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## **Associates of Vietnam Veterans of America, Inc.**

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#### **INTRODUCTION:**

The Associates of Vietnam Veterans of America, Inc. (AVVA) Board of Directors is the highest authority of the Corporation and shall designate the location and date when a National Convention shall be conducted. The AVVA President will preside over the AVVA National Convention as the chairperson. All National Elections shall be conducted at a National Convention.

This policy will determine the dates of AVVA state chapter, and At-Large elections. The location and times of state and chapter elections shall be determined by the state or chapter involved.

#### **DEFINITIONS:**

An **Unincorporated State** is a U.S. State, U.S. Commonwealth, or U.S. Territory that **IS NOT** Incorporated as a State Association by the Bylaws and Policies of AVVA.

An **Incorporated State** is a U.S. State, U.S. Commonwealth, or U.S. Territory Incorporated as a State Association by the Bylaws and Policies of AVVA.

An **Unincorporated Chapter** is associated with a specific VVA Chapter and **IS NOT** Incorporated as a chapter by the Bylaws and Policies of AVVA.

An **Incorporated Chapter** may or may not be associated with a VVA Chapter, but that **IS** Incorporated as a chapter by the Bylaws and Policies of AVVA.

**IMPORTANT:** All duties and minimum qualifications for all positions in AVVA can be found listed in order of the level of responsibility and authority in Section 1: "Position Responsibilities" of the AVVA Policies and Procedure Manual. ([www.avva.org/policy.html](http://www.avva.org/policy.html))

#### **I. ELECTIONS: *General Elections Rules – For All Levels***

- A. Elections at all levels shall be held as the last order of business at the convention or meeting during which an election is planned. Newly elected officials will take over their responsibilities at the end of such convention or meeting, even if an oath has not yet been administered.
- B. All elections shall be by ballot and cast by persons present and entitled to vote. A majority vote declares the candidate elected. If there is an office where no candidate attains a majority vote, then that office remains unfilled, and balloting is repeated until a majority declares an elected candidate (**Ref. Bylaws Article III 3.0 a.**).
  - a. In at-large elections where only one candidate comes forward, a ballot is not required.
- C. If only one person is nominated for an office, a ballot vote is not required to be taken and the chair declares that the nominee is elected by acclamation (**Ref. Bylaws Article 3.07 b.**).



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- D. There will be no absentee ballots permitted in elections at any level (*Ref. Bylaws Article 3.07 c.*)

#### **E. CANDIDATE QUALIFICATION / VERIFICATION**

1. All candidates for positions or offices in AVVA, at all levels, shall be verified to assure that they are AVVA Regular Members in good standing and to the extent possible that they qualify for the office they seek. In the absence of one or more levels of authority within the hierarchy, the next level above will take responsibility.
  - a. The AVVA National Elections Committee, assisted by the AVVA National Membership Chair and the AVVA National Disciplinary Chair, will verify all persons seeking a position or office at the AVVA National level.
  - b. The next appropriate level of the AVVA Corporation will verify all persons seeking AVVA positions or offices at the State or Chapter levels. (For states, the Regional Director, for chapters, the State President or Representative)
  - c. All candidates at all levels are encouraged to write a personal biography, listing their qualifications, the reason for seeking office, etc., which can be distributed to the appropriate voting body.
  - d. Candidate biographies *are required* at the National Elections. A photograph should be but is not required to be included.

#### **F. CANDIDATE CAMPAIGNING**

1. All candidates filing for a National Office or position must file the Candidate Registration Form (*F-Ele05.01*) and a biography (embedded photo strongly recommended) to the National Election Committee Chair. The form and biography must be postmarked between January 1 and March 25<sup>th</sup> of the election year. If the documents are being e-mailed, they must be e-mailed between January 1 and April 1 of the election year.
2. Candidates for state or chapter positions will follow the instructions in subsection **V** (states) and **VI** (chapters) of this policy.
3. Candidates for any AVVA office or position for which an election must be held may campaign, either in person or by distributing materials, for the office they seek.
  - a. Absolutely no campaign materials of any kind may be paid for by AVVA budgeted funds.
  - b. Any personal appearances or campaign materials used must be positive. They should promote the candidate as a good choice rather than attempt to discredit other candidates for the same office. Candidates will refrain from treating their opponents other than one with dignity and respect.
  - c. The AVVA National Elections Committee must approve all types of campaign paraphernalia, giveaways, pamphlets, etc., before distribution, at the national level.



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- d. Candidates for National Offices may, by invitation, speak at National, State, or chapter meetings.

#### G. CANDIDATE WITHDRAWAL

1. If a candidate chooses to withdraw from any race at any level, the notice of withdrawal must be written and submitted to the person designated to run the election at the level in which they are competing as early as possible before opening the election process.

**⇒ YOU MAY, IF YOU WISH, SKIP TO THE SUBSECTION THAT PERTAINS TO YOUR CHAPTER OR STATE ELECTION AT THIS TIME.**

## **II. ELECTIONS: *National Officers and Regional Directors/Deputy Directors***

- A. National Officers, Regional Directors, and deputy Regional Directors are elected biennially, in odd-numbered years, during the AVVA National Convention.
- B. The Term of office at the national level for Officers and Directors is two (2) years, expiring upon the next biennial election/convention date. Should there be an unavoidable event that by itself forces an election to be postponed, the current officers and directors shall remain in office until their successors are elected. No officer or 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 (**Ref. Bylaws Article IV, 4.04 and Article V, 5.03**).
- C. If no candidate registers in any individual office, the election will result in a vacancy in the said office and be filled under the rules of “filling of vacancies.” (**Ref. Bylaws, Article IV, 4.06 and Article V, 5.05**)
- D. AVAILABLE NATIONAL POSITIONS:
  1. Four (4) Executive Officers: President, Vice President, Secretary, and Treasurer.
  2. Nine (9) Regional Directors are represented in each designated region of AVVA.
  3. Nine (9) Deputy Regional Directors are represented in each designated region of AVVA.
- E. Candidates for National Officers, Regional Directors, and Deputy Regional Directors must meet all qualifications, as listed in Section 1 of the Policies and Procedure Manual. They must submit their **Candidate Registration Form (F-El05.01)** and their biography between January 1 and April 1 in the election year they intend to run for said office; by attachment to an e-mail or USPS. (**NOTE:** if mailed by USPS, the postmark must be by March 25<sup>th</sup>)



