

Constitution of the Kentucky Division Sons of Confederate Veterans

Article I: Name

This organization shall be known as the Kentucky Division, Sons of Confederate Veterans.

Article II: Object and Purpose

Section 1: To collect and preserve such manuscripts, books, papers, documents, flags, relics and memorabilia relating to the War Between the States as would be of assistance in the preparation and perpetuation of an impartial history of the same.

Section 2: To illuminate and clarify the Constitutional, political, social and economic issues and events leading to the War, and the patriotic motives and heroism of our ancestors: the Confederate Soldier, Sailor, Marine and Government Official.

Section 3: To perpetuate the memory of the unparalleled bravery, constancy and fortitude of our Confederate ancestors and the people of the South who supported them. To erect monuments, markers and memorials to them and to properly care for all Confederate graves and markers within the Commonwealth of Kentucky and elsewhere.

Section 4: To cooperate with the National Confederation and the Army of Tennessee Department of the Sons of Confederate Veterans.

Section 5: We, the compatriots of the Kentucky Division of the Sons of Confederate Veterans, with the blessing of Almighty God, have as our mission the promotion of pride and honor in Southern heritage through supporting our Camps by supplying information, leadership and resources.

Section 6: "The Charge"

"To you, Sons of Confederate Veterans, we will commit the vindication of the cause for which we fought. To your strength will be given the defense of the Confederate soldier's good name, the guardianship of his history, the emulation of his virtues, the perpetuation of those principles which he loved and which you love also, and those ideals which made him glorious and which you also cherish."

Lt. General Stephen Dill Lee
Commander General, United Confederate Veterans
New Orleans, Louisiana, April 25, 1906

Article III: Membership

Section 1: Good Standing

A member in good standing with the national organization of the Sons of Confederate Veterans, who is also a member of a camp in good standing with the Kentucky Division, Sons of Confederate Veterans, is a member of the Kentucky Division.

Section 2: Life Membership

Members (as defined in Section 1) who make a qualifying contribution to the Life Membership Fund shall be termed Life Members. Contributions should be accompanied with the Application for Kentucky Division Life Membership Form. (The dollar amounts on the form shall be modified as necessary when necessary) The amount of the qualifying contribution shall be ten (10) times the amount of annual dues for applicants up to 65 years of age, and half that amount for applicants 65 years of age or older and half that amount again for applicants 80 years of age or older. Life Members shall be exempt from the payment of per-capita dues to the Division. Life Members will receive a special recognition pin. Monies given by Life Members shall be kept separate from the Division's general funds, in an interest-bearing instrument. The interest earned from these monies may be transferred to the general funds.

Section 3: Honorary

Persons who are not members as defined in Section 1 may also donate \$100 to the Kentucky Division Life Member fund and receive the pin, but any such person is an "Honorary Life Member" of the Kentucky Division and has no real standing with the Division, including no voting rights or any other rights and privileges of membership in the Division. Because of this provision, the Kentucky Life Member pin cannot include the SCV logo, due to restrictions of the national constitution of the Sons of Confederate Veterans.

Article IV: Officers

Section 1: Division Officers

This organization shall elect, by ballot, every two years at its annual Division Convention, Commander, Lt. Commander and Brigade Commanders, who shall take office at the conclusion of the Convention and serve in their respective capacities for the term of two years.

Section 2: Presiding

The Division Commander, or in his absence, the Lt. Commander, shall preside at all meetings of the Division.

Section 3: Appointments

Appointed officers shall be filled by the Division Commander and shall serve at his pleasure. The Division Commander may appoint all special committees necessary to the performance of the executive function. Upon the resignation of a duly elected Lt. Commander or Brigade Commander, the Division Commander shall appoint a substitute to fill the office until the next Division Convention, at which time the new Commander shall be elected as set forth in Article VI, Section 6.

Article V: Duties of Officers

Section 1: Commander

The Commander shall be the executive head of the Division with full power to enforce provisions of the Constitution. He shall be Chairman of the Division Convention and shall be empowered to act for the Division as circumstances, in his judgment, require, in cases not provided in the Constitution subject to appeal by the Convention.

Section 2: Lieutenant Commander

The Lt. Commander shall perform the duties of the Commander in his absence, and in case of his death or resignation, shall become Commander for the unexpired term. The Lt. Commander shall assist the Commander in the performance of his duties as directed by the Commander.

Section 3: Adjutant

The Adjutant shall be appointed by the Division Commander and shall keep correct records of proceedings of the Convention and other business meetings and issue the general orders of the Commander under his signature. He shall collect and be the custodian of the funds of the Division, and he shall make reports of the condition of the treasury when called for by the Commander or the Convention.

