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I. ELECTIONS: *Candidate Qualifications and Duties*

- A. All duties and qualifications for all positions in AVVA can be found listed in order of the level of responsibility in Section 1 of the Policy and Procedure Manual (P & P).
- B. Positions open for state and chapter elections:
 - 1. Incorporated: Officers – term of 2 years.
 - 2. Unincorporated: Representatives – term of 2 years.
- C. Positions open for the national elections are:
 - 1. Four (4) national officers: President, vice-president, secretary, treasurer.
 - 2. Nine (9) regional directors.
 - 3. Nine (9) deputy regional directors.

II. ELECTIONS: *Election Dates*

A. CHAPTER – UNINCORPORATED/INCORPORATED

- 1. Elections will be held in April of every even numbered year, unless the chapter is in the process of incorporating or a “special election” has been approved by the National Elections Committee.

B. STATES – UNINCORPORATED/INCORPORATED

- 1. Elections will be held between January 1 and June 30 of every even-numbered year, unless the state is in the process of incorporating or a “special election” has been approved by the National Elections Committee.
 - a. Unincorporated state elections will be held in conjunction with the VVA State Council Meeting. In states where there is no VVA State Council, the time and place will be determined by the AVVA regional director.

C. NATIONAL

- 1. National elections will be held in every odd-numbered year. The board of directors will designate the location and date of the national convention.



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III. ELECTIONS: *Candidate Campaigning*

- A. Candidates may campaign for the office or positions that they are seeking. They must take into consideration their opponents, and limit their campaign materials to that of promoting a positive image, i.e. qualifications or candidate statement. They are expected to treat their opponents with respect and dignity at all times.
- B. Campaign expenditures shall not be used from an existing AVVA budget.
- C. Campaign paraphernalia, give-a-ways, etc. at the national level must be approved by the National Elections Committee before distribution.

IV. ELECTIONS: *Voting*

- A. CHAPTER – UNINCORPORATED/INCORPORATED
 - 1. Each AVVA Regular Member who is associated with a VVA Chapter or a member of an AVVA incorporated chapter shall have **ONE** (1) vote.
- B. STATES – UNINCORPORATED/INCORPORATED
 - 1. Each AVVA chapter representative, president, or the designated alternate, and the at-large representative shall have **ONE** (1) vote.
 - 2. All alternates must be a member of their designated chapter.
- C. NATIONAL
 - 1. Each AVVA state and chapter representative, president and the at-large representative or their respective designated alternate will be allowed **ONE** (1) vote at the national convention. (Bylaws ARTICLE VII, Section 7.03, Section 7.04, and ARTICLE VIII Section 8.04)
- D. There is **NO** proxy voting at any level. (Bylaws ARTICLE III, Section 3.07-b)
- E. All elections shall be by ballot. (Bylaws ARTICLE III, Section 3.07-a)

V. ELECTIONS: *State and Chapter Election Process*



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A. ELECTIONS CHAIR/COMMITTEE – STATE AND CHAPTER

1. Designated elections chairpersons please see Duties and Responsibilities, in section 1 of the P&P Manual.

B. ELECTION ASSISTANCE

- C. If no member is willing or available on a state level to serve as the elections chair, then the AVVA regional director shall be contacted and asked to make recommendations or make arrangements to insure that a state election is conducted in the correct manner.

- D. If no member is willing or available on a chapter level to serve as the elections chair, then the AVVA state representative or state president should be contacted and asked to make recommendations or oversee the election process.

1. An official ballot, sign-in sheet and Election Result Forms (all levels) can be printed from the AVVA website. (www.avva.org)
2. Candidates seeking any position shall file a Letter-of-Intent with the individual designated to run the election. Letters-of-Intent must be received thirty (30) days before the election for states -- and 2 weeks (14 days) for chapters.
3. There shall be NO nominations from the floor.
4. There shall be NO write-ins on the ballot.
5. It is mandatory that all those seeking office at any level attend the election meeting.
 - a. States: If unable to attend the election meeting, a valid reason must be given to the appropriate official, i.e. Elections Committee, state representative/president, or regional director.
 - b. Chapters: If unable to attend the election meeting a valid reason must be given to the appropriate official, i.e. Elections Committee or state representative/president.
6. Examples of valid reasons are death, illness, family emergency, once-in-a-lifetime event or weather conditions, and must be given as soon as possible before the election. If the candidate does not attend and no valid reason is rendered, the candidate's name will be removed from the ballot. If a valid reason is rendered and accepted by the appropriate official, the election will proceed with the candidate's name in consideration for the desired position.