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- F. It is MANDATORY that those seeking office in the National Election as an Officer, Regional Director, or Deputy Regional Director, must be present at the National Convention Election. A candidate may be excused from attending the election only with a valid reason accepted by the National Elections Chair. Examples of acceptable reasons are:
- a. Death, illness, or severe injury to the candidate or a member of their immediate family.
  - b. Weather conditions that prevent the candidate from traveling to the convention election.
  - c. Other reasons may be considered on a case-by-case basis.
- G. National Officers, Regional Directors, and Deputy Regional Directors are elected by vote of the verified **Delegates of Record** registered for the convention held at the election. (**Ref. Subsection III**)

### **III. ELECTIONS: *National Elections and Convention***

#### **A. DELEGATES OF RECORD**

1. A **Delegate of Record** to the AVVA National Convention is defined as the person who will be voting in all business, including National Elections, which is brought before the body of a National Convention. A **Delegate of Record** will be:
  - a. A duly elected AVVA State President or Representative selected by the appropriate body in their state, by AVVA Policies and Procedures.
  - b. A duly elected AVVA Chapter President or Representative elected by their chapter members, according to AVVA Policies and Procedures.
  - c. A duly elected AVVA At-Large Representative selected by the appropriate body of members in their state, by AVVA Policies and Procedures.
  - d. A legally appointed AVVA Voting Alternate was selected according to AVVA Policies and Procedures under state or chapter elections.
2. All delegates must be registered as such using the approved **Delegate Registration Form (F-El05.02)** listed on the AVVA Website ([www.avva.org/forms.html](http://www.avva.org/forms.html)) by the date that falls on or before the thirtieth (30<sup>th</sup>) day before the start of the National Convention. These forms must be sent to the National Election Committee Chairperson.
3. Alternate delegates are appointed by the State President or Representative, Chapter President or Representative, or At-Large Representative. **NOTE:** For a minimum of three (3) months, all Chapter Alternates must be a member of the same chapter as the person for whom they will serve. (See also chapter member transfer rules in P&P section 7) A person who holds two positions (e.g., Chapter Representative and State Representative) may appoint an alternate for one or the other. The Alternate Delegate will represent their state, chapter, or At-Large Members, respectively, in all matters that come before the convention body only if:



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- a. The elected state, chapter, or delegate does not attend the convention, **or**
  - b. The elected State, Chapter, or At-Large Delegate who has registered and is at the convention becomes ill, incapacitated, or otherwise cannot or will not continue during the way, **or**
  - c. The elected State, Chapter, or At-Large Delegate has registered that they will not attend and has appointed their alternate, even if they do attend after that fact.
4. Alternate delegates may be appointed during the term of the state President or representative, chapter or representative, or At-Large representative for whom they would be acting. This can be done during the appointing person's term but must be done before deadlines for delegate registration during a national election year.
- a. If an alternate delegate is required to attend a National Convention in place of the elected delegate, the elected delegate must fill out form (**F-Ele05.02**), sign, date, and send to the Elections Chair before the deadline printed on the registration form. This person will become the official voting delegate.
  - b. If an alternate is attending the convention for the purpose of being available **ONLY IF** needed, the elected delegate must fill out form (**F-Ele05.02**), sign, date, and send to the Elections Chair before the deadline printed on the registration form.
  - c. Once the elected delegate relinquishes their voting rights to an alternate, whether, by their delegate registration form, or any other reason, the replacement becomes the **Delegate of Record** for all business connected with that convention.
5. Alternate Delegates cannot appoint an alternate in their stead for any reason.
6. Alternate Delegates who attend a convention at which their Elected Representative is also in attendance will not vote or be allowed on the convention floor unless the elected delegate for whom they are an alternate has relinquished their voting rights, becomes incapacitated, or otherwise does not appear on the convention floor, or otherwise cannot continue convention business.

**NOTE: The Delegate Registration Form is a separate form from the Convention Registration Form and must be sent to a different person and address. All delegates must fill out and submit both of these forms.**

#### **B. ELECTION PROCESS – NATIONAL ELECTIONS**

1. Each **Delegate of Record**, as described and defined in the previous subsection of this policy, will be allowed **ONE** (1) vote at the AVVA National Convention. (i.e., any person who holds more than one position within AVVA can only register as the **Delegate of Record** for **ONE** (1) of those positions.)
  - a. At-Large **Delegates of Record** will represent all At-Large members listed in their State.
  - b. Chapter **Delegates of Record** will represent all members of their chapter.



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- c. State **Delegates of Record** will represent their state, including all members in their state who are not explicitly represented by (a) and (b) above.
2. **Delegates of Record** will vote on all matters coming before the convention body.
3. **Delegates of Record** will be seated collectively with all delegates from within their region of representation.
4. The National Elections shall be accomplished by written ballot. Ballots shall be distributed to and signed for by only those **Delegates of Record** signed in when the elections process begins. No exception will be made. Sign-in sheets for National Elections are to be held until the next election.
  - a. If only one person is nominated for an office, a ballot vote is not required to be taken and the chair declares that the nominee is elected by acclamation. (**Ref. Bylaws Article III Section 3.07 b.**)
    - (i) If there are multiple candidates for other offices, a ballot vote **is required** for those offices.
5. There shall be **no** write-in votes, last-minute petitions for candidacy, or nominations from the floor at National Elections.
6. Votes will be counted by persons having no interest in the outcome.

