

# **FLORIDA POLYGRAPH ASSOCIATION**

## **BY-LAWS**

### **1. Membership**

Active polygraph experience shall be defined as those examiners who have regularly administered examinations and/or been involved in polygraph research/quality control/instruction as attested to by an FPA member.

### **2. Disciplinary Proceedings and Reinstatement**

- A. All charges or allegations of misconduct by a member shall be submitted in writing to the Board. The Board will hold a preliminary hearing to determine if the grievance is proper and within the purview of the FPA. If it is not found to be within the FPA's purview, the complainant shall be notified in writing of the reasons. If the grievance is found to be valid, the Board shall then cause the Grievance Committee to:
  - 1. Conduct whatever investigation is deemed necessary to substantiate or refute the authenticity of the allegations.
  - 2. Inform the member against whom such charges or allegations of misconduct have been made as to the nature thereof, and request a response in writing from the member, within 30 days.
  - 3. Failure to respond or provide requested information to the Board within 30 days shall be grounds for probation, suspension, or termination of membership.
- B. At its discretion, the member may be requested to appear before the Board or the member may request in writing, a hearing before the Board. The FPA President shall then set a date and place for a hearing and notify the member thereof and the rest of the Board of such hearing. If the Board requests the hearing and the member fails to acknowledge the notification or refuses to attend the hearing; after 30 days have elapsed, the Board, by majority vote, shall have the authority to terminate that member from the FPA.
- C. In the event that a hearing takes place, the Board shall present all evidence it has acquired during the investigation and may, in addition, hear sworn testimony of witnesses and receive all documents which relate to the issue(s) in the matter. Upon completion of the hearing, the Board, by majority vote, shall determine if the member will remain in good standing, be placed on probation, be suspended, or be terminated from the FPA.
- D. In cases where a member has been convicted of a felony or any crime involving moral turpitude, membership shall be terminated upon the Board being presented with a certified copy of the court record showing such conviction. Conviction, for the purpose of this section, shall mean the judgement of any court of competent jurisdiction, local, state, or federal and shall include a plea of "no contest" to a crime amounting to a felony or any crime involving moral turpitude, notwithstanding suspension of sentence, withholding of adjudication, or entry into a pre-trial intervention program. Such termination of membership shall be automatic and without action of the Grievance Committee or the Board.

- E. Any member who has been formally charged in any court of competent jurisdiction on a charge amounting to a felony crime or any crime of moral turpitude shall, within 30 days of such arraignment, notify the Chairperson of the Grievance Committee or any Board member of such arraignment. Notification of such arraignment shall be in writing and shall include the nature of the charge, the name and address of the court where the member was arraigned, the date of the arraignment, and the case and docket number assigned by the court. Failure to comply with the provisions of this section may result in termination of membership following a review by the Board and a two-thirds majority vote.
- F. All dues paying members shall have their membership automatically suspended for non-payment of dues by March 31<sup>st</sup> of the year in which dues are payable. Members shall have their membership automatically suspended for non-payment of any fees for seminars, assessments or other financial responsibilities to the FPA after one year have elapsed from the due date.
- G. Any member who was terminated by means under paragraphs A-E above, shall not be eligible to apply for reinstatement in the FPA until at least one year has elapsed from the date of termination. The Board may, at that time, consider reinstatement.
- H. A member who was suspended for reasons under paragraph F above, may be reinstated only after being approved by a two-thirds majority of the Board and provided that the request for reinstatement is accompanied by payment for all monies due the FPA.

### **3. Board of Directors**

- A. It is the responsibility of each board member to attend all scheduled board meetings. A board member must notify the President immediately if they are unable to attend. Missing more than one board meeting during a term could be grounds for impeachment due to poor performance as stated in the FPA Constitution.
- B. Both Vice Presidents and all board members must be willing to serve as Chairman of a committee as designated by the President. The Secretary will automatically be Chairman of Membership.
- C. The Board shall meet a minimum of two times a year and at such time and places as may be necessary on call of the President of the FPA.
- D. A quorum of the Board shall consist of two thirds of the full members of the Board.
- E. The Editor shall be nominated by the newly elected President and approved by a majority vote of the Board. The Editor shall be responsible for the preparation, publication and distribution/posting of a newsletter, scholarly journal and such other publications as the President may direct. The Editor may accept advertising if it is appropriate to the field. The digital newsletter shall be updated as needed.
- F. Ex-officio Members - The Editor of the newsletter and Chairman of any committees that are not elected members of the Board, shall be deemed ex-officio members of the Board. They shall attend Board meetings whenever possible and participate in Board discussions, but may not vote.
- G. Each Board member shall be willing to Chair a committee.

- 4. **Nominating Committee** - The President shall name a minimum of three members, not more than two of whom may be members of the outgoing Board and none of whom are seeking office or directorship in the FPA, to serve on the nominating committee. To the extent possible, the nominating committee should be representative of different areas of the

State. They will select a candidate for each available office and either three or four candidates for the Board, according to the Constitution.

## **5. Committees**

The President shall appoint a Chairperson for each standing committee.

- A. Membership Committee - shall consist of the Chairperson and any other members they appoint from various areas of the State to seek out and encourage new qualified applicants to join the FPA. Shall review new applications and investigate applicant backgrounds before forwarding to the Board for its approval.
- B. Historical Committee
  - 1) Shall be responsible for maintaining and preserving an archive of all records, documents, photographs, etc. of historical interest to the FPA.
  - 2) Shall bring the archives to each meeting of the general membership.
- C. Scholarship Committee
  - 1) Shall review all scholarship applications to ensure they are complete, and present the completed applications to the Board.
  - 2) Shall be the primary fund raiser for the scholarship through raffles, etc.
- D. School for Continuing Studies
  - 1) The Chairperson shall be known as the Director of the Randall Jones School for Continuing Studies.
  - 2) Shall keep the records of all members attending the school and will be responsible for issuing seminar certificates.
  - 3) Shall receive applications for certification, review them and make recommendations to the Board for approval or rejection and shall then issue Certification for those approved.
- E. Constitution Committee - shall be responsible for ensuring that all amendments and /or revisions are made in the proper format and to the proper document i.e. By-Laws, Constitution, Standards & Principles of Practice, etc. This shall include documenting the date of the revision and the particular article/paragraph being amended or revised. The Constitution, By-Laws, and Standards shall be completely reviewed at a minimum of once every five years.
- F. Ad Hoc and other Committees such as a Legislative Committee, Grievance Committee or any committee deemed necessary for the effective management of FPA programs will be named as needed by the President.

- 6. Seminars** -The FPA shall attempt to conduct one seminar annually consisting of twenty-four (24) hours of continuing education related to the field of Polygraph. The location shall be selected and approved by the Board of Directors. The topics and presenters shall be selected by the Director of the Randall Jones School for Continuing Studies and approved by the Board of Directors. The annual business meeting shall take place on the day and at a time designated by the President following the conclusion of the seminar.

**7. Certified Polygraphist Designation** -This designation is for the purpose of recognizing those members who strive to improve their professional qualifications through training and education, and who adhere to set standards of practice and ethical conduct for an examiner, as adopted by the FPA. To qualify for the Certified Polygraphist designation, a member must meet the following standards:

- A.** Must be an FPA Member or Life Member in good standing with no outstanding financial obligations.
- B.** In all polygraph practices, must always use an FPA/APA validated technique.
- C.** Must be fully familiar with and abide by the FPA's Standards and Principles of Practice.
- D.** Must have at least four (4) years of experience as a Polygraph Examiner.
- E.** Must have completed the FPA's Randall Jones School for Continuing Studies four (4) seminars, totaling ninety-six (96) hours and have received a Certificate of Attendance issued by the School Director for each seminar attended.
- F.** Members must make application for this designation. Requests from qualified members must be made in writing. Qualifications will be verified and designation awarded by the FPA Board of Directors.
- G.** The Certified Polygraphist designation will be in effect as long as the member remains in good standing with the FPA and attends a minimum of seventy-two (72) hours of approved FPA training, of which sixteen (16) hours may be from an approved state, national, or government agency, or association and/or advance training from an approved polygraph school within a five (5) year period. Any training outside the FPA must be submitted to and approved by the Director of the Randall Jones School for Continuing Studies. Members must provide documentation of attendance for any outside training.
  - 1) The FPA will accept Continuing Education Hours (C.E.H.) for a member who attends classroom instruction as a student related to the field of polygraph.
- H.** Once issued, a member's certification may be suspended or revoked by the FPA Board for good and sufficient reasons. Upon notice of suspension/revocation, the member must promptly return the certificate to the School Director.

**8. Awards** – The following awards have been established by the Florida Polygraph Association. Any current FPA member in good standing is encouraged to nominate a deserving fellow FPA member for an award. Nominations must be made through the FPA Award Nomination Form and must be submitted to the Chairperson of the FPA Award Committee no less than 90 days prior to the next FPA seminar. The award nominations will be reviewed by the Award Committee. The Award Committee will present their recommendations to the FPA Board of Directors at the next board meeting after a nomination is received.

- A. D.R. Jones Award-** In honor of D.R. Jones for his continued support of the FPA, this award shall be presented to an individual who has provided outstanding service to the FPA and/or the polygraph profession. This award is not for serving on the Board.
- B. Warren Holmes Award** – In honor of the FPA's first president Warren Holmes, this award is to be presented to the immediate past President for their commitment and

service to the FPA. This award shall only be presented to a President who has completed their tenure in good standing.

- C. George Slattery Award** – In honor of George Slattery for his unselfish dedication to the FPA, this award is to be presented to an individual for outstanding dedication and support to the Florida Polygraph Association in commemoration of George Slattery.
  - D. Outstanding Achievement Award** - This award shall be presented to a member for outstanding performance in the field of polygraph that contributes to public safety and/or justice.
  - E. Advancement of Polygraph Award** – To be awarded in recognition for significant contributions towards the advancement in the field of polygraph. This award shall be presented to a member for making a significant contribution to the field of polygraph through achievements in polygraph research, writing, or teaching.
- 9. Scholarship Program** - The Scholarship shall be known as the *Len Umanoff Memorial Scholarship*. The FPA annually awards the scholarship to students currently attending college or other educational institutions of higher learning, or post high school vocational programs. The scholarship award will be approved by the majority vote of the Board of Directors and the awardee will be announced every year at the annual seminar.

**A. Eligibility**

- 1) The applicant must be 26 years of age or younger and enrolled, accepted, or planning to attend school in the year the scholarship is awarded.
- 2) The applicant must be a dependent child/step child or a grandchild/step grandchild of an FPA Member in good standing. If the member is deceased, the member must have been in good standing with the FPA at the time of death. An FPA Member may only sponsor one applicant annually.

**B. An applicant may only receive the Scholarship award twice.**

**C. Application**

- 1. The application must be complete, signed, and submitted with all required documents to the Chairperson of the Scholarship Committee/active Board Member.
- 2. The applicant must furnish a transcript from the most recent school attended that is available at the time of application.
- 3. The applicant must submit two letters of recommendation, one from a member of the faculty of the school most recently attended and one from a non-relative who knows the applicant well.

- D. The Board shall amend or revise the application as needed and establish the due date for submission of applications. The Board shall have the authority to add any other requirements that they deem necessary. The Board shall determine the amount of scholarship money awarded. The amount awarded shall not exceed \$1,500.00 to any one recipient.**

**10. Post-Conviction Sex Offender Testing (PCSOT) Certification**

The administration of the polygraph examination to ensure compliance with probation and treatment guidelines for individuals convicted of a sexual or related offense. Members who seek this designation must meet the following requirements:

- A** Abide by the FPA PCSOT Guidelines as established in the Standards and Principles of Practice.
- B** A member **MUST** apply for the PCSOT Certification designation.