

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Sharon Hobbs *retyped on change form*

State/Chapter: TN-203

Email/Phone: blondyhobbs@aol.com

Article #: III

Section #(s): 3.02 b (*or c?)

Other Article(s) Affected: _____

CURRENT LANGUAGE

PROPOSED REVISIONS

REVISED BYLAW

<p>Section 3.02 Membership. The Corporation shall have two classes of members: Regular Members and Dual Members.</p> <p>-----</p> <p>b. Dual Members shall have no such rights.</p>	<p>Section 3.02 MEMBERSHIP</p> <p>b. Dual members shall have no such rights. have the right to vote at the chapter level. They are ineligible to hold any elected office; they are ineligible to serve as an alternate delegate at the state or national level.</p> <p>* Depending on the outcome of the previous proposal, this may be considered as "c" instead of "b". This will not change the content or purpose of this proposal.</p>	<p>Section 3.02 MEMBERSHIP.</p> <p>b. Dual Members shall have the right to vote at the chapter level. They are ineligible to hold any elected office; they are ineligible to serve as an alternate delegate at the state or national level.</p>
--	--	--

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

VVA, as we know it, is going away. They are making preparations now to either dissolve or partner with a younger veterans group. AVVA needs the support of VVA members; giving them the right to vote is a start in the right direction of commitment and loyalty. It's time to include them; it's time to begin transitioning into a future where VVA no longer exists. After VVA goes away, there will no longer be dual members; every member will be a "regular" member.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: (“X” in appropriate box)

NO:

YES:

Recommend Passage With the Following Amended Language:

"Dual members shall have the right to vote at the chapter level if the regular members agree to it. They are not eligible to hold any elected position/office or serve as an alternate delegate to the state or national level."

JUSTIFICATION FOR AMENDED LANGUAGE: A chapter should have the option of allowing or not allowing dual members to vote in their chapter business, according to their individual circumstances. Chapters should not be forced to allow it.

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Bylaws Committee

State/Chapter:

Email/Phone: librnok@hotmail.com

Article #: III

Section #(s): 3.03

Other Article(s) Affected: Article III Section 3.02

CURRENT LANGUAGE

PROPOSED REVISIONS

REVISED BYLAW

<p><i>Section 3.03 Eligibility for Membership.</i> Regular membership shall be granted to any persons who are ineligible for membership in Vietnam Veterans of America, Inc. (VVA) and who wish to further the purposes of both VVA and the Corporation. Dual membership shall be limited to those who are eligible for membership in VVA.</p>	<p>(List as a – c and add language):</p> <p><i>Section 3.03 Eligibility for Membership.</i></p> <ul style="list-style-type: none">a. Regular membership shall be granted to any persons who are ineligible for membership in Vietnam Veterans of America, Inc. (VVA) and who wish to further the purposes of both VVA and the Corporation.b. Incarcerated Veteran Membership shall be granted to any U.S. military veteran of eras other than the Vietnam era, who are incarcerated in the justice system.c. Dual membership shall be limited to those who are eligible for membership in VVA.	<p><i>Section 3.03 Eligibility for Membership.</i></p> <ul style="list-style-type: none">a. Regular membership shall be granted to any persons who are ineligible for membership in Vietnam Veterans of America, Inc. (VVA) and who wish to further the purposes of the Corporation.b. Incarcerated Veteran Membership shall be granted to any U.S. military veteran of eras other than the Vietnam era, who are incarcerated in the justice system.c. Dual membership shall be limited to those who are eligible for membership in VVA.
--	--	--

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

There is justifiable reason to create *and define* a membership class which will give veterans who are incarcerated a perk of reduced dues, or other special circumstances determined by the organization when they are in the justice system, in an effort to try to help them in their efforts to change their circumstances for a life outside of a facility. Please see the previous document "Statement of facts ART III" for background information.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: ("X" in appropriate box)

NO:

YES:

Recommend Passage With the Following Amended Language:

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Bylaws Committee

State/Chapter: _____

Email/Phone: librnok@hotmail.com

Article #: III Section #(s): 3.07b Other Article(s) Affected: _____

CURRENT LANGUAGE

PROPOSED REVISIONS

REVISED BYLAW

<p><i>Section 3.07 Voting.</i></p> <ul style="list-style-type: none">a. All elections shall be by ballot.b. There will be no absentee ballots allowed in elections at any level.c. In the event of a tie vote, for any office at any level, a second vote will be taken. If after the second vote a tie remains, the office will be filled by name draw, in accordance with the National Policy and Procedures.d. Election Committee members, including the chair, must resign their position on the Election Committee if they run for any national office.	<p><i>Section 3.07 Voting.</i></p> <ul style="list-style-type: none">a. All elections shall be by ballot.b. There will be no absentee ballots allowed in elections at any level, nor will any member of one chapter vote on behalf of another chapter.c. In the event of a tie vote, for any office at any level, a second vote will be taken. If after the second vote a tie remains, the office will be filled by name draw, in accordance with the National Policy and Procedures.d. Election Committee members, including the chair, must resign their position on the Election Committee if they run for any national office.	<p><i>Section 3.07 Voting.</i></p> <ul style="list-style-type: none">a. All elections shall be by ballot.b. There will be no absentee ballots allowed in elections at any level, nor will any member of one chapter vote on behalf of another chapter.c. In the event of a tie vote, for any office at any level, a second vote will be taken. If after the second vote a tie remains, the office will be filled by name draw, in accordance with the National Policy and Procedures.d. Election Committee members, including the chair, must resign their position on the Election Committee if they run for any national office.
---	--	---

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

This aligns the bylaws more clearly with both current policies and years long practice. Chapters must be able to represent themselves.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: ("X" in appropriate box)

NO:

YES:

Recommend Passage With the Following Amended Language:

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Bylaws committee

State/Chapter:

Email/Phone: librnok@hotmail.com

Article #: IV Section #(s): 4.02 Other Article(s) Affected:

CURRENT LANGUAGE

PROPOSED REVISIONS

REVISED BYLAW

<p><i>Section 4.02 Election of Directors.</i> Each region of the Corporation may elect a director to represent them on the board of directors. The candidate must be a regular member in good standing, and actively participate in a state within the region they want to represent. Each regional director shall be elected by ballot at the national convention by the voting delegates, in the odd numbered years. Each director shall hold office for a term of two years. No director shall be eligible to serve more than five (5) consecutive terms in the same office.</p>	<p><i>Section 4.02 Election of Directors.</i> Each region of the Corporation may elect a director to represent them on the board of directors. The candidate must be a regular member in good standing, and actively participate in a state within the region they want to represent. Each regional director shall be elected by ballot at the national convention by the voting delegates, in the odd numbered years. Each director shall hold office for a term of two years. No director shall be eligible to serve more than five (5) consecutive terms in the same office.</p>	<p><i>Section 4.02 Election of Directors.</i> Each region of the Corporation may elect a director to represent them on the board of directors. The candidate must be a regular member in good standing, and actively participate in a state within the region they want to represent. Each regional director shall be elected by ballot at the national convention by the voting delegates.</p>
---	--	---

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

There should be a specific section that describes the term of office and office limitations, just as there is under article 5: Officers. It makes it clear, and it makes the bylaws more cohesive. Therefore, the above wording can be removed from this article and place in a proper section.

Additionally, 2020-2021 has taught us that things can happen that are completely out of our control and that can, by themselves, postpone our events. Should there be this sort of circumstance in a convention year, the convention may have to be postponed until it is safe or possible to hold one. For this reason the "Odd numbered years" should be removed, and leave it as "During a convention", so that we do not have legal problems if this problem ever happens again. The convention times and dates are discussed in Article 6.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: ("X" in appropriate box)

NO:

YES:

Recommend Passage With the Following Amended Language:

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Bylaws committee

State/Chapter:

Email/Phone: librnok@hotmail.com

Article #: IV Section #(s): 4.03 Other Article(s) Affected:

CURRENT LANGUAGE

Section 4.03 Election of Deputy Directors. Each region of the Corporation may elect a deputy regional director to represent them on the board of directors, in the absence of the regional director. The candidate must be a regular member in good standing, and actively participate in a state within the region they want to represent. Each deputy regional director shall be elected by ballot at the national convention by the voting delegates, in the odd numbered years. Each deputy regional director shall hold office for a term of two years. No deputy director shall be eligible to serve more than five (5) consecutive terms in the same office.

PROPOSED REVISIONS

Section 4.03 Election of Deputy Directors. Each region of the Corporation may elect a deputy regional director to represent them on the board of directors, in the absence of the regional director. The candidate must be a regular member in good standing, and actively participate in a state within the region they want to represent. Each deputy regional director shall be elected by ballot at the national convention by the voting delegates. ~~in the odd numbered years. Each deputy regional director shall hold office for a term of two years. No deputy director shall be eligible to serve more than five (5) consecutive terms in the same office.~~

REVISED BYLAW

Section 4.03 Election of Deputy Directors. Each region of the Corporation may elect a deputy regional director to represent them on the board of directors, in the absence of the regional director. The candidate must be a regular member in good standing, and actively participate in a state within the region they want to represent. Each deputy regional director shall be elected by ballot at the national convention by the voting delegates.

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

As stated in the proposal for section 4.02, There should be a specific section that describes the term of office and office limitations, just as there is under article 5: Officers. It makes it clear, and it makes the bylaws more cohesive. Therefore, the above wording can be removed from this article and place in a proper section.