#### C. MISCELLANEOUS REQUIREMENTS

1. During any National Election year, all Incorporated Subsidiaries (both state and chapter) must file all appropriate or required financial reports to the VVA/AVVA National Finance Department no less than sixty (60) days **before** the National Convention. If these reports are not received within the timelines, that Incorporated Subsidiary **shall not** be allowed a **Delegate of Record** for that convention.
2. **Refer to Subsections I. and XII.** for candidate qualifications, rules of campaigning, announcing of election results, and administration of oaths of office.

#### IV. ELECTIONS: **Resignation/Removal or Vacancies of National Officers or Regional Directors**

##### A. RESIGNATION OF NATIONAL OFFICERS

1. If any vacancy from any source other than removal from office occurs in any National Office, the following will ensue:
  - a. If the National President resigns or is unable to continue in office for any reason, the National Vice President will assume the President's duties until the next National Elections.





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- b. In the event of a vacancy in any office other than the President, the remaining members of the Board of Directors shall elect, by majority vote, a successor to serve the remainder of the unexpired term.

#### **B. RESIGNATION OF REGIONAL DIRECTORS**

1. If any vacancy, other than removal, occurs in a Regional Director position, the deputy director shall fulfill the remainder of the term of office until a regular election is held. If the vacancy occurs in a region with no Deputy Regional Director. The board may appoint a replacement from the same region, with the majority approval of that Region's State Representatives and State Presidents.

#### **C. REMOVAL OF OFFICERS OR REGIONAL DIRECTORS**

1. Involuntary removal from office of any National Executive Officer, National Regional Director, or National Deputy Regional Director shall follow the edicts of the AVVA Policies and Procedure Manual Section 9: National Disciplinary Code. **(By DC Code Title 29)**

#### **V. ELECTIONS: *State-Level Elections***

- A. There will be an election of the Incorporated AVVA State Association Officers and the AVVA Unincorporated State Representatives between January 1 and June 30 of each even-numbered year. **(EXCEPTION: A newly formed state group may hold its first election on a date closely following its formation date.)**
  1. Incorporated States will elect a President, Vice President, Secretary, and Treasurer.
    - a. If there is a candidate for either Secretary or Treasurer, but not both, the President can appoint a combined Secretary-Treasurer after the election results are announced, if that person agrees to hold both positions, and
    - b. If the person mentioned above disagrees, the President can appoint another member to fill the vacant position.
    - c. There must be at least three (3) individuals holding the four (4) officer positions.
  2. Unincorporated States will elect one State Representative.
    - a. Unincorporated States are encouraged to but are not required to hold elections; however, **if no election is held, the state will have no representation at national level elections or other national business.**
- B. The Term of the AVVA State Association Officers and the State Representative shall be two (2) years, ending on the date of the following official election.





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#### C. ELECTION PROCESS – STATES

1. A State Elections Chair, or a person who will oversee the steps of the election process, will be selected by the current state President or representative. This person will perform the duties listed in the ***P&P Manual Section 1 XVIII.***
  - a. If a state has no President or Representative, the Regional Director must appoint an Election Chair for the state or perform the election process themselves.
  - b. If the Region Director position is vacant refer to ***Subsection X.C.2***
2. In an ***Unincorporated*** State Election, the voting members will be the AVVA Chapter Presidents or Representatives and the AVVA At-Large Representative. At the time of the election, they hold verifiable legally elected positions within their state. The aforementioned voting members may appoint alternates to act on their behalf.
3. In an ***Incorporated*** state association election, the voting members will be the current state officers, the AVVA Chapter Presidents and Representatives, and the AVVA At-Large Representative. At the time of the election, they must hold verifiable legally elected positions within their state.
  - a. Each voting member will cast one vote only.
  - b. Each voting member ***other than Incorporated State Officers*** may appoint an alternate to vote in their place before the election date if they are unable to attend the election themselves. (***Ref. Subsection 5 III.A.***)
4. Any person who wishes to run for an Incorporated State Officer or a State Representative position will file a “Letter of Intent to Run” with the current State Elections Committee Chair, or the person who has been assigned to oversee the election, of at least thirty (30) days before the date of the election. (***You may find a sample letter at the end of this policy section***)
5. There shall be ***no*** write-in votes, last-minute petitions for candidacy, or nominations from the floor at state elections.
6. All those seeking office in a state election must attend the election meeting. A candidate may be excused from attending the election meeting only with a valid excuse and accepted by the State Election Chair or person overseeing the election or the current State President or Representative. Good reasons are limited to:
  - a. Death, illness, or severe injury to the candidate or a member of their immediate family.
  - b. Weather conditions that prevent the candidate from getting to the election location.
  - c. Any other reason must be individually requested. Such requests will be submitted to the appropriate Regional Director and considered case-by-case basis.
7. If the candidate does not attend the election meeting and a valid excuse has been given and accepted, the election shall proceed as if they were in attendance. Suppose the candidate does not attend the election meeting and no valid excuse has been



