



# Constitution of the Virginia Division

Adopted July 9, 1983 and Amended April 10, 2010

**Sons of Confederate Veterans**



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## ***PREAMBLE***

In the name of a Nation united, the Virginia Division of the Sons of Confederate Veterans declares the following purposes:

An unquestioned allegiance to the Constitution of the United States of America, largely written and expounded by Southern men, the very Magna Charta of our liberties; a strict construction of all sections conferring power upon the Federal Government; and the implied and understood reservations to the States arising there from; and a general attitude of reservation to further amendment thereof. We adhere to the principles of the Great Charter of England granted to Runnymede, 1215 A.D., and the Anglo-Saxon rights and personal liberties transmitted to use there under; to associate in one united, compact body of all men of Confederate ancestry, and to cultivate, perpetuate and sanctify the ties of fraternity and friendship entailed thereby; to aid and encourage the recording and teaching with impartiality of all Southern history and achievement from Jamestown to this present era, seeing to it especially that the events of the War Between The States are authentically and clearly written, and that all documents, relics and mementos produced and handed down by the active participants therein are properly treasured and preserved for posterity; to comfort, succor and assist needy Sons of Confederate Veterans, their widows, wives and orphans; to urge, to aid and assist in the erection of suitable and enduring monuments and memorials to all Southern valor, military and civil, wherever done and wherever found, particularly stressing that our heroic Confederate ancestors, who by their sacrifice perpetuated unto us and our descendants that glorious heritage of valor, chivalry and honor, which we now hold and venerate; and to instill into our descendants a devotion to and reverence for the principles represented by the Confederate States of America, to the honor, glory and memory of our fathers who fought in that cause.

Therefore we, the members of the Virginia Division of the Sons of Confederate Veterans, (the Virginia Division), in convention assembled at Lexington, Virginia, on the ninth day of July, 1983, do ordain, adopt and establish the following Constitution.

## ***ARTICLE I - TITLE***

**Section 1.** This organization shall be known as the Virginia Division, Sons of Confederate Veterans.

## ***ARTICLE II - NATURE***

**Section 1.** The Virginia Division, Sons of Confederate Veterans, is a part of the National Confederation known as the Sons of Confederate Veterans and, as such part, is subject to the National Constitution, By-Laws and other regulations of that Confederation. It is also, according to the provisions of that Constitution, a part of the Department of the Army of Northern Virginia.

**Section 2.** The Virginia Division shall be strictly patriotic, historical, educational and benevolent, non-political and non-sectarian. Each member shall perform his full duty as a citizen according to his own conscience and understanding.

**Section 3.** Discussion of matters that appertain to a political party, whether specifically identified, or identified by implication, during meetings of the Virginia Division or any of its subdivisions is strictly prohibited. Nothing in this Constitution, however, shall be construed to abridge or prohibit the adoption of advocacy of positions that are concerned with the general welfare of the United States of America or its National security; nor to abridge or prohibit the expression of the views of the Virginia Division in such matters by adoption of resolutions or petitioning the Executive and Legislative Branches of the government at any level; provided that there is no identification, specific or implied, with any political party or any candidate for political office.

**Section 4.** Said organization is organized exclusively for charitable, religious, education , and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or

shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

### ***ARTICLE III - ORGANIZATION***

**Section 1.** The several constituted and subordinate bodies of the Virginia Division shall be as follows:

**Section 1.1.** Organizations to be known as Camps; each Camp to have a name, as selected by the members thereof, and to be assigned a number by the Adjutant-in-Chief upon admittance of the Camp to the Confederation. Camps are local organizations of members, and are the basic organized unit of representation in the Division.

**Section 1.2.** Organizations of groups of Camps to be known as Brigades, with each Brigade to have a name as selected by the members of that Brigade. Brigades are to be known by either their name or the numerical designation assigned to them by the Division Executive Council. Brigades serve as coordinating bodies for their component Camps. The number of Brigades and their composition of Camps is determined by the Division Executive Council.

### ***ARTICLE IV - MEMBERSHIP***

**Section 1.** Any member of any properly chartered Camp within the Virginia Division who has been admitted to membership in the general confederation of the Sons of Confederate Veterans in accordance with the National Constitution shall be a member of the Virginia Division. The Virginia Division, on approval of the Division Convention, may include Camps from the geographic area of the District of Columbia (subject to the limitations imposed by the National Constitution of the Sons of Confederate Veterans).

**Section 2.** Minimal age limits for membership and the voting privilege shall be as set forth in the National Constitution of the Sons of Confederate Veterans.

### ***ARTICLE V - DIVISION CONVENTION***

**Section 1.** The Division Convention shall hold all Executive and Legislative powers over the Division, and shall set the policy and standards for its day-to-day operations. The Division Convention shall be held annually at a time and place fixed by the preceding annual Division Convention, or by the Division Executive Council.