Section 4: Chief of Staff

The Chief of Staff shall be appointed by the Commander and shall be charged with the administration of the policies of the Division Commander and the Division Convention.

Section 5: Judge Advocate

The Judge Advocate shall be appointed by the Commander and shall advise him on all legal matters and the interpretation of the Division Constitution.

Section 6: Brigade Commander

The Brigade Commanders shall:

- Aid the Camps assigned by the Division Commander to their Brigade and fulfill all duties as required by the Commander.
- Each Brigade Commander may appoint an adjutant to assist him in his duties.
- Each Brigade Commander is to appoint a Brigade Heritage Defense Operations Coordinator to assist him in his duties.
- Command his respective Brigade. He shall assist the Division Commander by making recommendations and providing counsel as his experience or knowledge dictates.
- Act as a representative of the Division Commander on all matters referred by him and shall, upon his request, in the absence of the Division Lt. Commander, preside over Officer Call meetings of the Division and perform such other duties as are usually incidental to the office of Lt. Commander.
- Serve as the point of contact for all camps within his Brigade for support and assistance, and promote local participation in Division projects.
- Be supported by and report directly to the Division Commander and Lt. Commander.
- Will provide a quarterly report on all Brigade activities to the Division Commander.
- Regularly conduct Camp visits to the Camps within his Brigade (Regularly means at least 1 time per quarter)

- Provide information concerning Division policies and projects to the Camps within his Brigade.
- Offer coordination & assistance with his camp's programs. He shall assist Camp Commanders in promoting Brigade level events & activities.
- Offer training and support to Camp Officers of his Brigade.
- The Division Commander may assign additional duties and responsibilities to a Brigade Commander as business need dictate.

Section 7: Chief of Heritage Operations

The Chief of Heritage Operations shall:

- Be appointed by the Commander and shall advise him on Heritages issues that may arise either within the Division or Nationally.
- Along with the Brigade Heritage Operations Coordinators, coordinate and assist the Camps of the Division in Heritage Operation issues.
- Have the ability to appoint Special Heritage Operations Coordinators for special projects and issues as needed.
- Have access to the funds within the Division Financial Plan under the line item of Heritage Operations Working Funds.
- Have access to the funds within the Division Heritage Operations CD after the closest future date of maturity. These monies are to be spent extremely sparingly. Use of these funds requires the pre-approval of the Division Commander and Adjutant. An accounting of all monies spent by the Chief of Heritage Operations shall be presented to the membership at the annual convention.

Section 8: Chaplain

The Division Chaplain shall be appointed by the Commander and advise him on spiritual issues that may arise within the Division.

Article VI: Organization

Section 1: Membership

All members of each Camp in the Division, in good standing, are members of the Division organization and constitute the Kentucky Division.

Section 2: Brigade Structure

The Kentucky Division shall be divided into Brigades. The Brigade Commanders

shall be elected at the Division Convention.

Section 3: Annual Reunion Convention

The annual date for the Kentucky Division Conventions shall be in April, May or June. Each Camp will be notified at least thirty days in advance of any Division Convention. The rules of procedure at Conventions shall be those set forth in "Robert's Rules of Order, Revised" except wherein they may be altered by the Convention.

Section 4: Legislative Power

All legislative power shall be vested in a Division Convention, which shall be held each April, May or June, or a called meeting when two thirds of the Camps in good standing request such a meeting in writing to the Division Adjutant.

Section 5: Division Convention

The Division Convention shall be composed of the delegates of the Camps presided over by the Commander, or in his absence, the Lt. Commander, who shall be the presiding officer of the organization. Each Camp in good standing shall have one vote for every ten members in good standing with the National Confederation and the Kentucky Division and shall have one additional vote for a major fraction of five or more. No Camp shall have less than two votes. The total votes for the Camp may be cast by the delegates that are present and in good standing with the Camp and Division. No Camp vote may be cast by proxies or without a member in good standing. The Division Adjutant shall keep the official number of votes a Camp has and inform them at the start of each business meeting.

Section 6: Brigade Commander Election

The Brigade Commanders shall be elected at the Division Convention by a majority vote of the delegates of the Camps within their respective Brigades.

Section 7: Powers Between Conventions

Between annual Conventions of the Kentucky Division, the administrative power shall be vested in the Executive Council of said Division.

Section 8: Executive Committee Powers

The Executive Council shall have all necessary power in the administration and regulation of the affairs of the Kentucky Division not especially delegated to or made a part of the duties of some other official committee.

Section 9: Executive Committee Membership and Duties

The Executive Council shall be composed of the Division Commander, who shall be the presiding officer, Division Lt. Commander, Division Chief of Staff, Division Judge Advocate, Division Adjutant, Chief of Heritage Operations, Chaplain, most recent Past Division Commander and all Brigade Commanders. One of the duties of the Division Executive Council shall be the formulation, approval and implementation of a strategic plan for the Division, subject to a majority vote approval by the Kentucky Division Convention.

Article VII: Dues

Section 1: Annual Financial Report

A Division financial report for the prior fiscal year shall be submitted to the Convention and be made part of the record. The report shall be published in the Division newsletter.

Section 2: Annual Dues Assessment

Each Camp will have an annual assessment per member per year for the Division expenses. The Division dues will be set annually at the Division Convention. Cadet members are Camp Members and not Division Members and as such will not be required to submit Division Dues.

Section 3: Annual Dues Payment Timing

Division dues shall be due and payable to the Division Adjutant at the same time National dues are due and payable to International Headquarters as established by the National Constitution of the Sons of Confederate Veterans.

Section 4: Pro-ration of dues for NEW applicants

If someone joins as a new member in February, March, or April (which is technically the 3rd quarter of our fiscal year) he can pay his yearly Division dues and he has the option to pay an additional half (50%) year dues to join for both the current fiscal year as well as the next fiscal year. If someone joins as a new member in May, June, or July (which is technically the 4th quarter of our fiscal year) he can pay his yearly Division dues and he has the option to pay an additional quarter (25%) year dues to join for both the current fiscal year as well as the next fiscal year. This provision only applies to new applicants. Reinstated members are required to pay a full year dues and any applicable late fees.

Section 5: Delinquent Dues Fee

Dues submissions for existing members or Former members seeking reinstatement postmarked September 1st or after of each year are subject to a \$2.50 late fee in addition to the normal annual dues.

Article VIII: Special Powers

Section 1: This organization shall have the power to make and adopt such Articles of Organization, Rules and Regulations, or By-Laws, as it may deem proper, and to alter or amend the same, as may be provided in said Articles or Rules and Regulations, provided such Articles, Rules and Regulations or By-Laws are not contrary to the Laws of the Commonwealth of Kentucky, the Constitution of the United States or the Constitution of the Sons of Confederate Veterans.

Section 2: This Constitution, as of the date of its adoption, supersedes all Division By Laws or Guidelines previously adopted by the Kentucky Division, Sons of Confederate Veterans.

Article IX: Amendments:

Section 1: This Constitution may be amended at any Division Convention by the vote of two-thirds of the total authorized representative present and voting, provided that the proposed amendment shall have been sent to the Division Adjutant at least sixty (60) days in advance of the Division Convention. It shall then be the duty of the Division Adjutant to send the amendment to each Camp in good standing at least thirty (30) days in advance of the Convention.

Article X: Kentucky Division Disciplinary Procedure

This procedure is to ensure consistent and fair treatment for all Division members in regards to Disciplinary issues. It shall also ensure compliance with natural justice, the National Constitution, the Division Constitution, all Standing Orders, Policies, Procedures and Codes of Conduct. The aim of this procedure is to apply common and equitable standards to all Division members through a clearly understood and fair procedure. The sentences allotted according to this procedure can range from a simple written reprimand or censure to probation, suspension or expulsion from the Division.

Division disciplinary sentencing actions may be appealed to the National organization if it so wishes to hear such appeals. The Kentucky Division Disciplinary Procedure

shall be as follows:

- I.** The disciplinary committee of the Kentucky Division shall be the Kentucky Division Executive Committee (DEC).
- II.** The DEC has the authority to appoint a chairperson for the proceedings, normally the Division Commander, and security personnel as needed to maintain order.
- III.** If a conflict of interest or substantial bias that could hinder the impartiality of the hearing process exists between the accused and a member of the DEC, then the DEC shall have the ability to appoint an impartial alternate to fill that seat upon the committee for this disciplinary process only.
- IV.** All actions and proceedings shall remain confidential while the proceedings are in process. Only after the conclusion of the disciplinary process does the DEC have the option to make the outcome known to the General Membership and/or those at Army and National level.
- V.** The DEC will hold a probable cause meeting to determine the following:
 - a.** If probable cause exists to warrant further proceedings.
 - If probable cause exists, then the DEC shall appoint an inspector. The appointed inspector will not be a member of the DEC.
 - If no probable cause exists, the matter shall be dropped.
 - b.** If any conflicts of interest or substantial bias exists within any member of the DEC towards the accused, that member may recuse himself.
 - c.** To establish any special rules to conduct disciplinary meetings of this case.
 - d.** If there are any jurisdictional conflicts.
- VI.** The accused shall be notified by registered postal mail of the forthcoming investigation including the charges submitted and brief statement(s) of the evidence submitted to support the charge(s). Once the accused has been notified and the disciplinary committee has received confirmation the accused has received such notification via registered postal mail, the inspector will proceed with his investigation. The investigator shall have no longer than 14 days to conduct the investigation.
- VII.** When the inspector has completed his investigation, he will notify the DEC of such. A final hearing date will be set by the chairperson. The timing of this final hearing shall not be less than 14 days and no more than 30 days from the conclusion of the investigation.
- VIII.** The accused will again be notified via registered postal mail of the

charges submitted, his rights to dispute said charges and the date, time and location of the final hearing.