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The National Elections Committee reserves the right to consider “a valid reason” on a case-by-case basis.

7. Ballots **must** be used even if only one (1) candidate is running for the position. *Example:* Only one (1) prospective candidate has submitted a letter of intent to run. A ballot must be filled out by every delegate present and voting.
8. No quorum is required for unincorporated state or chapter elections.
9. A quorum defined in the incorporated state or chapter bylaws.
10. In the event of a tie vote:
 - a. At all levels, all candidates will be given three (3) minutes to speak, **THEN:**
 - i. Unincorporated chapters: A second vote will be taken in an attempt to break the tie. If the vote is still tied after the second vote, the elected chapter representatives within the state will elect the chapter representative at the next scheduled state level meeting. This tiebreaker vote is final.
 - ii. Unincorporated states: A second vote will be taken in an attempt to break the tie. If the vote is still tied after the second vote, the biographies of all candidates, with names removed, will be sent to the national board of directors for a vote. This tiebreaker vote is final.
 - iii. Incorporated states and chapters: There will be a second vote in the attempt to break the tie. Should the vote still be tied, the remaining newly elected officers will cast one (1) vote each to break the tie. There will be no abstentions in this vote. This tiebreaker vote is final.
11. Within thirty (30) days the Election Results Form and the sign-in sheets must be sent by regular mail or emailed to:
 - a. Chapters: To their state representative or state president. If there is no state representative or state president in place, the results are sent to the regional director.
 - b. States: To their regional director. If no regional director is in place, results are sent to the national elections chair.
 - c. These documents will remain confidential and will be kept on file for ninety (90) days.
12. Announcing the election results:



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- a. At the conclusion of the election ballot tallying process the elections chair or designee shall announce the winners of the election.
13. All levels of office shall assume the responsibilities and liabilities associated with their respective office at the adjournment of the meeting at which they were elected. ([Bylaws article V section 5.03](#))

E. ORDERLY TRANSITION

1. An orderly transition of responsibilities and duties is the task of the out-going officers.
2. PERIOD OF TRANSITION
 - a. The period of transition is defined as the time between the adjournment of the meeting at which they were elected, and until the next regularly scheduled chapter meeting, or until the end of thirty (30) days for states. ([Bylaws article V section 5.03](#))
 - b. The newly elected officer(s) assume full responsibility for their duties immediately following the election meeting.
 - c. Out-going officers are responsible for briefing their successors, either orally or in writing, on all actions and unfinished business within thirty (30) days following the election. In addition, they should transfer all records, documents, and any other corporate assets within this same time period to their successors.
 - d. Out-going officers shall remain available during the transition period to provide information concerning all matters of his/her previous office.
 - e. The responsibilities of the out-going officers during this period are limited solely to the transfer of his/her office to their successor.
 - f. The out-going officer must file expense vouchers, when applicable, no later than thirty (30) days after leaving office. Receipts must accompany the expense voucher.



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NOTE: Members of AVVA in unincorporated chapters and states who have not elected representative relinquish the right to vote at any level in AVVA until the next election cycle. Although incorporated chapters which fail to hold elections by April 30th, and incorporated states which fail to hold elections by June 30th relinquish the right to vote at any level in AVVA until the next election cycle, they may, in some cases, hold a special election. This “special election” must be sanctioned by the National Elections Committee. If no election is held, the state or chapter will have no delegate to the national convention.