**Section 2.** The Division Commander, or in the event of his absence, death, or resignation, the Division First Lieutenant Commander, at the request of a majority of the camps, or of

the Division Executive Council, shall convene the Division in special meeting, if he deems that an emergency exists.

**Section 3.** The annual Division Convention shall be called to order by the Commander of the Camp at the location where the Convention is held. Following an invocation of the blessing of Almighty God, the Pledge of Allegiance to the Flag of the United States of America, the salute to the Confederate Flag, and salute the Flag of Virginia, the Convention shall be turned over to the Division Commander. The Division Commander will then officially open the Convention with the striking of the gavel, and he will then instruct the Division Adjutant to call the roll of the camps. Upon determination by the Division Adjutant that a quorum is present for the conduct of business, the Division Commander shall so state, and the Division shall proceed to the business laid before it.

**Section 4.** A quorum shall exist at Division Convention when one-half of the total number of camps within the Virginia Division are represented at the Convention. Once attained, a quorum cannot be lost.

#### ***ARTICLE VI - DIVISION OFFICERS***

**Section 1.** At each Division Convention held in a year the date of which is an even number, the Convention shall elect a Division Commander, a Division First Lieutenant Commander, a Division Second Lieutenant Commander, a Division Adjutant, a Division Treasurer, a Division Quartermaster, a Division Inspector, a Division Chaplain and a Division Archivist. These officers shall be elected for a term of two years. The Division Commander and the Division First and Second Lieutenant Commanders may not succeed themselves in the same office to which they are elected, except as set forth in Section 2 of this Article.

**Section 2.** In the event of the death, resignation or removal from office of the Division Commander, the Division First Lieutenant Commander shall become the Division Commander. In such event, the provisions of Section 1 of this Article with relation to succession shall not apply, and the Compatriot holding office as Division Commander may be elected to a full term as Division Commander by the Division Convention.

**Section 3.** In the event of a vacancy in the office of the Division First or Second Lieutenant Commander for any reason other than the expiration of the term of the incumbent, a Division First or Second Lieutenant Commander shall be elected by the Division Executive Council to fill the remainder of the unexpired term.

**Section 4.** All elected officers of the Virginia Division shall serve until adjournment of the Division Convention at which their terms expire, and thereafter shall discharge every function of the Convention.

**Section 5.** The Division Commander shall appoint such other Division officers as he may deem expedient and necessary for the administration of the Division. Such officers shall serve at the pleasure of the Division Commander and their appointments shall expire at

the time and date of the expiration of the Division Commander appointing them. They may be reappointed at the pleasure of the succeeding Division Commander.

**Section 6.** Officers elected at Division Convention shall take office immediately at the close of the Convention.

**Section 7.** The Division Heritage Officer shall be appointed by the Division Commander with the advice and consent of the Division Executive Council. He shall be entitled to one (1) vote on all questions before the Division Executive Council.

## ***ARTICLE VII - DUTIES OF OFFICERS***

**Section 1.** The Division Commander shall be the executive head of the Virginia Division, with full power to enforce the provisions of this Constitution and the will of the Division Convention, and to this effect he may issue all orders necessary to ensure compliance. He shall be Chairman of the Division Convention and of the Division Executive Council, and shall decide all questions of law, order and usage. He shall be empowered to act for the good of the Division as circumstances, in his judgment, may require, in cases not provided for in this Constitution, being subject in all such acts and decisions to appeal to the Division Convention. He shall appoint all necessary Division Committees, and shall perform all other duties normally incident to his office.

**Section 2.** The Division First Lieutenant Commander shall, in the absence of the Division Commander, perform the duties of the Division Commander, and shall, in the event of the death, resignation, or removal from office of the Division Commander, become Division Commander for the unexpired term. He shall assist the Division Commander in the performance of his duties as directed by the Division Commander.

**Section 3.** The Division Second Lieutenant Commander shall assist the Division First Lieutenant Commander in the performance of his duties, and shall, in the event of the death, resignation, or removal from office of the Division First Lieutenant Commander, become the Division First Lieutenant Commander for the unexpired term. He shall also chair (or co-chair) the Division Convention Committee.

**Section 4.** The Division Adjutant shall be the administrative officer of the Division. He shall maintain a roster of all Division Officers, Brigade Officers, Camp Commanders, and Camp Adjutants. He shall maintain a roster for each Camp in the Division. He may collect the annual per-capita dues of the Division and shall forward such funds to the Division Treasurer upon receipt. He shall have authority, in the event of the death or resignation of both the Division Commander and the Division First and Second Lieutenant Commanders, to call a meeting of the Division Executive Council for the election of successors. He shall perform such other duties as are normally incident to his office.