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- given or accepted. In that case, the candidate's name will be removed from the ballot by the Election Chair or person assigned to oversee the election.
8. All ballots used will be the ballots currently approved by the Regional Director having authority over the said state. (Incorporated States may create their ballots, but the Regional Director must previously approve such ballots. Generic ballots are available on the AVVA Website: [www.avva.org/forms.html](http://www.avva.org/forms.html)
    - a. If only one person is nominated for an office, a ballot vote is not required to be taken and the chair declares that the nominee is elected by acclamation (**Ref. Bylaws Article III Section 3.07.b**)
      - (i) In **Incorporated States**, if there are multiple candidates for other offices, a ballot vote **is required** for those offices.
    - b. Ballots for Incorporated States will contain the names of all candidates for the offices of President, Vice President, Secretary, and Treasurer, listed in succession.
    - c. Ballots for unincorporated states will contain the names of all candidates for State Representatives.
  9. All ballots will be counted privately by the Election Chair or person overseeing the election or by a designated teller or tellers. The person(s) counting votes will not be a person(s) who has voted in the election. (**VVA members may be used for tellers or persons overseeing the election if needed.**)
  10. After the election is concluded, a completed Election Results Form (**F-Ele05.06 or F-Ele05.10**) and the Sign-In Sheet (**F-Ele05.09**) are used at the election meeting and must be sent to the AVVA Regional Director within twenty-one (21) days of the election. The Regional Director will send copies of these documents to the National Elections Committee Chair and the National Database Manager and hold them for ninety (90) days. (**Ref. Subsection XV for Database Rules.**)
  11. If there is an office for which there is no candidate in an **Incorporated** State Election, the newly elected President shall appoint a person to fill that position with the approval of the remaining newly elected officers. The only combined office that will be allowed is a Secretary-Treasurer. All other offices must be filled with an elected, or appointed, individual.
  12. If no state election is held, whether Unincorporated or Incorporated, the AVVA Regional Director may appoint a person of contact (**POC**) for the state until the next election cycle. **NOTE:** A POC does not have a vote, at any level, in National Elections or AVVA business.
    - a. Incorporated States **must** hold elections at the appointed time or risk the loss of their AVVA Charter.
    - b. Any state having no Elected Representative or President will **NOT** be represented by a Delegate at National Conventions.
  13. **Refer to Subsections I. and XII.** for candidate qualifications, rules of campaigning, announcing of election results, and administration of oaths of office.



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#### **VI. ELECTIONS: Chapter-Level Elections**

- A. There will be an election of the AVVA Incorporated Chapter Officers and the AVVA Unincorporated Chapter Representatives during April of each even-numbered year. (EXCEPTION: A newly formed chapter may hold its first election on a date closely following its formation date.)
1. Incorporated Chapters will elect a President, Vice President, secretary, and treasurer.
    - a. If there is a candidate for either secretary or treasurer, but not both, the President can appoint a combined secretary-treasurer after the election results are announced, if that person agrees to hold both positions, and
    - b. If the person mentioned above disagrees, the President can appoint another member to fill the vacant position.
    - c. There must be at least three (3) individuals holding the four officer positions.
  2. Unincorporated Chapters will elect one (1) Chapter Representative.
    - a. Unincorporated Chapters are encouraged to hold elections but are not required to; however, ***if no election is held, the chapter will have no representation at state or national level elections or other state or national business.***
    - b. Chapters with as few as one (1) Official Regular Member can hold an election for Chapter Representative. You follow the below election process with one (1) member running for office and one (1) member voting. (***Ref. Bylaws Article III Section 3.07 b.***)
- B. The term of the AVVA Chapter Officers and the AVVA Chapter Representative shall be two (2) years until the next official election date.
- C. ELECTION PROCESS – CHAPTERS
1. A Chapter Elections Chair, or a person who will oversee the steps of the election process, will be selected by the current Chapter President or Representative. This person will perform the duties listed in the (***Ref. P&P Manual Section 1 XX.***)
    - a. If a chapter has no President or Representative, it is the duty of the State President or Representative to appoint an Election Chair for the chapter or to perform the election process themselves.
    - b. If the state and region positions are vacant, (***Ref. Subsection X.C.2.***)
  2. At a Chapter Election, whether Incorporated or Unincorporated, the voting members will be all ***Regular Members*** [in good standing] and all ***Dual Members*** (***Ref. Bylaws Article III Section 3.02.c.***) of the chapter holding the election, as verified by the most current AVVA roster.



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- a. Each member will cast one (1) vote only.
3. Any person who wishes to run for an Incorporated Chapter Officer or an Unincorporated Chapter Representative position will file a “Letter of Intent to Run” with the current Chapter Elections Chair or person assigned to oversee the election at least thirty (30) days before the date of the election. **(A sample letter is provided at the end of this policy section)**
4. There shall be **no** write-in votes, last-minute petitions for candidacy, or nominations from the floor at chapter elections.
5. All those seeking office in a chapter election must attend the election meeting. A candidate may be excused from attending the election meeting only with a valid excuse and accepted by the Chapter Election Chair or person overseeing the election or the current Chapter President or Chapter Representative. Good reasons are limited to:
  - a. Death, illness, or severe injury to the candidate or a member of their immediate family.
  - b. Weather conditions that prevent the candidate from getting to the election location.
  - c. Any other reason must be individually requested. Such requests will be submitted to the appropriate Regional Director and considered on a case-by-case basis.
6. If the candidate does not attend the election meeting and a valid excuse has been given and accepted, the election shall proceed as if they were in attendance. Suppose the candidate does not attend the election meeting and no valid excuse has been given or accepted. In that case, the candidate’s name will be removed from the ballot by the Election Chair or person overseeing the election.
7. All ballots used will be the ballots currently approved by the State Association President or the State Representative in the state having authority over a said chapter, or in the absence of a State-Level Official, by the Regional Director. (Generic ballots are available on the AVVA Website: [www.avva.org/forms.html](http://www.avva.org/forms.html))
  - a. If only one person is nominated for an office, a ballot vote is not required to be taken and the chair declares that the nominee is elected by acclamation. **(Ref. Bylaws Article III Section 3.07.b.)**
    - (i) In **Incorporated** Chapters, if there are multiple candidates for other offices, a ballot vote **is required** for those offices.
  - b. The State Association President or the State Representative may provide ballots on request.
  - c. Ballots for Incorporated Chapters will contain the names of all candidates for the offices of President, Vice President, Secretary, and Treasurer listed in succession.
  - d. Ballots for Unincorporated Chapters will contain the names of all candidates for Chapter Representative.
8. All ballots will be counted privately by the Chapter Election Chair or person overseeing the election or a teller or tellers. The person counting votes will not be a person who