- F. **VVA Constitution Article II - State Provisions Section 3 - Membership: sub-part B:** The Constitution of the Vietnam Veterans of America, Inc. (VVA) states: *“The State Council shall seat the elected AVVA representative or the elected AVVA state president on the State Council and/or board of directors, who shall serve as a non-voting special advisor council entitled to be heard on all matters.”*
- G. **VVA Constitution Article III - Chapter Provisions Section 5 - Chapter Board: sub-part K:** The Constitution of the Vietnam Veterans of America, Inc. states: *“The VVA Chapter should seat the elected AVVA representative or the elected AVVA chapter president on the Chapter board, who shall serve as a non-voting special advisor to the Chapter board on matters of particular concern to AVVA members.”*

VI. ELECTIONS: *Election Process At-Large Representative*

A. VOTING STRUCTURE AND REQUIREMENTS

1. Each state having members of AVVA who are not associated with any AVVA chapter may have a delegate who will represent them at state-level meetings. These members are considered at-large.
2. The AVVA state representative or state president may contact all At-Large members every even-numbered year, by January 15th, and give every At-Large member who is qualified the opportunity to run for the position of at-large representative.
3. This announcement may be sent through e-mail, telephone, the US Postal Service, or any method of communication that ensures notice.
4. A response must be received within twenty-one (21) days of the date of the notification.
5. If after the twenty-one (21) day time limit, no candidate has come forward to run for the position of at-large representative, the position will remain unfilled until the next election cycle.



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6. In the event that the state representative or state president receives only one (1) qualified candidate, that individual will be the at-large representative. (Bylaws Article 7 section 7.03)
7. If two (2) or more qualified candidates come forward, the state representative or state president will prepare an official at-large ballot (form F-ELE5.04) found on the AVVA website (www.avva.org).
8. The Ballot and any candidate information shall be mailed to every At-Large member through the US postal service. The ballot and information will be sent to the address listed on the current AVVA membership roster.
9. The ballot must be returned to the state representative or state president with in thirty (30) days from the postmarked date of the absentee ballot.
10. In the event that no ballots are returned, the elected chapter representatives for that state will elect from the candidates an at-large representative at the next state meeting.
11. The state representative or state president shall complete and submit the Election Result Form to the regional director no later than thirty (30) days after the election.
12. The state representative or state president will notify the At-Large members of the name and contact information for the at-large representative.

VII. ELECTIONS: *National Conventions and National Elections*

- A. The AVVA National Convention shall be the highest authority of the Corporation. Except as otherwise provided in the bylaws, the president shall reside as the chairperson of the national convention.
- B. DELEGATES OF RECORD (Bylaws ARTICLES VII, 7.04 and VIII, 8.04)
 1. Delegates will have voting privileges concerning all matters to come before the convention floor.
 2. In the event that a delegate holds two elected positions, (example: State Representative / Chapter Representative) the higher position will take precedence. In such case, the Alternate may be utilized so that no vote will be lost.
 3. All delegates representing their state/chapter shall be seated collectively.



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4. Elections shall be by ballot and voting delegates shall sign in to receive their ballots. No exceptions will be made.
5. If the year is an election year, all incorporated states and chapters must file any and all reports as required by the National Finance Committee. These reports must be received by the National Headquarters no later than sixty (60) days prior to the National Convention. (P& P Section IV: Subsection 6.B.1)
6. All delegates and alternates must register with the Elections Committee thirty (30) days prior to the election. No exceptions will be made. Forms are located on the AVVA website (www.avva.org).
7. Alternate delegates are an appointed position, not an elected position.
8. In the event of sickness or absence of the elected delegate, an alternate delegate will be seated at the convention. Once the delegate relinquishes their voting rights to the alternate, the alternate becomes the delegate of record.

C. NATIONAL ELECTIONS

1. An election will take place for the national officers, regional directors, and deputy regional directors, whose term will be two (2) years and will begin following the election at the national convention.
 - a. Each delegate or alternate delegate will cast one (1) vote for their respective regional director and deputy regional director.
 - b. Each delegate or alternate delegate will cast one (1) vote for each executive officer. These officers are: president, vice-president, secretary, and treasurer.
2. Candidates for executive office:

Candidate Filing Package: National Candidate Registration Form F–Ele05.01 and a biography (photo optional) must be postmarked by April 1 of each election year and sent to the national elections chair.

- a. Verified candidates who have filed the proper election paperwork (see above box) will be permitted to engage in the following activities:
 - i. Upon invitation, the candidate may speak at local, state, or national meetings to introduce themselves and talk about the office that they are seeking.