**Section 5.** The Division Treasurer shall collect and have custody of all funds of the Virginia Division, sign all checks disbursing its funds, and shall make a report to each Division Convention with relation to the finances of the Division. He shall also report

the financial condition of the Division to the Division Commander and Division Executive Council as requested.

**Section 6.** The Division Inspector shall have the responsibility to inspect the operations of the individual Camps and Brigades in the Virginia Division in order to insure their proper function, as directed by the Division Commander, and will investigate complaints for removal of officers or members that are handled at Division level. He shall also enforce orders of the Division Executive Council, and act as Sergeant-at-Arms at the Division Convention.

**Section 7.** The Division Quartermaster shall be responsible for handling the location and logistics of the Division convention. In addition, he shall be responsible for the storage of Division property, and the distribution and sale of materials for the Virginia Division.

**Section 8.** The Division Chaplain shall be responsible for handling spiritual matters affecting the Virginia Division. He will also have the duty of invocations of prayers at the Division Convention and at Division Executive Council meetings.

**Section 9.** The Division Archivist shall be responsible for compiling and maintaining a history of the Virginia Division that will be used strictly for Division purposes. This shall include the recording of present Division history and of past recorded Division history. The Division Archivist shall be responsible for recording and presenting the minutes of the Division Convention and Executive Council meetings and shall provide a copy of such to the Division Adjutant within 45 days of such meetings.

**Section 10.** The Division Heritage Officer shall have primary responsibility for organizing and executing the Heritage Defense Activities of the Division. He shall be chairman of the Heritage Defense Committee. He shall perform such other duties as may be assigned to him by the Division Commander, while carrying on the normal functions generally assumed by his office.

**Section 11.** The duties of Camp Commanders and officers are prescribed in the National Constitution of The Sons of Confederate Veterans.

## ***ARTICLE VIII - BRIGADES***

**Section 1.** The Camps of the Virginia Division shall be subdivided into Brigades for purposes of administration, representation, and fostering the growth and formation of Camps within the Division.

**Section 2.** The determination of the number and boundaries of Brigades within the Virginia Division shall be vested in the Division Executive Council. The boundaries of Brigades shall be delineated in a manner which promotes relative equality in the terms of geographic area and relative equality in the number of members in each Brigade. Concessions shall be allowed for increasing or decreasing the geographic area of a Brigade where the density of membership is unusually large or small. Equality in the number of camps per Brigade shall be considered, but shall be secondary in importance

to the issues of geographic area and equality in the number of members. The Division Executive Council should endeavor to change the boundaries of Brigades to maintain equality of representation, but should endeavor to minimize the impact on the traditional areas of the Brigades.

**Section 3.** Brigade Commanders shall be elected at the Division Convention during the same year as the election of other Division Officers, shall serve for the same term, and shall take office immediately upon the close of the Division Convention at which they are elected. Brigade Commanders shall be elected by the camps within their respective Brigade. Each Brigade shall caucus when directed by the Convention Chairman. The current Brigade Commander shall call for nominations for the office of Brigade Commander and shall conduct the voting. Each camp shall be given one vote for the election of the Brigade Commander. In the event of a tie vote, the Brigade Commander shall call for a second vote. The current Brigade Commander shall report the results of the voting to the Division Convention. Should a current Brigade Commander be absent from the Division Convention, the current Division Commander or his appointee shall conduct the meeting for such Brigades.

**Section 4.** Brigade Commanders shall have executive responsibility for the Camps within their respective Brigades. Brigade Commanders should be the primary source of communications between the Division and the Camps in his Brigade including, but not limited to, the distribution of DEC minutes and all other directives from the Division to the Camps. He shall represent any Camp concerns before the Division Executive Council. Brigade Commanders shall be responsible to foster and promote the work and purposes of the Virginia Division within the Camps in their Brigades. Brigade Commanders should be able to answer all of the Camps operational questions or if unable, be the contact point with the Division to obtain the answer for the Camp. Brigade Commanders shall foster the establishment of new Camps and endeavor to resolve issues or conflicts that may arise within or between the Camps of their Brigade.

**Section 5.** Brigade Commanders shall submit a quarterly report to the Division Commander prior to each Division Executive Council meeting on his activities as Brigade Commander to be presented at the DEC meeting. Prior to the Division Convention, the Brigade Commander shall submit an annual report to the Division Adjutant for publishing in the Convention handouts. He will also present a brief report to the Convention.

**Section 6.** Brigade Commanders may appoint lieutenants within the Brigade to assist him in conducting the duties of his office. Such appointees shall serve at the pleasure of the Brigade Commander and shall have no standing by virtue of their appointment in the affairs of the Virginia Division.

