

# **FLORIDA POLYGRAPH ASSOCIATION**

## **CONSTITUTION**

### **ARTICLE I – Name**

The name of this organization shall be the Florida Polygraph Association, hereinafter referred to as the FPA.

### **ARTICLE II – Purpose**

The purpose of the FPA is to maintain a professional organization committed to promoting the polygraph credibility assessment technique through the use of validated and ethical polygraph practice. Further, the FPA provides a forum to advance the use of polygraph through training, best practices, ethics, and familiarization with alternative credibility assessment approaches.

### **ARTICLE III – Membership and Voting Rights**

**A.** There are four classes of membership in the FPA: Member, Honorary, Life, and Associate. Any person, who is or has been convicted of a felony or a crime involving moral turpitude, shall be ineligible for any class of membership in the FPA.

1. Member – To qualify for full privileges and standing as a member, the applicant must be approved by a two-thirds majority vote of the Board of Directors, hereinafter referred to as the Board, by meeting the following requirements:
  - a. The applicant must have completed a formal basic course of instruction in polygraphy at a school that was accredited by the American Polygraph Association, hereinafter referred to as APA at the time of completion. The applicant shall have satisfied all financial obligations to the FPA due and payable at the time of submission of the application.
  - b. The applicant must have a four-year college degree; or a two-year college degree and either three years investigative experience or three years active polygraph experience; or a high school diploma/graduate equivalency degree with either five years investigative experience or five years of active polygraph experience. All investigative experience must be with a federal, state, county, or municipal agency. Active polygraph experience shall be as defined in the FPA By-Laws.
  - c. An applicant with less than one year of polygraph experience must complete one year of internship under the supervision of an FPA, APA, or AAPP examiner, or an applicant may be in the process of completing a one year internship under the supervision of an FPA, APA, or AAPP examiner at the time application for membership is made.
2. Honorary – Those persons who have been nominated and approved by a majority of the Board as having made significant and outstanding contributions to the polygraph field and/or the

FPA, may be awarded honorary membership in the FPA. Honorary membership may be revoked by the Board upon a majority vote.

- a. Honorary members shall be eligible to attend and participate in all activities of the FPA open to its membership, but shall not represent themselves as being other than honorary members.
    - b. Honorary members shall have no voting rights in matters before the FPA, nor are they eligible for office in the FPA.
    - c. Honorary members shall be exempt from all dues and assessments for the FPA and shall receive, at no charge, the FPA newsletter and other mailings to the general membership.
  3. Life – Those FPA members who shall have been nominated by a two-thirds majority of the Board and approved by a majority vote of the members present, may be elected to Life Membership.
    - a. A Life member shall be exempt from all dues, fees and assessments, but shall be entitled to vote in all matters before the FPA.
    - b. A Life member shall not be eligible to be elected to office unless, all dues and fees required by the FPA are paid by the Life member.
  4. Intern/Associate – Intern/new examiners who do not yet meet the requisite educational and/or investigative experience requirements may become Associate members of the FPA with dues paid as established by the FPA Board. Associate members have no voting rights, nor are they eligible for office in the FPA.
- B.** Disciplinary Proceedings and Reinstatement – A member whose conduct injures or tends to injure the FPA and the polygraph profession, or affects its reputation adversely, or is in gross violation of the Standards & Principles of Practice of the FPA, shall be subject to disciplinary action as established in the FPA By-Laws.
- C.** Voting Rights – All dues-paid members shall have the right to exercise voting privileges in all matters of a general membership nature, including elections requiring membership participation. There shall be no absentee votes by proxy.

#### **ARTICLE IV – Officers**

The Officers of the FPA shall be the President, Vice President-Private, Vice President-Public, Secretary, and Treasurer.

- A** **President** – The President shall be elected for a term of four (4) years and shall be the presiding Chairperson at all official meetings of the FPA and the Board. The first election for this new term period shall be at the annual business meeting in 2023, and then held each four years subsequent to that election. The President shall have general supervision over the affairs and administration of the FPA; shall represent the FPA at all official functions and have the authority to designate another officer or member of the Board to act in their place. The President is empowered to call meetings of the FPA and the Board or when required to do so by a majority decision of the Board. The President shall appoint all

committees deemed necessary for a period not to exceed the remainder of that President's term of office, for effective management of the FPA and for the purpose of aiding the successful accomplishment of FPA objectives. The President shall nominate and/or reappoint a Chairperson for each committee.

- B Vice Presidents** – There shall be two Vice Presidents, each elected to a four (4) year term.
1. **Vice President, Private** – The Vice President representing the private sector shall carry out any duties as established in the By-Laws and as requested by the President. Their term shall overlap that of the Vice President, Public. The first election for this new term period shall be at the annual business meeting in 2025, and then held each four years subsequent to that election.
  2. **Vice President, Public** – The Vice President of the public sector should be representative of a Municipal, City, County, State law enforcement or other governmental agency and shall carry out any duties as established in the By-Laws and as requested by the President. Their term shall overlap that of the Vice President, Private. The first election for this new term period shall be at the annual business meeting in 2023, and then held each four years subsequent to that election.
- C Secretary** – The Secretary shall be elected for a four (4) year term that shall overlap a like term of the Treasurer. The first election for this new term period shall be at the annual business meeting in 2023, and then held each four years subsequent to that election. It shall be the duty of the Secretary to record and maintain all minutes and proceedings of the FPA and of the Board. Additionally, the Secretary shall conduct correspondence relating to the FPA and the Board.
- D Treasurer** - The Treasurer shall be elected for a four (4) year term that shall overlap a like term of the Secretary. The first election for this new term period shall be at the annual business meeting in 2025, and then held each four years subsequent to that election. The Treasurer shall be the custodian of all funds of the FPA and promptly deposit all funds in a designated bank. The Treasurer shall act as financial advisor to the President and the Board on all budgetary matters and problems of finance; shall keep accurate records of receipts and disbursements; shall pay all bills promptly; shall be subject to audit annually and shall report to the membership at each regular meeting of the FPA and the Board as to the status of the Treasury when requested to do so.

## **ARTICLE V – Board of Directors**

- A** The Board of Directors shall consist of the President, Vice President - Private, Vice President – Public, Secretary, Treasurer, and four Directors. The immediate past President, just having completed a term as President, shall automatically become Chairman of the Board. The Directors shall be elected to a two (2) year term. The first election for this new term period shall be at the annual business meeting in 2023, and then held each two years subsequent to that election.
- B** The Chairman of the Board shall be the immediate past President of the FPA and shall preside at Board meetings in the President's absence. The term as Chairman shall normally expire after two years. After that term expires the subsequent election for four Directors shall take place and the President shall appoint one of the newly elected Directors as Board

Chairman.

- C** In case of the disability, resignation, impeachment, and/or death of a member of the Board of Directors:

  - 1. The President shall select a member from the active general membership roster to fill the unexpired term of that Board Member.
  - 2. When the President can no longer serve, the Vice President who has served the longest as Vice President, shall become the President to fill the unexpired term. He/she shall appoint a Vice President from the remaining duly elected Board Members and shall appoint a member from the active general membership roster to fill the Board vacancy. In the event the senior Vice President is unable to accept the position, the junior Vice President shall become the President.
- D** The Board shall be the responsible body for the administration of the FPA. In intervals between annual membership meetings of the FPA, the Board shall have the authority to take such actions as are necessary to conduct the FPA's business and affairs in accordance with this Constitution and the FPA's By-Laws. The Board shall report its transactions at each annual meeting of the FPA membership.

#### **ARTICLE VI – Nominations and Elections**

- A** At biennial seminars of the FPA, prior to the business meeting, the President shall name a nominating committee in accordance with FPA By-Laws.
- B** The nominating committee shall meet prior to that business meeting and shall select a nominee for each office that is open for election and nominees for the Board of Directors.
- C** The nominating committee shall present its report at the business meeting of that seminar at which time the President/Chairman of the Nominating Committee shall permit additional nominations to be made from the floor as may be desired by the membership. Any member to be nominated from the floor shall be present at the business meeting and shall have the option to decline the nomination.
- D** Voting shall be by secret ballot when there is more than one candidate. Only those members eligible to vote and who are present at the business meeting shall be permitted to cast a ballot. Newly elected Officers and Board members shall be elected by a simple majority of those members voting, and will take office immediately following that business meeting during which time the elections took place.

(a) Each position shall be filled by a plurality of the vote.
- E** All FPA members in good standing, except Honorary and Associate members, residing in the State of Florida shall be eligible for office in the FPA. Any elected officer or board member who relocates out of the State of Florida shall immediately resign the position which shall be filled in accordance with this Constitution.

## **ARTICLE VII – Amendments and By-Laws**

- A** An Article to The Constitution may be amended at any general membership meeting of the FPA by a favorable vote of two-thirds majority of the members present and voting. An amendment to change the By-Laws shall be approved by a favorable vote of the majority of members present and voting.
- B** An Amendment to change The Constitution or the By-Laws may be proposed by any member of the Board of Directors or by the general membership during a regular business meeting. A motion must be made, seconded, and then voted upon by the membership.
- C** Amendments shall take effect immediately when approved unless otherwise stated in the amendment.
- D** The By-Laws as approved by a majority vote of the members present shall establish the procedures for the day to day operation of the FPA.

## **ARTICLE VIII – Meetings**

The FPA shall have, as a minimum, one business meeting annually. The date and location of the meeting shall be selected by the Board.

- A** A Quorum for a business meeting shall be established when a majority of The Board, and the members present, are called to order by the President or his/her designee.

## **ARTICLE IX – Parliamentary Authority**

The Parliamentary Authority for the FPA shall be Robert's "Rules of Order", latest revision, in all instances not covered by this Constitution.

## **ARTICLE X – Membership Fees**

- A** Annual dues for members, except those members exempted by Article III A, 2&3 above, shall be an amount per annum as established by the Board at an annual board meeting and approved by a two thirds majority of the Board members present.
- B** A filing fee as established by the Board, non-refundable, shall be required of applicants applying for "Member" status.

## **ARTICLE XI – Polygraph School Accreditation**

The Board shall be governed for polygraph school accreditation by those standards and criteria set forth by the APA, and for polygraph school recognition by the AAPP, or FPA. The Board shall monitor those standards and by majority vote, recommend to those listed above any changes for accreditation/recognition.

## **ARTICLE XII – Impeachment**

If the actions or performance of an officer or member of the Board of the FPA is poor or believed to be contrary to the best interests of the Association, the person may be removed from office by one of the following procedures:

- A** A petition may be submitted to the Board by a member at least 60 days prior to the next general membership meeting demanding a recall vote on an officer or board member at the next general membership meeting. The Board must act on the petition if it contains signatures of at least 10% of the members in good standing at that time. If the petition is in good order, the Board must present it to the membership at the next general membership meeting for a vote. In order to impeach an officer or board member in this manner, a two-thirds majority of those members present, must vote in favor of impeachment. If an officer or board member is impeached in this manner, at the same membership meeting, the President shall select a member from the active general membership roster to fill the unexpired term of that Board Member.
- B** An Officer or Board member may also be removed from office by a vote of the Board. A petition of impeachment may be presented to the Board by a Board member if the petition contains at least 10% of the signatures of the Board members. The Board must vote on the petition. A member named in the petition must abstain from the vote. In order to impeach an officer or board member in this manner, a two-thirds majority vote of those board members present must vote in favor of the impeachment. If an officer or board member is impeached in this manner, then the President must appoint an acting replacement within 30 days.

## **ARTICLE XIII – Disposal of Funds**

In the event that the FPA is ever dissolved, it is specified that the dissolution of funds held at that time shall be voted upon by the general membership at the last business meeting.