- IX.** If the accused disputes the charge(s) he will have the right to appear before the DEC at the final hearing to offer a defense. In addition, the accused shall have the right to produce two witnesses to testify in support of his defense.
- X.** Once all evidence has been reviewed, the witnesses heard and the accused has been given the opportunity to speak in their defense, the DEC will deliberate to reach a final verdict.
 - a.** If the member has been found guilty, he will be notified in writing of the verdict as well as the disposition of the committee (sentencing) by registered postal mail.
 - b.** If the accused is found not guilty, he shall be informed in writing and the matter shall be dropped.

Article XI: Committees

Section 1: Standing Committees may be formed by an amendment vote of two-thirds of the Division Convention. The Chairman of each standing committee shall be appointed by the Division Commander.

Section 2: Special Committees may be appointed by the Division Commander for special projects and serve at his pleasure.

Section 3: A Monuments and Graves committee shall be a standing committee of the Division. This committee shall consist of the Division Graves Registrar, appointed by the Division Commander, the Brigade Commanders, the Division Lt. Commander, and any additional persons appointed by the Division Commander. The purpose of this committee shall be to promote and administer the national graves registration program in Kentucky, to promote the marking of Confederate graves in Kentucky and the graves of Confederate Kentuckians buried elsewhere, to catalog and promote the preservation of Confederate monuments and memorials in Kentucky, and to promote the placement of new monuments and memorials.

Article XII: Official Symbols

Section 1: The official seal of the Kentucky Division of the Sons of Confederate Veterans shall be the Seal of the Confederate Commonwealth of Kentucky as adopted January 16, 1862, by the Provisional State Government of Kentucky.

Section 2: The official flag of the Kentucky Division of the Sons of Confederate Veterans shall be the regimental flag of the Second Kentucky Infantry, CSA, emblazoned with "Kentucky Shall Be Free."

Article XIII: Electronic Communications

Section 1: Division Executive Meetings may be held by teleconference or similar communications equipment, or another suitable electronic communications system, including videoconferencing technology or the Internet, or any combination, if the telephone or other equipment or system permits each person participating in the meeting to communicate concurrently with all other persons participating in the meeting.

Section 2: During times of extreme hardship or emergency, Annual Division Reunions may be held by teleconference or similar communications equipment, or another suitable electronic communications system, including videoconferencing technology or the Internet, or any combination, if the telephone or other equipment or system permits each person participating in the meeting to communicate concurrently with all other persons participating in the meeting. Participation in the meeting during these unusual situations may require the limiting of the number of individuals that may attend. Attendance may be limited to the current number of delegates each Camp receives per National calculations. (ie: 4 delegates, 4 attendees)

Section 3: It is the responsibility of the Camp Commander to have email addresses on file with the Division Adjutant for all Camp Officers, including a Communications Officer if the Camp Commander or Camp Adjutant does not have email capabilities.

Section 4: The Division shall also make use of electronic means for discussion between Annual Reunions to assist in keeping the lines of communication open.

Article XIV: Disbanded and defunct Camps

Section 1: A Camp in good standing, but which has ceased to function, may vote to disband provided a minimum of 30 day notice of intent has been sent to all members and majority vote has been voiced. Notice of intent, including proposed date of disbanding, shall be sent to the Division Commander.

Section 2: When a Camp votes to disband, the Charter shall be surrendered to the Division Commander and notification shall be sent to the Division Adjutant who shall notify the International Headquarters.

Section 3: All assets (monies, applications, financial records, minutes, monuments, markers, etc.), remaining after payment of authorized expenditures shall be distributed to the Kentucky Division, Sons of Confederate Veterans, which qualifies for tax exemption as provided for under the Internal Revenue laws of the United States of America, no part to any individual or member. The records of a disbanding camp shall become the property of the Kentucky Division.

Section 4: If the Kentucky Division ceases to operate all assets (monies, applications, financial records, minutes, monuments, markers, etc.), remaining after payment of authorized expenditures shall be distributed to the International Organization, Sons of Confederate Veterans, which qualifies for tax exemption as provided for under the Internal Revenue laws of the United States of America, no part to any individual or member.

Adopted June 20th, 1998, as amended through 2023. Updated for spelling & spacing errors as needed or discovered