## ***ARTICLE IX - DIVISION EXECUTIVE COUNCIL***

**Section 1:** Between Division Conventions, the executive power of the Virginia Division shall be vested in the Division Executive Council, which shall be composed of the Division Commander, the Division First Lieutenant Commander, the Division Second

Lieutenant Commander, the Division Adjutant, the Division Treasurer, the Division Inspector, the Division Quartermaster, the Division Chaplain, the Division Archivist, the Division Heritage Officer, the Brigade Commanders, and the previous two Past Division Commanders.

**Section 2:** The Division Executive Council shall be charged with the duties elsewhere prescribed in this Constitution, and shall have all other necessary power in the administration and regulation of the affairs of the Virginia Division not especially delegated to or made a part of the duties of other officials or committees.

**Section 3:** The term of office of members of the Division Executive Council shall be concurrent with their terms of office by which they qualify as members of this Council.

**Section 4:** Meetings of the Division Executive Council shall be called by the Division Commander or, in his absence, by the Division First Lieutenant Commander, or, when requested by a majority of the Camps within the Virginia Division. In the event of the death or resignation of both the Division Commander and the Division First and Second Lieutenant Commanders, the Division Adjutant may call a meeting of the Council, and the Council is empowered to elect replacements to these offices for the unexpired terms.

**Section 5:** Division Executive Council meetings will be held on a Quarterly basis, one of which will be held after the conclusion of business at each annual Division Convention, All elected members shall be notified in advance of all Executive Council meetings.

**Section 6:** Each individual who serves on the Division Executive Council shall be entitled to cast only one vote.

**Section 7.** Two-thirds of the elected voting members of the Division Executive Council shall constitute a quorum.

**Section 8.** The Division Commander, or the Division Executive Council shall have the authority to appoint officers to such positions as are deemed proper for the operation of the Division. Such appointed officer positions shall be non-voting and these appointed officers will serve at the discretion of the appointing authority.

**Section 9.** The Division Adjutant and the Division Treasurer shall both be bonded, with the Virginia Division bearing the expense of the bonding.

**Section 10.** No member of the Virginia Division will speak for or on behalf of the Division without the consent of the Division Commander, or the Division Executive Council, or the Division Convention.

**Section 11.** Business between meetings of the Division Executive Council may be conducted by such means as authorized by the Division Executive Council. All Division Executive Council members must be notified in advance of any action being considered outside of a meeting of the Division Executive Council. The participation of two-thirds of the elected voting members of the Division Executive Council shall constitute a quorum to conduct business outside of a meeting of the Division Executive Council. Any action

taken outside of a meeting of the Division Executive Council must be approved by a two-thirds vote of the participating members.

## ***ARTICLE X - STANDING COMMITTEES***

**Section 1.** There shall be six (6) standing committees in the Virginia Division: the Executive Nominating Committee, the Finance Committee, the Relief and Welfare Committee, the Legislative Action Committee, the Jefferson F. Davis Memorial Committee, the Resolution Committee, and the Oakwood Restoration Committee.

**Section 2.** The Executive Nominating Committee, (Nominating Committee), shall be composed of the Brigade Commanders, and shall, where possible, be chaired by the immediate Past Division Commander. The duty of the Nominating Committee is to select nominees for those elected positions within the Division from among those members of the Virginia Division who are in good standing, and who are willing to serve in the position they are nominated for. The Nominating Committee must present its slate of nominees to the Division Executive Council at least thirty (30) days prior to the date of the Division Convention at which elections are to be held.

**Section 3.** The Finance Committee shall be composed of individuals appointed from a representative sampling of the membership in the Virginia Division. The Finance Committee shall be appointed by the Division Commander and shall report to him on the financial condition of the Virginia Division. The Finance Committee shall have the authority to periodically audit the books of finance held by the Division Adjutant. In addition, the Finance Committee shall be responsible for handling all Ways and Means matters affecting the Division, and it shall prepare proposed annual budgets for the Virginia Division.

**Section 4.** The Relief and Welfare Committee shall be chaired by the Division Chaplain and it shall be composed of one member from each Brigade appointed by the Division Commander. The Relief and Welfare Committee shall investigate and evaluate all cases of hardship of Virginia Division members brought to its attention. The Committee shall report to the Division Executive Council in those cases where it recommends that relief be granted, and the Division Executive Council shall then consider and act upon such recommendations.

**Section 5.** The Legislative Action Committee shall be composed of and chaired by members of the Division, as appointed by the Division Commander. The Legislative Action Committee shall investigate and evaluate all legislative acts concerning matters of interest or concern to the Division, and recommend action thereon, all within the limits of Section 501(c)(3) of the Internal Revenue Code.

**Section 6.** The Jefferson F. Davis Memorial Committee will be composed of and chaired by members of the SCV and will include a representative from each Brigade within the Division and may include a representative from the General Staff and each Army within the Sons of Confederate Veterans as well as one (1) representative from the Military Order of the Stars and Bars. It will be the responsibility of the committee to conduct a

National Memorial Service to the Late President of the Confederate States of America each year at his Gravesite in Hollywood Cemetery on the weekend preceding or following his birth date of June 3rd. It will further be the responsibility of the committee to provide oversight of the Davis Family Square in Hollywood Cemetery to insure that it is perpetually maintained as a special place of beauty, sanctity and dignity. The Division commander shall appoint members to the committee. The committee shall have authority to raise funds in the name of the Committee for the improvement and protection of the family square as approved by the Davis Family and/or Hollywood Cemetery Official and for the purpose of conducting the annual Memorial Service.

**Section 7.** The Resolution Committee shall be chaired by the Division Parliamentarian and it shall be composed of one member from each Brigade appointed by the Division Commander. The Resolution Committee shall receive and review all proposed Resolutions and/or Division Constitutional Amendments brought to its attention.

**Section 8.** The Oakwood Restoration Committee will be comprised of and chaired by members of the Sons of Confederate Veterans. It will be the responsibility of the committee to maintain and improve the Confederate Section of Oakwood Cemetery in the City of Richmond, Virginia to a standard befitting a national military cemetery. The committee will carry out the terms of any agreement(s) between the Virginia Division and the City of Richmond related to Oakwood. The committee will work diligently to ensure that each grave in the Confederate Section of Oakwood is properly marked with an upright individual gravestone in the apex design as provided by the Veterans Administration for Confederate Veterans. The committee is also authorized to properly mark any remaining Union graves in Oakwood. The Division Commander shall nominate members to the committee subject to approval by the Division Executive Council. The committee shall have authority to raise funds in the name of the committee for the improvement, maintenance, and protection of the Confederate Section of Oakwood and for the purpose of conducting appropriate memorial services related to the Confederate Section. Advisory boards for the purpose of ensuring historical accuracy and fundraising may be appointed by the Division Commander to aide the work of the Oakwood Restoration Committee. Appointees to these advisory boards may or may not be members of the Sons of Confederate Veterans.

## ***ARTICLE XI - AWARDS***

**Section 1.** The Virginia Division is empowered to make awards to individuals, organizations, and Division Brigades, Camps, and members.

**Section 2.** The Division Executive Council shall, in normal circumstances, be authorized to make awards on behalf of the Virginia Division and to select the recipients of them.

**Section 3.** The Division Executive Council is authorized and empowered to appoint an Awards Committee to recommend and administer awards, and to screen candidates and recommend recipients of them.

## ***ARTICLE XII - RULES OF PROCEDURE***

**Section 1.** The rules of procedure for the Division Convention and for all Division Executive Council meetings shall be those set forth in Robert's Rules of Order, Revised, except as altered or waived by the Convention or by the Division Executive Council.

**Section 2.** At all meetings of the Virginia Division, members shall address each other as "Compatriot. " All members of Camps in the Virginia Division will annually recognize, honor, and celebrate the month of April as Confederate History and Heritage Month.

## ***ARTICLE XIII - FINANCE***

**Section 1.** The revenue of the Virginia Division shall be derived from the annual membership dues and from such other sources as may be approved by the Division Executive Council.

**Section 2.** An annual per capita assessment of an amount determined by the annual Division Convention shall be paid by each Camp for every camp member, with the exception of Real Sons, to the Division. Any change in the assessment voted by the Convention will be effective August 1 following the Division Convention. The Division Executive Council may recommend any change in the assessment.

**Section 3.** The annual per capita assessment shall be collected by the Division Treasurer, in whose custody it shall remain, and who shall assure that the monies collected are paid into the Division treasury no later than the time of the Convention. The Division Adjutant may take receipt of funds sent to him for late renewals, new members, and other funds which he shall turn over to the Division Treasurer in a timely manner.

**Section 4.** Division Per Capita Assessments must be received for each Camp Member on or before the dues deadline specified by the policy of the general Headquarters of the Sons of Confederate Veterans. Members not paying the prescribed Per Capita Assessment shall not be counted towards the membership of their respective Camps for the purpose of determining Delegate Voting Strength and shall have no voice or vote in the affairs of the Virginia Division Convention. Delinquent Members shall be assessed a five dollar (\$5) reinstatement fee ninety (90) days past the assessment date which must be paid in addition to the Per Capita Assessment in order for the Delinquent Member to be restored to the full privileges of Membership.

**Section 5.** No debts shall be contracted by the Virginia Division except with the approval of the Division Convention or the Division Executive Council. Expenditures cannot exceed financial resources.

**Section 6.** The finances of the Virginia Division are subject to audit and review by the Division Finance Committee.

**Section 7.** In the event of the dissolution of the Virginia Division, Sons of Confederate Veterans, all assets remaining after payment of authorized expenditures shall be distributed to the International Headquarters, Sons of Confederate Veterans, which qualifies for tax exemption as provided for by the U.S. Internal Revenue Service, with no part to inure to any member or private individual.

**Section 8.** The Division Executive Council or Commander is prohibited from engaging in the sale or transfer of any real estate, which may be gifted to the Division or may be acquired by the Division for the purpose of historical preservation without the express consent of the Division Convention. This section shall also apply to any rights in regards to the Confederate Section of Oakwood Cemetery located in the City of Richmond, Virginia. This section shall not apply to items or property purchased specifically for investment purposes or resale.

**Section 9.** Financial Record Retention. All financial records will be maintained by the Division for a minimum of seven (7) years.

#### ***ARTICLE XIV - VOTING***

**Section 1.** At Division Convention each Camp shall be entitled to cast one vote for each ten (10) members in good standing or for each fraction above four (4) members in good standing according to Virginia Division records forty-five (45) days before the Division Convention officially opens. In no event shall any Camp have less than two (2) votes.

**Section 2.** At Division Convention each Brigade of the Virginia Division shall be entitled to cast one (1) vote.

**Section 3.** In all questions submitted to the Division Convention, the Chair (Division Commander) shall put the question for a viva voce vote. If the roll of Camps and Brigades (a Division of Assembly) shall be called for, then the Camps and Brigades shall be called in numerical order, the number of votes each is entitled to be stated, and the vote for or against the question announced by the chairman of each delegation. A simple majority vote will carry a measure.

**Section 4.** In case of any tie in vote at Division Convention, the Division Commander shall have authority to cast the tie breaking vote.

#### ***ARTICLE XV - HEADQUARTERS CAMP***

**Section 1.** Membership in the Virginia Division Headquarters Camp, the principal purpose for the establishment of which is to provide a means by which members who do not reside within a reasonable distance of an active named Camp may join this Camp and thereby receive the Reports of the Virginia Division Adjutant and other pertinent information which would not otherwise be obtainable. All members of the Virginia Division Headquarters Camp shall be subject to the payment of the same per capita tax paid by each active member and such additional dues as the Virginia Division

Convention may prescribe. Payment shall be made individually by each member annually to the Virginia Division, SCV.

**Section 2.** The records of the Headquarters Camp shall be maintained by the Division Adjutant or an Assistant Adjutant appointed by the Division Executive Council.

## ***ARTICLE XVI – DISCIPLINE AND ADMINISTRATION***

**Section 1.** Members and/or elected officers of the Virginia Division and its Camps may be censured or suspended or removed from office or expelled from membership within the Virginia Division and its Camps upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, conduct unbecoming a member of the Sons of Confederate Veterans, or the commission of an act repugnant to the Constitution and Standing Orders of The Sons of Confederate Veterans or of the Virginia Division. Charges may be proffered by their Camp or by action of the Division Executive Council or the Division Convention. Officers which are appointed or not elected may be removed from office by their appointing officer or body with or without cause.

**Section 2.** Each camp shall be the judge of its own members and officers subject to review and appeal to the Division Executive Council and subject to the provisions of the Constitution and Standing Orders of the Sons of Confederate Veterans and the Virginia Division. A two-thirds majority vote of the membership of a Camp present at a disciplinary hearing shall be necessary to effect removal or censure unless the camp has adopted a disciplinary procedure and has incorporated it within its bylaws. Such action shall require a minimum of thirty (30) days notice to the accused and the membership of the respective Camp of the proposed disciplinary procedure. A report of the disciplinary proceedings of any camp must be submitted to the Division Adjutant and to the National Headquarters of the Sons of Confederate Veterans as soon as practicable. A member removed from membership in his respective camp should be transferred to the Virginia Division Headquarters Camp #530 (Alexander L. Hensley Camp).

**Section 3.** Disciplinary Procedure by the Division Executive Council

**Section 3.1** Charges proffered against a member and/or an elected officer within the Virginia Division to the Division Executive Council shall be handled as follows: The Division Executive Council shall review the specific charges and shall determine if the charges are of sufficient merit in its judgment to proceed with disciplinary action which shall require a majority vote. If the charges are deemed to be of sufficient merit, the Division Inspector shall investigate the charges and prepare a report of his findings to be presented to the Division Executive Council at a disciplinary hearing which shall be held within ninety (90) days of the decision of the Division Executive Council to continue with disciplinary action unless both parties agree to a later date or a catastrophic event occurs. The accused officer or member shall be notified of the charges against him within fifteen (15) days of the decision to proceed with disciplinary action and shall be notified of the date and location of the disciplinary hearing at least thirty (30) days prior to its convening. The accused member or officer shall be

invited to respond to the charges to the Division Inspector. All notices to the accused member or officer shall be presented in person by an officer of the Virginia Division or shall be sent via U.S. Mail with delivery confirmation.

**Section 3.2** If a disciplinary action is under consideration against an officer or member within the Virginia Division, said officer shall stand suspended from his office and/or membership upon a vote of the Division Executive Council that the charges proffered against said member are of sufficient merit to proceed to a disciplinary hearing. Said member shall be deemed a member not in good standing until the final resolution of the disciplinary hearing is determined.

**Section 3.3** The disciplinary hearing shall be convened in a closed session of the Division Executive Council. The charges against the accused member and/or officer shall be read, then the report of the Division Inspector shall be presented. The accused shall then be given the opportunity to present a defense for himself against the charges. Witnesses shall only be called that can provide specific material to the charges and shall only be allowed into the hearing during their testimony. The Division Executive Council shall then consider the evidence presented and shall vote on the specific charges and determine the punishment for any charges deemed true in its own judgment. A two-thirds majority vote of all voting members of the Division Executive Council is required to remove an elected officer from office or to expel a member. A majority vote is required to issue a censure. A secret ballot may be used to conduct such voting.

**Section 3.4** A transcript of all removal proceedings shall be recorded by the Division Archivist or the Division Adjutant in the absence of the Archivist. Transcripts of removal proceedings shall, in normal circumstances, be sealed for a period of not less than 25 years. The membership shall be entitled to a report of any charges which are found to be true against an officer or member and the action taken as a result.

**Section 3.5** Any actions resulting in the removal of membership from the Virginia Division shall be reported to National Headquarters of the Sons of Confederate Veterans and said member shall be deemed immediately transferred to the SCV Headquarters Camp #584.

**Section 4.** Any officer or member of the Virginia Division or its Camps may resign his office or membership upon the proffering of charges against him for disciplinary action. If an officer resigns his office, then he accepts and acknowledges that he cannot be considered for future office within the body in which the charges were proffered being either his Camp or the Virginia Division. If a member resigns his membership prior to a disciplinary hearing by the Division Executive Council or his Camp, he accepts and acknowledges that he cannot be considered for future membership within the body in which the charges were proffered being either his Camp or the Virginia Division.

**Section 5.** If a Camp or the Virginia Division wishes to have a member expelled from the Confederation, being expulsion from The Sons of Confederate Veterans in general, they shall proffer charges to the Disciplinary Committee according to the terms of the

Constitution of The Sons of Confederate Veterans, within 30 days of the dispensation of the Camp's or Division's action. Such action does not constitute an appeal of the Camp's or Division's action.

**Section 6.** Any member removed from membership within the Virginia Division or any elected Division officer removed from office by the Division Executive Council may appeal this action to the Division Convention unless said member has also been removed from membership or office by The Sons of Confederate Veterans, being the general organization. A two-thirds majority shall be necessary to overturn the decision of the Division Executive Council.

**Section 7.** Any decision by the Virginia Division Convention to censure or expel a member shall be final; a two-thirds majority shall be necessary to decide.

**Section 8.** The Virginia Division Commander may be disciplined by the Division Executive Council or the Virginia Division Convention; a two-thirds majority shall be necessary to decide.

#### **Section 9. Camp Suspensions**

**Section 9.1** The suspension of a Camp within the Virginia Division shall not affect the membership in the Sons of Confederate Veterans or the Virginia Division of Compatriots of such Camp, nor impair their tenure of office or eligibility as officers therein during such suspension.

**Section 9.2** The Division Executive Council may suspend any camp within the Virginia Division which fails to meet the obligations imposed upon it by this Constitution or the Constitution and Standing Orders of The Sons of Confederate Veterans, or commits an act repugnant to said constitutions and orders, or commits an act detrimental to the objects and purposes of the Virginia Division and Confederation.

**Section 9.3** Reinstatement for camp suspension shall take effect immediately upon receipt by the Division Commander or Division Executive Council of proper evidence that the issue of cause of suspension has been removed, corrected, or resolved.

**Section 9.4** Any Camp within the Virginia Division whose charter has been suspended or revoked by The Sons of Confederate Veterans or which has been suspended by the Division Executive Council shall not be entitled to any rights and privileges of the Virginia Division. The Division Commander is charged with the duty of working with the Camp or the officers thereof to remove the factors that necessitated the suspension.

**Section 9.5** The Division Executive Council, after suspending a camp from the Virginia Division, may recommend to the General Executive Council and Commander-in-Chief that the camp be suspended from The Sons of Confederate

Veterans or have its charter revoked if the cause of such action appears in its judgment to be beyond resolve by other means.

**Section 10.** During the interim between Division Executive Council meetings, the Division Commander shall have the power to suspend any Camp or to suspend any officer from his office for conduct detrimental to the Virginia Division or Confederation upon proper proof; said action must be reported to the next regular meeting of the Division Executive Council which shall review the matter and determine if a disciplinary action should follow or if the suspension shall be rescinded.

