supervise staff and volunteers, and shall employ and direct staff and such other personnel as is deemed necessary for the conduct of the business of the Corporation and its programs, in accordance with the policies, procedures and directives of the State Council.

C. The Executive Director shall not hold any elective office at the State Council or be a delegate to the State Council (elected or appointed).

Section 19B
VVA – NYSC
Good and Welfare Committee – BY LAW Proposal

- Section 1. Purpose – will act as a special committee of the NYSC, whereby the Council can express its sympathy or joy.
- Section 2. Chairperson – will be appointed by and serve at the pleasure of the President. The Chairperson will serve as the receiver of information regarding the eligibility of a person or persons under this article of the by-laws and will ensure that those entitled to the benefits established herein shall receive them. The Chairperson will report to the Council on any actions taken under this article and will provide details of each event to the Interchange Editor. The Chairperson may be assisted in these duties by Vice-Chairs within each of the four Districts. The Chair and the Vice-Chairs shall serve as the Committee members.
- Section 3. Benefits – the following benefits are available to any National VVA Officer or Director; NYSC Officer, District Director, Associate Liaison or Delegate; or NYS Chapter President.
- A) Death – flowers, a basket of fruit or other appropriate expression of sympathy, within the immediate period of observances for the deceased, or the equivalent donation of money to a charity in the deceased’s name, at the wishes of the deceased’s family, in an amount not to exceed \$75.
 - B) Birth – at the birth or adoption of a child a card with a gift in the amount of \$25.
 - C) Marriage – a card with a gift in the amount of \$50.
 - D) Hospitalization – a card and get well gift in the amount of \$50 (not to exceed \$100 in any calendar year).
- Section 4. Eligibility – a person must be a member or AVVA member in good standing of VVA or AVVA in order to receive any benefits.
- Section 5. Changes in Dollar Amounts – the dollar amounts may be changed by a vote of the Council.
- Section 6. Disbursements – the Treasurer shall disburse funds in the amount outlined above or subsequently approved by the Council at the request of the Good and Welfare Committee Chairperson.

* If a need for expenditure must be acted on immediately, then the Chair of the Committee will disburse the funds and be reimbursed without going through the Finance Committee process. (Should be a budgeted line item of at least \$1,000.)