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- ii. The written biography that is required may be distributed among the membership.

3. ANNOUNCING THE ELECTION RESULTS

- a. The elections chair shall be privately informed who the winners of the election are.
- b. All candidates shall meet privately with the elections chair to be informed of the results.
- c. In the event of a tie for a Regional Director or Deputy Regional Director, the delegates from that region will report to the voting room and vote secretly for a second time. If the vote count is still tied, a third secret vote will occur. If after the third secret vote the results remain a tie, the current National President shall call a special meeting of the Board of Directors for the purpose of voting to break the tie. The officers and directors shall vote by secret ballot and the first candidate securing a majority vote shall be declared the winner. The special meeting shall be held before the new officers and directors are sworn into office.
- d. The elections chair will announce the results to the convention body.

D. OATH OF OFFICE

1. The installation of the newly elected officers and directors, to include the administration of the Oath of Office, will be the last item on the agenda.
2. The oath of office shall be administered by a past national president, a former national officer, or a designee of the newly elected president's choice.
3. The newly elected officers and directors shall assume the responsibilities and liabilities associated with their respective office at the time of the administration of the Oath of Office.

E. ORDERLY TRANSITION

1. Out-going officers, directors, committee chairs, and other national appointees are responsible for briefing their successors in writing on all actions and unfinished business within thirty (30) days following the national convention. The report should include a statement of goals and objectives, and details of on-going and incomplete actions, projects, and programs. They should also include positive recommendations for their successors.
2. Out-going officers, directors, committee chairs, and other national appointees shall submit a copy of the above (same) written report to the



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national board of directors at its next regularly scheduled meeting following the national convention.

3. Out-going officers, directors, committee chairs, and other national appointees shall remain available during a thirty (30) day period to provide information, concerning on-going actions and projects in the area of interest of their previous office, to their successors.
4. In-coming officers and directors are responsible for reporting, in writing, to the board of directors at its second regularly scheduled meeting following the national convention, the state of their office, committees, and directorships; the challenges they see for the future, and their goals and objectives for the current term of office.

F. TRANSITION FUNDING

1. Out-going official's responsibilities during this period are limited solely to the transfer of their offices to their successors.
2. Out-going officials will receive reimbursement only for the transfer of materials and information to their successors, subsequent to the national convention at which their successors assume office. Funding is not provided for travel after return home from the national convention, or for any purpose other than authorized herein, without specific prior approval.
3. Out-going officials must file expense vouchers no later than thirty (30) days after the national board meeting after they leave office, for reimbursement of all official expenses incurred during their tenure in office. Expense vouchers filed after that date will be presented to the board of directors for consideration.

VIII. ELECTIONS: *Special Elections*

- A. Special elections at the state or chapter levels **may** be considered by the National Elections Committee, depending on the circumstances. The national president should be advised of special elections.
- B. All special elections are granted on a case-by-case basis. Special elections granted during a national elections year must be completed 90 days prior to the beginning of the national convention.
- C. All elections outside of the election cycle **must** be approved, and an election report must be submitted to the national elections chair within thirty (30) days of that special election.



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- D. The unincorporated chapter, incorporated chapter, or state holding an approved special election will be given the right to cast a vote at the next state/national election, if the special election occurs in an election year.
- E. States and chapters entering into the incorporation process must hold an election within the guidelines of the incorporation policy.

IX. ELECTIONS: *Resignation or Removal of Officials at State and Chapter Levels*

A. UNINCORPORATED CHAPTERS

- 1. In case of resignation, removal, or other manner of absence of a chapter representative, the AVVA state representative or state president may then appoint a point of contact person for that chapter until the next scheduled election.
- 2. The state representative or state president ***shall not*** appoint him/herself to serve as the chapter point of contact.

B. UNINCORPORATED STATE

- 1. In case of resignation, removal or other manner of absence of a state representative, the AVVA regional director may then appoint a point of contact person for that state until the next scheduled election.
- 2. The regional director ***shall not*** appoint him/herself to serve as the state point of contact.