### ***ARTICLE XVII - VACANCIES IN OFFICE***

**Section 1.** In those cases where there is a vacancy in office on the Division level (excepting the Division Commander, as specified in Article VI, Section 2) due to death, resignation, or removal from office, the unexpired term of office in that vacant position will be filled by a member of the Virginia Division in good standing appointed by the Division Executive Council.

### ***ARTICLE XVIII - AMENDMENTS***

**Section 1.** This Constitution may be amended at any Division Convention by a two-thirds vote, provided that the amendment has been submitted to the Chairman of the Resolutions committee at least forty-five (45) days prior to the Convention and sent to each camp in good standing at least thirty (30) days prior to the Convention. Amendments are to be sent United States (USPS) mail to either the Commander or the Adjutant at the Postal Address of that individual(s) on record with the Division Adjutant.

### ***CONCLUSION***

In witness whereof, this Constitution is amended through the Division Convention under the hand and seal of the Division Commander, duly attested by the Division Adjutant at Lynchburg, Virginia, this the 10<sup>th</sup> day of April 2010.



Michael A. Rose, Division Commander



J. Michael Pullen, Division Adjutant

## ***APPENDIX A – POLICIES & PROCEDURES***

### **PREAMBLE**

The following outlines The Virginia Division SCV Policies and Procedures to assist in governing Sons of Confederate Veterans, Virginia Division. If any conflicts are encountered between these Policies and Procedures, Virginia Division Constitution, Sons of Confederate Veterans General Constitution, Sons of Confederate Veterans General Policies and Procedures, the order of precedence shall be as follows: 1) Articles of Incorporation, 2) Sons of Confederate Veterans General Constitution, 3) Sons of Confederate Veterans General Policies and Procedures, 4) Virginia Division Constitution, and 5) these Policies and Procedures.

### **SECTION 1. VIRGINIA DIVISION CONVENTION**

To further promote Confederate History Month in Virginia, the Virginia Division will hold its annual Convention during the month of April. .

### **SECTION 2. LEE-JACKSON DAY CELEBRATION**

The Virginia Division shall celebrate Lee-Jackson Day on the Friday before the Virginia State Holiday when the National Martin Luther King Day is celebrated on the following Monday.

### **SECTION 3. FLAG PROTOCOL**

The Army of Northern Virginia Battle Flag (The Soldier's Flag) shall be carried by all Virginia Division Color Guards and posted at all events if not carried.

### **SECTION 4. VIRGINIA DIVISION DELEGATE CAUCUS**

The Virginia Division shall hold a Virginia Division Caucus at all Sons of Confederate Veterans General Conventions to discuss any and all proposed amendments and to review all nominees running for General positions or any other pertinent issues.

### **SECTION 5. TRAVEL ALLOWANCE**

The Virginia Division Commander shall have at his discretion a \$100.00 per month allowance to assist in defraying travel costs incurred in the performance of his duties.

### **SECTION 6. INTERIM EXPENDITURE AUTHORITY**

The Virginia Division Commander shall have the authority to approve expenditures up to \$500.00 without Division Executive Council vote of approval in the interval between scheduled Division Executive Council meetings.

## **SECTION 7. SUBMISSION PROCESS OF DIVISION CONSTITUTIONAL AMENDMENTS AND RESOLUTIONS**

All amendments and resolutions must be submitted in writing and must list the drafting sponsor's name, Camp Name, and Camp Number to be considered a valid submission.

## **SECTION 8. VIRGINIA CONFEDERATE HISTORY MONTH**

Funds for promoting and advertising Confederate History Month in Virginia shall be available to any Virginia Division Camp in good standing through their Brigade Commander. This amount is \$400.00 per Brigade from the Heritage Defense Fund if funds are available. Brigade Commanders will submit their approved requests to the Division Treasurer by June 1 for Camp reimbursement.

## **SECTION 9. ASSIGNMENT OF PER CAPITA TAX**

When Virginia Division Per Capita Tax is collected for a new member in the period between the annual Division Convention and the start of the Billing cycle as proscribed by SCV General, that Division Per Capita Tax shall be assessed to the next fiscal year.

## **SECTION 10. VIRGINIA DIVISION CONSTITUTIONAL ALIGNMENT**

Following each and any Sons of Confederate Veterans General Convention, all Virginia Division governing documents (Constitution, Amendments, and Policies and Procedures) shall be reviewed by the Virginia Division Parliamentarian. Any conflicts and the modifications required to rectify those conflicts shall be presented to the Division Executive Council at the next scheduled DEC meeting prior to the Division governing documents being modified and distributed. These modifications shall also be reported at the next annual Division Convention.

## **SECTION 11. BRIGADE ROSTERS**

Forty Five (45) days prior to the annual Virginia Division Convention, the Division Adjutant, upon request, will supply the Division Brigade Commanders with rosters of each Camp in their Brigade.