Additionally, 2020-2021 has taught us that things can happen that are completely out of our control and that can, by themselves, postpone our events. Should there be this sort of circumstance in a convention year, the convention may have to be postponed until it is safe or possible to hold one. For this reason the "Odd numbered years" should be removed, and leave it as "During a convention", so that we do not have legal problems if this problem ever happens again. The convention times and dates are discussed in Article 6.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: ("X" in appropriate box)

NO:

YES:

Recommend Passage With the Following Amended Language:

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Bylaws committee

State/Chapter: _____

Email/Phone: librnok@hotmail.com

Article #: IV

Section #(s): 4.04 - 410

Other Article(s) Affected: R-number 4.04 through 4.10

CURRENT LANGUAGE	PROPOSED REVISIONS	REVISED BYLAW
<p>NO CURRENT LANGUAGE</p>	<p>ADD: (new language and title)</p> <p>SECTION 4.04 TERM OF OFFICE AND OFFICE HOLDING LIMITATIONS</p> <p>Each regional director and deputy regional director shall hold office for a term of two years. Should there be an unavoidable event that by itself forces an election to be postponed, the current directors and deputies may be asked to remain in office until an election can be held. The national board of directors shall determine what actions to take if this occurs. The term of office begins at the adjournment of the meeting at which they are elected. No regional director or deputy regional director shall be eligible to serve more than five (5) consecutive terms in the same office. No member shall hold more than one national office at a time.</p> <p>*This will require that current sections 4.04 - 4.10 be renumbered to 4.05 to 4.11</p>	<p>SECTION 4.04 TERM OF OFFICE AND OFFICE HOLDING LIMITATIONS</p> <p>Each regional director and deputy regional director shall hold office for a term of two years. Should there be an unavoidable event that by itself forces an election to be postponed, the current directors and deputies may be asked to remain in office until an election can be held. The national board of directors shall determine what actions to take if this occurs. The term of office begins at the adjournment of the meeting at which they are elected. No regional director or deputy regional director shall be eligible to serve more than five (5) consecutive terms in the same office. No member shall hold more than one national office at a time.</p>

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

The office holding and limitation section is added in order to make the bylaws more cohesive, and for this section to read similarly to the section RE: Officers. The same conditions should exist for all members of the board in this regard, and it should be able to be found in a clear manner, as it is in Article V. The result of a person who is asked to remain in office turning down the request would simply be that office being moved to the "Filling of Vacancy" section.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: ("X" in appropriate box)

NO:

YES:

Recommend Passage With the Following Amended Language:

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Bylaws committee

State/Chapter:

Email/Phone: librnok@hotmail.com

Article #: V Section #(s): 5.02 Other Article(s) Affected: 5.03

CURRENT LANGUAGE

PROPOSED REVISIONS

REVISED BYLAW

Section 5.02 Election of Officers. The officers of the Corporation shall be elected by ballot at the national convention by the voting delegates in the odd numbered years. Each officer elected must be a Regular Member of the Corporation in good standing.

Section 5.02 Election of Officers. The officers of the Corporation shall be elected by ballot at the national convention by the voting delegates ~~in the odd numbered years.~~ Each officer elected must be a Regular Member of the Corporation in good standing.

Section 5.02 Election of Officers. The officers of the Corporation shall be elected by ballot at the national convention by the voting delegates. Each officer elected must be a Regular Member of the Corporation in good standing.

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

It is sufficient to say that national elections will be held at national conventions. It is enough to say that they will be held AT a convention, and leave the exact date/year flexible in this section, in order to leave the when, how and where up to the convention planning. The actual dates and times of convention should be detailed/described in section 6, so that it is clear when they will be held, and also giving us options in case of future scheduling complications.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: ("X" in appropriate box)

NO:

YES:

Recommend Passage With the Following Amended Language:

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Bylaws committee

State/Chapter:

Email/Phone: librnok@hotmail.com

Article #: V Section #(s): 5.03 Other Article(s) Affected: 5.02

CURRENT LANGUAGE

PROPOSED REVISIONS

REVISED BYLAW

Section 5.03 **Term of Office and Office Holding Limitations.** Each officer shall serve for a term of two years. The term of office begins at the adjournment of the meeting at which they are elected. No officer shall be eligible to serve more than five (5) consecutive terms in the same office. No member shall hold more than one national office at a time.

Section 5.03 **Term of Office and Office Holding Limitations.** Each officer shall serve for a term of two years. **Should there be an unavoidable event that by itself forces an election to be postponed, the current officers may be asked to remain in office until an election can be held. The national board of directors shall determine what actions to take if this occurs.** The term of office begins at the adjournment of the meeting at which they are elected. No officer shall be eligible to serve more than five (5) consecutive terms in the same office. No member shall hold more than one national office at a time.