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- has voted in the election. (*VVA members may be used for tellers or persons overseeing the election if needed.*)
9. After the election is concluded, a completed ***Election Results Form (F-Ele05.06 or F-Ele05.10)*** and the ***Sign-in sheet Form (F-Ele05.09)*** used at the election meeting must be sent to the AVVA State Association President or AVVA State Representative within fifteen (15) days of the election. The State Association President or the State Representative must send copies of these documents to the Regional Director, who will send copies to the National Elections Committee Chair and the National Database Manager. The Regional Director will keep this information for ninety (90) days. (***Ref. also Subsection XV. for Database Rules.***)
  10. If there is an office for which there is no candidate in an ***Incorporated*** Chapter Election, the newly elected President shall appoint a person to fill that position with the approval of the remaining newly elected officers. The only combined office that will be allowed is a secretary-treasurer. All other offices must be filled by an elected, or appointed, individual.
  11. If no chapter election is held, the AVVA State Association President or AVVA State Representative may appoint a person of contact (POC) for the chapter until the next election cycle. ***NOTE:*** (A POC has no voting rights at any level of the organization, and the chapter will not be represented by a delegate at state meetings or National conventions)
    - a. Incorporated Chapters ***must*** hold elections at the appointed time or risk the loss of their AVVA Charter.
  12. ***Refer to Subsections I. and XII.*** for candidate qualifications, rules of campaigning, announcing of election results, and administration of oaths of office.

#### **VII. ELECTIONS: *Vacancy, Resignation, or Removal of State or Chapter Officers***

##### **A. INCORPORATED STATES OR CHAPTERS**

1. In case of the resignation, removal, or another manner of the permanent absence of the AVVA State or Chapter President, the respective Vice President shall assume the duties and responsibilities of the President until the next regular election cycle.
2. In the case of the resignation, removal, or another manner of the permanent absence of the AVVA State or Chapter Vice President, secretary, or treasurer, the President will appoint a replacement until the next regular election cycle, with the approval of the remaining officers.

##### **B. UNINCORPORATED STATES OR CHAPTERS**



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1. In the case of the resignation, removal, or another manner of the permanent absence of an AVVA state or Chapter Representative, an AVVA or chapter person of contact (POC) will be appointed, if a volunteer is available, in the following manner:
  - a. If the AVVA State Representative position is vacant, the corresponding Regional Director will appoint someone other than themselves.
  - b. If the AVVA Chapter Representative position is vacant, the AVVA state President or State Representative will appoint someone other than themselves.

#### VIII. ELECTIONS: *At-Large Representative Elections*

- A. Each state has regular members of AVVA who are not associated with any AVVA Chapter or an At-Large member. The At-Large members may have a delegate who will represent them at state-level meetings and National Conventions. This is the At-Large representative within an individual state.
- B. A member must have been a regular At-Large member in the state in which they would be running for at least three (3) months. (***At-large representative qualifications can be found in P&P Section 1 XVIII.***)
- C. The AVVA State Representative or President, or their designee, shall contact At-Large members in even-numbered years by January 15<sup>th</sup> and give each At-Large member who is qualified the opportunity to run for the position of At-Large representative.
  1. At-Large members living outside of the state or the incarcerated may not run for At-Large representative and are not required to be notified.
  2. This notice must be verifiable and sent by U.S. Postal Service or a group e-mail cc'd to the Regional Director. The group e-mail notice may be used for members who have supplied an e-mail address for the most recent National Roster.
    - a. A group e-mail can be "cc'd" to the Regional Director to serve as verification. A list of persons to whom letters were mailed will be sent to the Regional Director via USPS or e-mail.
  3. Candidates wishing to run must respond to the notice within twenty-one (21) days of the date of the notification. Candidate responses must be **received** by the person who sent the messages no later than February 5<sup>th</sup>.
  4. If, after the twenty-one (21) day 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.
  5. If the State Representative or President, or their designee, receives only one (1) qualified candidate letter of intent, that individual will be the At-Large representative. (***Ref. Bylaws Article VII, Section 7.03***)





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6. If two (2) or more qualified candidates come forward, the State Representative or President, or their designee, will prepare an official At-Large ballot form (**F-Ele05.03**), which can be found on the AVVA Website. [www.avva.org/forms.html](http://www.avva.org/forms.html)
7. Within ten (10) days of receiving those letters of intent that were sent and received within the time limits listed in (**Ref. Section 5 VIII.C.2. above**), the ballot and any candidate information shall be mailed, or group e-mailed to every At-Large member within the state. The vote and information will be sent using the contact information listed on the current AVVA membership roster. If group e-mail is used, it will be cc'd to the Regional Director.
  - a. A return addressed envelope will be sent with each ballot mailed by the U.S. postal service. Those ballots sent by e-mail can be incorporated into the e-mail, and the responses will serve as the official vote. The response e-mails must be printed for the record. (**A sample e-mail is available at the end of this section of the P&P, which will include all necessary instructions and information**)
  - b. A list of those members to whom the ballot was mailed will be provided to the Regional Director when the election process is completed. All e-mails sent during the process will be "cc'd" to the Regional Director as verification.
  - c. The Regional Director shall keep this information for ninety (90) days.
8. The ballots must be **received** by the State Representative, President, or designee within thirty (30) days from the postmarked date of the vote or the 'date sent' represented on the e-mail.
  - a. If no ballots other than those from the candidates themselves are returned, and if those candidates have each voted for him or herself, or in any different manner, a tie occurs, the State Representative or President will follow the mandates listed in **Subsection I.F.** of this policy.
  - b. If there are enough ballots returned that a vote count can determine a winner, then the candidate with the most votes shall be designated the A Representative for that state.
  - c. In the unlikely event that no ballots are returned, the election shall be deemed invalid, and the position of the At-Large representative shall remain empty until the next election cycle.
9. Within twenty-one (21) days of the decision regarding the winner of the At-Large election, the State Representative or President, or their designee, shall complete and submit an Election Result Form (**F-Ele05.07**) found on the AVVA Website: [www.avva.org/forms.html](http://www.avva.org/forms.html) and the list(s) of the persons who were mailed a letter via USPS, to the Regional Director.
10. The State Representative or President **will be the one** to notify the At-Large members of the name and contact information for the At-Large representative no later than May 15<sup>th</sup> of the election year.
11. The Regional Director will verify that all steps in the At-Large election process have





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been satisfied and notify the National Elections Chair and the National Database Manager of the election results no later than May 15<sup>th</sup> of the election year.

- a. The Regional Director will inform the National Elections Chair and the Database Manager of the At-Large election information, even if the report states that there is no elected At-Large representative for that cycle.

#### **IX. ELECTIONS: *Person of Contact (POC) Appointments***

- A. Any State or Chapter level group of AVVA members who do not have an elected State or Chapter President or representative at any point in time may request a person of contact (POC) appointed for them to be included in information exchanges about AVVA. The POC ensures that any information given to them from other levels in AVVA reaches the members in their State or Chapter and vice-versa.
  1. If a person wishes to volunteer to be a POC for the AVVA members in their state, at the level of an AVVA State Representative, they may contact their AVVA Regional Director. The corresponding AVVA Regional Director appoints all state-level POCs.
    - a. In the absence of an AVVA Regional Director, the person may contact the AVVA National President to request to be appointed as an AVVA State POC.
  2. If a person wishes to volunteer to be a POC for the AVVA members in their chapter, they may contact their AVVA State President or State Representative at the level of a Chapter Representative. The AVVA State President or State Representative appoints all POCs for chapters in their state.
    - a. In the absence of an AVVA State-level Representative, the person may contact the AVVA Regional Director for their region to request to be appointed as an AVVA Chapter POC; in the absence of an AVVA Regional Director, the person may contact the AVVA National President to request to be selected as an AVVA Chapter POC.

#### **X. ELECTIONS: *Election Chair/Committee – All Levels***

- A. The National President appoints the National Election Committee Chairperson with the approval of the National Board of Directors. The National Election Committee members are appointed by the Election Chair, with the approval of the National Board of Directors.
- B. The AVVA Election Chair, at all levels, will be the person responsible for all election information being disseminated to the affected members and will be responsible for overseeing the proper execution of the election process over which they preside.
- C. The AVVA State or Chapter Election Chair/Committee will be selected as follows:



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1. A person who is either a Regular Member of AVVA or a Regular Member of VVA (preferably a Dual Member) who is in good standing with their respective corporation and has no pending disciplinary action against them may volunteer. The Election Chair, or person to run the elections, will be appointed by the AVVA State President or Representative or AVVA Chapter President or Representative, respectively.
  2. If a level of responsibility is vacant, the next higher level will be responsible. The National Elections Committee Chair should be contacted if state and region levels are vacant.
- D. If no member is willing to volunteer to be the AVVA Election Chair on a state or Chapter level:
1. **For State Elections**, the current State President or representative will make recommendations to the AVVA Regional Director, who will either appoint an AVVA Election Chair or ensure that the election is monitored correctly.
  2. **For Chapter Elections**, the current AVVA Chapter President or Representative will make recommendations to the AVVA State President or Representative, who will either appoint an AVVA Chapter Election Chair or ensure that the election is monitored correctly.
- E. The Election Chair may choose to appoint a teller and committee to assist them if they see fit.
- F. **WHEN AN ELECTION CHAIR OR MEMBER DECIDES TO RUN FOR OFFICE - NATIONAL LEVEL ONLY**
1. Election Committee members do not have to resign their position on the Election Committee if they run for any National Office. **(Ref. Bylaws Article III 3.07 d.)**
  2. The Elections Committee Chair/Member running for office shall not use any information during their campaign that is not supplied to their opponents (s), such as delegate lists or other similar data.
  3. Election Committee Chair/Members who are running for office cannot be present in any location where ballots are held, collected, or counted. **(Ref. Bylaws Article III 3.07 d.)**

#### XI. **ELECTIONS: *Special Elections***

- A. Special Elections for state or chapter level officers and representatives may be requested of the AVVA National Elections Committee **ONLY IF** the circumstances are unresolvable and warrant such request. The National Elections Committee must first approve any elections held outside the regular election cycles.



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1. The AVVA National Elections Committee will carefully consider all circumstances of the request and render a decision on a case-by-case basis but will not approve unreasonable demands.
2. All normal election process policies, except dates, must be adhered to for the appropriate level of the election. The usual election results document must be sent to the AVVA National Elections Committee Chair and either the Regional Director or State president/Representative (whichever is applicable) within twenty-one (21) days of the special election.
3. If an approved AVVA Special Election is held, the state or chapter will be granted the right to have a delegate at the next AVVA State or National Level event that would require representation.
4. The National Elections Committee Chair must immediately report the results of special elections to the AVVA National Database Manager and the National Secretary.

#### **XII. ELECTIONS: *Election Results and Oath of Office***

##### **A. ANNOUNCING ELECTION RESULTS – NATIONAL ELECTIONS**

1. The AVVA National Elections Committee Chair, or their designee, will officially announce the results of AVVA National Elections privately to the candidates as a group and then to the convention body immediately after the ballot count is completed and verified.

##### **B. ANNOUNCING ELECTION RESULTS – STATE LEVEL**

1. The person who has been appointed to oversee the state election, usually an Election Chair, will announce the results of AVVA state elections to the state election meeting body immediately after the ballot count is completed and verified.

##### **C. ANNOUNCING ELECTION RESULTS – CHAPTER LEVEL**

1. The person who has been appointed to oversee the chapter election, usually an Election Chair, will announce the results of AVVA Chapter Elections to the Chapter Election meeting body immediately after the ballot count is completed and verified.

##### **D. ADMINISTERING THE OATH OF OFFICE**

1. Immediately following the public announcement of the AVVA election results, arrangements will be made to install the newly elected officials.



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- a. **National Elections:** A past National President, a former National Officer, or a designee of the newly elected President's choice shall administer The Oath of Office to all officers and directors.
  - b. **State Elections:** The outgoing AVVA State President or Representative, or their designee, will administer the Oath of Office for all newly elected AVVA Officers or the newly elected AVVA State Representative.
  - c. **Chapter Elections:** The outgoing AVVA Chapter President or Representative, or their designee, will administer the Oath of Office for all newly elected AVVA Officers or the freshly elected AVVA Chapter Representative.
2. THE OFFICIAL AVVA OATH OF OFFICE (To be used at all levels)
- a. "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, Bylaws, Policies and Procedures, and Core Values of the Associates of Vietnam Veterans of America, Inc., so help me, God."

#### **XIII. ELECTIONS: *Failure to Comply***

- A. Failure on the part of the AVVA National Corporation to comply with any Bylaws or Policies governing National Elections may result in the loss of status as a National Non-profit Corporation.
- B. Failure on the part of any Incorporated or Unincorporated AVVA State or Chapter group of AVVA members to comply with the Bylaws and Policies governing elections at their respective level shall result in the forfeiture of their right to vote in AVVA matters that come before them. Such failure includes, but may not be limited to:
  1. Failure to file the proper election results documents with the appropriate authority or failure to file such documents within the suitable timeframe after an election.
  2. Failure to hold an election during a given election cycle.
  3. Failure to follow proper election process policies when holding an election.
  4. *Incorporated entities:* Failure to file the required financial reports within stated deadlines.
  5. ***Note to the Incorporated States and Chapters:*** The failure to hold proper elections following the applicable AVVA policies may result in the loss of your AVVA Charter.



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#### **XIV. ELECTIONS: *Orderly Transition***

A. An orderly transition of responsibilities and duties is the task of the outgoing officers and Representatives at all levels of the corporation.

#### **B. NATIONAL TRANSITIONS**

1. The transition period for all outgoing officers, representatives, and committee chairs is between announcing the election results or appointments and the next regularly scheduled meeting of the National Board or the next state or chapter meeting.
2. The newly elected officers, representatives, and committee chairs assume full responsibility for their duties at the end of the meeting at which they were elected, whether or not there has been an Oath of Office administered, or in the case of committee chairs, immediately after the respective state, chapter, or National Board has approved their appointment.
3. Outgoing Officers, Representatives, or Committee Chairs are responsible for briefing their successor in writing on all unfinished business or actions and transferring all physical and electronic records, documents, or other assets within the thirty (30) days following the election.
4. Outgoing Officers, Representatives, and Committee Chairs will remain available to their successors during the transition period to provide information concerning all matters of /her previous position.
5. The responsibility of the outgoing Officers, Representatives, or Committee Chairs is limited solely to transferring their position to their successor during this period.
6. Outgoing Officers, Directors, Committee Chairs, and other national appointees are responsible for writing and submitting a Transitional Report to their successor, outlining all actions, unfinished business, and supporting information (such as contact information for necessary vendors or others). This report will also include any other information needed by the successor to fulfill their new duties, continue with ongoing projects, and understand the goals and objectives of the previous administration. This report will be submitted immediately upon elections or new appointments.
7. Outgoing and incoming Officials shall submit a written report to the Board of Directors at the next regularly scheduled meeting following the elections or their appointment, including the status of the transition process as it is herein prescribed, to include actions not yet completed and a projected date of such completion.
8. Incoming 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.



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#### **C. STATE AND CHAPTER TRANSITIONS**

1. The transition period for all outgoing Officers, Representatives, or Committee Chairs is between the announcement of the election results or appointments and the next regularly scheduled meeting of the state or chapter.
2. The newly elected Officers, Representatives, and Committee Chairs assume full responsibility for their duties at the end of the meeting at which they were elected, whether or not there has been an Oath of Office administered, or in the case of Committee Chairs, immediately after the respective state or chapter has approved their appointment.
3. Outgoing Officers, Representatives, or Committee Chairs are responsible for briefing their successor in writing on all unfinished business or actions and transferring all physical and electronic records, documents, or other assets within the thirty (30) days following the election.
4. Outgoing Officers, Representatives, and Committee Chairs will remain available to their successors during the transition period to provide information concerning all matters of their previous position.
5. The responsibility of the outgoing Officers, Representatives, or Committee Chairs is limited solely to transferring their position to their successor during this period.
6. Outgoing Officers, Representatives, Committee Chairs, and other state or chapter appointees are responsible for writing and submitting a Transitional Report to their successor, outlining all actions, unfinished business, and supporting information (such as contact information necessary vendors or others). This report will also include any other information needed by the successor to fulfill their new duties, continue with ongoing projects, and understand the goals and objectives of the previous administration. The report will be submitted immediately upon elections or new appointments.
7. In-coming Officers and Representatives are responsible for reporting, in writing, to their members at their second regularly scheduled meeting following the election meeting, 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.

#### **D. TRANSITION OF FUNDING – WHERE APPLICABLE**

1. Outgoing officials' responsibilities are limited solely to transferring their offices to their successors during this period.
2. Outgoing officials will receive reimbursement only for the physical transfer of materials and information to their successors after the State or Chapter Election or National Convention at which their successors assumed office. Funding is not provided for travel after returning home from the State/Chapter Election, National Convention, or other authorized herein without specific prior approval.





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3. Outgoing officials must file expense vouchers no later than thirty (30) days after leaving the office to reimburse 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.

#### **XV. ELECTIONS: *National Database Policy***

##### **A. REPORTING**

The National Database is the official source of information to verify all delegates of record to National Conventions and elections. *If the election result information is not distributed correctly, it will cost a chapter, state, or At-Large group their voice in all proceedings.* All Chapter, State, and Regional Officials must ensure that they have followed proper procedure in this matter.