C. INCORPORATED CHAPTER AND STATE

- 1. In case of the resignation, removal, or other absence of the incorporated chapter/state president, the vice-president will assume the duties of the president until the next scheduled election.
- 2. In case of the resignation, removal, or other absence of the vice-president, secretary or treasurer in an incorporated chapter/state, the chapter/state bylaws will be followed.

X. ELECTIONS: *Point of Contact at the State or Chapter Level*

- A. An individual may volunteer or agree to become the point of contact (POC) for an



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unincorporated state or chapter. The duties of this position can be found in section 1 of the Policy and Procedure Manual.

B. The POC is an appointed position.

1. If no member wishes to run for the position of chapter representative, a POC may be appointed by the state representative or president until the next election cycle.
2. If no member wishes to run for state representative, a POC may be appointed by that state's regional director.
3. An unexpected vacancy in in unincorporated state or chapter representative position may be filled by a POC for the unexpired term.
4. A POC has no vote at state or national level meetings.

XI. ELECTIONS: *Withdrawals at Any Level*

If a candidate decides to withdraw from any race, their withdrawal should be in writing and submitted to the elections chair at their particular level.

XII. ELECTIONS: *Database Policy*

A. REPORTING

1. Upon the conclusion of chapter and state elections, the state representative or president is responsible for the reporting of all election results to their regional director.
2. The form (Election Results Unincorporated F-ELE05.06 or Election Results Incorporated F-ELE05.10) is located at the AVVA website (www.avva.org) Forms Section. Instructions for submitting are found on the form.
3. The regional director will report, within thirty (30) days of the received results, to the AVVA National Elections Committee for database submission.
 - a. Chapter results must be received by May 30th (June 15th if using regular mail) of their election year.



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- b. State results must be received by June 30th (August 15th if using regular mail) of their election year.
4. Data that **MUST** be included in the reporting is:
- a. Names of elected state and chapter representatives, presidents, and officers.
 - b. Election dates.
 - c. Verified membership number of those elected.
 - d. E-mail addresses of those elected.

NOTE: It is highly recommended that results be submitted to the Database as soon as they are received. We encourage the regional directors NOT to wait for all reports from the region before submitting.

- B. When the National Elections Committee receives the database information a confirmation will be sent to the reporting regional director.
- C. Non-compliance with the database reporting policy may result in the chapter or state being ineligible to vote at the next scheduled national convention.
- D. If/when there is a change in the name of individuals elected to a position it must be reported to the National Elections Committee for a change in the database.
- E. The Election Database will be the property of the National Elections Committee and remain on file until the next official election takes place.

XIII. ELECTIONS: Election Forms

- A. The following election forms can be found on the AVVA website in electronically fillable formats, or for blank printing:
 - 1. National Candidate Registration Form F-ELE5.01
 - 2. National Delegate Registration Form F-ELE5.02
 - 3. Unincorporated state, chapter, or at-large ballot F-ELE5.04
 - 4. Incorporated state, or chapter ballot F-ELE5.05
 - 5. Election Results Unincorporated State/Chapter/At-Large F-ELE5.06
 - 6. Election Sign-In Sheet F-ELE5.09
 - 7. Election Results Incorporated State or Chapter F-ELE5.10
 - 8. Oath of Office F-ELE5.12



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XIV. ELECTIONS: *Oath of Office*

- A. Swearing in of national officers of Associates of Vietnam Veterans of America, Inc., and of state representatives, chapter representatives, incorporated state officers and incorporated chapter officers shall take place immediately following the election.
- B. The oath of office shall be administered by:
1. Chapter/state level: By a designee of the newly elected chapter or state representative, or chapter or state president's choice. **Example:** A past officer of AVVA, or a dual member of AVVA and VVA.
 2. National Level: By a past national president, a past national officer, or a designee of the newly elected president's choice.

The AVVA Oath of Office:

I do solemnly swear, that I, (state your name), will faithfully execute the office of (state your Office), of the Associates of Vietnam veterans of America, Inc., and will perform the duties of said office to the best of my ability. Furthermore, I swear to uphold the Constitution of the United States of America, and the Articles of Incorporation, By-Laws, Policies and Procedures, and Core Values of the Associates of Vietnam Veterans of America, Inc., so help me God.