Section 5.03 **Term of Office and Office Holding Limitations.** Each officer shall serve for a term of two years. Should there be an unavoidable event that by itself forces an election to be postponed, the current officers may be asked to remain in office until an election can be held. The national board of directors shall determine what actions to take if this occurs. The term of office begins at the adjournment of the meeting at which they are elected. No officer shall be eligible to serve more than five (5) consecutive terms in the same office. No member shall hold more than one national office at a time.

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

2020-2021 has taught us that it is possible for uncontrollable circumstances to occur that might, by themselves, postpone a convention or change the way a convention is held. We would have no clear way to handle this circumstance with the current wording in this and other articles of the bylaws. To specify exactly two years in office causes a condition which could leave us without officers for a period of time, if ever a convention had to be postponed for even a month or two. We should cover these conditions for the future in order to be clearly prepared for all circumstances. We must have the option of asking current officers to stay in place in this kind of challenge. It would be voluntary, (Use of the word “may”.) but we must have this option.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: (“X” in appropriate box)

NO:

YES:

Recommend Passage With the Following Amended Language:

ASSOCIATES OF VIETNAM VETERANS OF AMERICA, INC.

REQUEST FOR CHANGE – BYLAWS

Date: 01/31/21

Name: Bylaws committee

State/Chapter:

Email/Phone: librnok@hotmail.com

Article #: VI Section #(s): 6.01 a-c Other Article(s) Affected: _____

CURRENT LANGUAGE	PROPOSED REVISIONS	REVISED BYLAW
<p><i>Section 6.01 Annual Meetings.</i></p> <p>a. National Convention: An annual meeting shall be held in the third quarter of the calendar year of odd numbered years at a time and location determined by the board, and shall be for the purpose of electing officers and directors, and for any other business that may come before the membership. A quorum for national meetings will be a majority of the delegates of record registered at the meeting.</p> <p>b. Leadership and Educational Conference: An annual meeting shall be held in the third quarter of the calendar year of even numbered years at a time and location determined by the board and shall be for educational and training purposes.</p>	<p><i>Section 6.01 Annual Meetings and National Events.</i></p> <p>(Change, and add letter 'c')</p> <p>a. National Convention: An annual meeting shall be held in the third quarter of the calendar year of odd numbered years A national convention will be held at a time and location determined by the board, and shall be for the purpose of electing officers and directors, and for any other business of national significance that may come before the membership. A quorum for the business session of national meetings conventions will be a majority of the delegates of record registered at and attending the meeting convention.</p> <p>b. Leadership and Educational Conference: An annual meeting shall be held in the third quarter of the calendar year of A Leadership and Educational Conference will be held in even numbered years at a time and location determined by the board and shall be for educational and training purposes.</p> <p>c. Annual Membership Meetings: Annual membership meetings shall be held each year, in conjunction with conventions or leadership conferences, or at a time and location chosen by the national board, and will be for the purpose of reporting to, and collecting feedback from, the membership.</p>	<p><i>Section 6.01 Annual Meetings and National Events.</i></p> <p>a. National Convention: A national convention will be held at a time and location determined by the board and shall be for the purpose of electing officers and directors, and for any other business of national significance that may come before the membership. A quorum for the business session of national conventions will be a majority of the delegates of record registered at and attending the convention.</p> <p>b. Leadership and Educational Conference: A Leadership and Educational Conference will be held at a time and location determined by the board and shall be for educational and training purposes.</p> <p>c. Annual Membership Meetings: Annual membership meetings shall be held each year, in conjunction with conventions or leadership conferences, or at a time and location chosen by the national board, and will be for the purpose of reporting to, and collecting feedback from the membership.</p>

JUSTIFICATION FOR CHANGE: (To be filled in by submitting party)

“**Annual meeting**” actually refers to the membership meetings that are legally required by the DC Code (title 29.405) under which we are incorporated. This meeting has always been included in our convention and leadership conference so that they are annual. The current language is a little bit vague on the difference between this meeting, and the convention or leadership themselves. The “convention” is not the same thing as the “Annual Meeting”, nor is the ‘Leadership Conference’, and we should clarify what each of these events are. Annual meetings *are a part of* these events and are meant to inform and interact with the membership.

Additionally, we have learned the hard way that we need to eliminate the restrictive language in this article. The designation of the exact quarter of the exact year leaves us no opening in case of possible circumstances which could cause the inability to hold a leadership conference or a convention in an exact month or exact year. Doing this will allow us to set it for our normal dates, or if absolutely needed, to set it for a different month or year.

BYLAWS COMMITTEE USE ONLY:

COMMITTEE COMMENTS/RECOMMENDATIONS:

Recommend Passage as written: (“X” in appropriate box) NO: YES:

Recommend Passage With the Following Amended Language: