

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, determine if the member shall remain in good standing, be placed on probation, 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 31st 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 maintain a record of all seminars attended by each full member and be responsible for issuing the Certificates of Proficiency when a member has completed the School's course of six (6) seminars, totaling ninety-six (96) hours.
 - 4) 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. **Meetings** – Whenever possible, seminar locations will be voted on at least two (2) years in advance. If a location cannot be decided on, the issue will be tabled until the next business meeting.

- 7. Certified Polygraphist** – The “CP” designation is for the purpose of recognizing those members who strive to improve their professional qualifications through training and education, and who set standards of practice and ethical conduct for all examiners. 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 five (5) years’ experience as a Polygraphist.
 - E.** Must have completed the FPA’s Randall Jones School for Continuing Studies six (6) seminars, totaling ninety six (96) hours and have received a Certificate of Attendance issued by the School Director.
 - F.** Members must make application for this designation. Requests from qualified members must be made in writing and notarized. Qualifications will be verified and designation awarded by the FPA BOD.
 - G.** The CP designation will be in effect as long as the member remains in good standing with the FPA and attends a minimum of sixty four (64) hours of FPA approved training, 16 hours of which may be from an approved state, national or government agency or association and/or advanced training from an approved polygraph school, within a five (5) year period (beginning the first of January after the member receives the CP designation). Members must provide documented evidence of attendance.
 - H.** Once issued, 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 establishment of recurring awards shall be made by a majority vote at a semi-annual business meeting. The requirements for each award shall be established at that time.
- A.** D.R. Jones 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. The award may be presented annually unless the Board is not presented with an appropriate candidate.
 - B.** Warren Holmes Award – 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 – To be awarded for outstanding service, dedication and support to the Florida Polygraph Association in commemoration of George Slattery. The award is a gavel on a stand.
 - D.** One time awards/recognition may be awarded to an individual who has promoted the profession and /or made a significant contribution to the polygraph field and/or through the use of polygraph, made a significant contribution to public safety.

9. Scholarship Program – The Scholarship shall be known as the Len Umanoff Memorial Scholarship. The FPA annually awards the scholarship to qualified graduating high school seniors or students currently attending college or other educational institutions of higher learning.

A. Eligibility

- 1) The applicant must be 23 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.

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. Must apply for the designation and shall be required to submit to a current background check. Florida residents will submit a background fee along with the application. If the member does not reside in Florida, a background check must be submitted by the member from their state of residence paid for and submitted by the member.

Proposed rewrite to be voted on at the General Membership Business Meeting on November 20, 2016