1. For chapter elections of any kind, the Chapter President or representative **must send a copy of the Election Results Form** to their State President or Representative within (15) fifteen days after the election is held.
  - a. In states where there is no State President or Representative, the chapters must send the above document to their Regional Director. If there is no Regional Director, they must send the copy to the current National Election Committee Chair.
2. Upon the conclusion of any State, At-Large, or Special Election, and when Chapter Election results are received, whether Incorporated or Unincorporated, the State President or State Representative will be responsible for reporting the results of such election to their National Regional Director within (21) twenty-one days after the election, or after receiving the results from chapters.
3. The notification to the National Regional Director **must include a copy of the proper Election Results Forms**, which can be found on the AVVA Website under **Election Forms**. <http://www.avva.org/forms.html>. The Regional Director shall keep these forms until the next election cycle.
4. The Regional Director must send copies of all **Election Results Forms** to the National Elections Committee Chair within (21) twenty-one days of receiving said information. **(Ref. V.C.10., VI.C.9., and VIII. C.9.)** The National Elections Chair shall keep these copies until the beginning of the next election cycle.
5. The National Elections Committee Chair must send copies of all Election Results Forms they receive to the database manager within fifteen (15) days of receipt.
  - a. The Database Manager must receive chapter results no later than July 15<sup>th</sup> of their election year.





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- b. The Database Manager must receive state results no later than August 30<sup>th</sup> of their election year.
  - c. The Database Manager must receive the results of Special Elections within 45 days of the election date.
6. The Election Results Forms sent to the Database Manager must include the names and titles of any persons elected to an office or position, the date of the election, and all persons' verified member numbers. All elected persons' e-mail addresses and phone numbers and all required signatures.
  7. **Any subsequent changes** in information or results of special elections must be reported to the State Representative/President and the Regional Director. The Regional Director will notify the National Elections Committee Chair, who will inform the Database Manager. The Database Manager will send a corrected copy of the database document to the Officers, the Elections Chair, the Membership Chair, and any affected Regional Director as immediately as possible. This includes names of elected persons, e-mail addresses, phone numbers, and other important information.
  8. **Non-compliance** with this policy will result in the non-reporting state or chapter being ineligible to vote at the next National Convention.

#### **B. DATABASE MANAGER DUTIES**

1. A confirmation of receipt of information will be sent to the reporting Regional Director or person by the Database Manager.
2. The Database Manager will archive the previous term's election database with an appropriate file name to maintain the record.
3. Each election year, the Database Manager will create a new copy of the Election Database, with a file name appropriate to the election year, to include all pertinent information for the current election cycle. (Chapter numbers may be retained from the previous year, but no names or personal information.)
4. The Database Manager will immediately update the official election database document upon receipt of the Election Results Forms from the current election year.
5. A copy of the updated document will be sent to the National Elections Chair, the National Officers, the Regional Directors (by region), the National Membership Chair, and the AVVA National Webmaster.
  - a. Each Regional Director shall receive a copy of their region only.
6. Any time changes in information or results of special elections are reported to the Database Manager, the Election Database will be updated immediately. The updated database document will be sent to those who hold copies of the previous version.



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- 7. The Database Manager will maintain this election database and those from previous election years until notified by the Executive Board that they are no longer needed.
- 8. The National Database Manager will inform the National President and the Executive Officers when this process is completed for a given election year and notify these officers of any problems that cannot be managed under the expected criteria. The National Database will be the property of the Corporation.

**XVI. ELECTIONS: *Election Forms***

- A. The following election forms can be found on the AVVA Website in electronically fillable formats or for blank printing:

National Candidate Registration	F-Ele05.01
National Delegate Registration	F-Ele05.02
At-Large Representative Ballot	F-Ele05.03
State & Chapter Rep Ballot	F-Ele05.04
Inc. State & Chapter Ballot	F-Ele05.05
Election Results Form Unincorporated	F-Ele05.06
Election Results Form At-Large	F-Ele05.07
Election Sign-In Sheet	F-Ele05.09
Election Results Incorporated	F-Ele05.10
Oath of Office	F-Ele05.11

**XVII. ELECTIONS: *Samples - Letter of Intent and E-mail At-Large Ballot***

The letters on this and the following pages are simply examples. You may word your letter in whatever appropriate manner you choose.

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**A. SAMPLE LETTER OF INTENT TO RUN FOR AVVA STATE, CHAPTER, OR AT-LARGE OFFICES/POSITIONS:**

Date: \_\_\_\_\_

From: \_\_\_\_\_

To: \_\_\_\_\_ (or to whom it may concern)

My name is \_\_\_\_\_. I am announcing my intent to run for the office of \_\_\_\_\_ in the State of \_\_\_\_\_. (Or in Chapter#\_\_\_\_). Please notify any interested parties of this announcement. I herein state that I meet all minimum qualifications for this position and that I believe that I can perform the necessary duties with sincerity and accuracy. I have prepared a biography of my information and qualifications to be distributed, which accompanies this letter.

Respectfully submitted,

\_\_\_\_\_ member # \_\_\_\_\_



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**B. SAMPLE E-MAIL BALLOT FOR AT-LARGE ELECTIONS:**

We have received \_\_\_ declarations of the intention to run for the At-Large Representative position. Their information is attached to this e-mail in separate documents to read before deciding.

The names of the candidate are:

- 1.
- 2.
- 3.

Please hit the 'reply' button on your e-mail, and type in the following:

I wish to vote for \_\_\_\_\_, for the position of At-Large Representative in the State of \_\_\_\_\_.

Signed: (by typing your name, you acknowledge your signature)

\_\_\_\_\_

After adding this information, hit the "send" button to send the reply to me. You will be notified shortly as to the outcome of this election.

\_\_\_\_\_  
(State pres./rep or designee name)