

# THE KANSAS ASSOCIATION OF CHIEFS OF POLICE



## CONSTITUTION & BY-LAWS

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# KANSAS ASSOCIATION OF CHIEFS OF POLICE CONSTITUTION

## Code of Ethics

This Organization shall be known as the Kansas Association of Chiefs of Police.

We, the members of the Kansas Association of Chiefs of Police, recognizing our responsibilities to the communities we serve and our obligation to society in general and, with the knowledge that our profession requires the highest ideals and rules of conduct, hereby adopt the following code of ethics for Police Executives and commend them to all persons in the police profession for their guidance.

I. We will put honesty, truth, and justice above all other considerations, and we will not allow friendship, enmity, social position, political influence nor personal motives to swerve us from the impartial performance of duty.

II. We will neither solicit, nor accept any gift, privilege, favor, or advantage from any person that will place us under any obligation to overlook any violation of a law or will violate the ethics of our profession.

III. We will observe all provisions of the Constitution of the United States and the State of Kansas and will never illegally deprive any person of any right guaranteed by these documents. We will not become involved in any social, political, religious, or moral controversy except as neutral agents of the public and we will at all times endeavor to carry out those decisions legally expressed through proper legislative, judicial, or executive channels of government.

IV. We will have efficient and effective police administration as our objectives and recognize the need for professional fitness on the part of Police Executives and subordinates: We pledge ourselves to advance the science of police service through education, self-improvement, training, and other methods adequate to meet the many requirements of our profession.

V. We will be fair with subordinates, showing only that favor which has been honestly earned by meritorious service to the public; demanding that all police

officers perform their duties and enforce the laws with impartiality, judgment, and courtesy.

VI. We will recognize the mutual dependence of all law enforcement and other public agencies and pledge our cooperation to all officials and agencies interested in the promotion of justice and the improvement of the general welfare. We will not allow envy, jealousy, or any other motive to interfere with such cooperation.

VII. We recognize our responsibility to the media of Kansas as a method through which the public may be informed of our activities and we solicit its support of all honest police endeavors.

# Constitution

## Article I

### Section 1 OBJECTIVES

A. The objectives of the Kansas Association of Chiefs of Police (hereinafter the “Association”) shall be to advance the cooperation and unity of action amongst law enforcement agencies in the State of Kansas. We will accomplish these goals by an improved exchange of information; encouraging state of the art administrative, technical, and operational practices; to bring about recruitment and training in the police profession of qualified persons. Law enforcement executives must encourage police cooperation and harmony with the general public.

B. It is also hereby declared to be the policy of the Association to study and evaluate all proposed legislation that may affect law enforcement in Kansas and to recommend legislation that would improve law enforcement.

C. It is also hereby declared to be the policy of the Association to survey, consider, evaluate, and determine the needs of the police profession of the State of Kansas in the field of education and training.

D. It is also hereby declared the policy of the Association to cooperate with existing police organizations and associations of recognized professional and technical standing.

E. The Board of Directors may arrange for joint research projects, publications, and participation in conferences to the end that these objectives of the Association may be more fully realized.

F. The Association will operate as a not-for-profit organization in its nature and intent.

## **Section 2 LOGO**

The logo shall be an enclosed circle with a blue background and gold rope border, “Kansas Association “ circling the top in white block printing and “Chiefs of Police” circling the bottom in white block printing; the center shall contain laurel leaves extending around the outline of the State of Kansas, with four “5 point” stars at the top, a shock of wheat shall be between the laurel leaves at the bottom, all colors to be gold; in the center of the outline of the State of Kansas shall be the letters “K.A.C.P.” block printed, white color. As authorized by the Board of Directors, an alternate logo may be used which has a badge in the center replacing the outline of the state, K.A.C.P., and the wheat shock. Colors of and on the logo may also vary by application as authorized by the Board of Directors.

## **Article II**

### **Section 1 CLASSES OF MEMBERSHIP**

Members of the Association shall be classified according to their status as designated by the following membership categories:

- A. Active Member
- B. Life Member
- C. Associate Member

### **Section 2 ACTIVE MEMBERS**

Active Members shall consist of those persons who, at the time of their application and election, are full-time or part-time (Part-Time Academy) Chiefs of Police of a regularly organized Police Department in any municipality, University Police Department, Community College Police Department, Unified School District Police Department, Railroad/Airport Police, Institutional Directors or Tribal law enforcement agency in Kansas. For the purposes of this section, the term “Chief of Police” shall include persons of other titles whose primary responsibility consists of executive supervision of a municipal police department, a Tribal law enforcement agency, or a municipal public safety agency which includes the performance of police duties as a primary function, or a consolidated law enforcement agency as defined by Chapter 19, Article 44 of the Kansas Statutes Annotated. The Active Membership shall also include the chief executive of a Kansas state agency, division, or department whose primary responsibility consists of executive supervision of a law enforcement unit, which includes the performance of police duties, except that no singly defined agency shall have more than one Active Membership at one time. The Active Membership shall also include Special Agents in charge of field offices of federal law enforcement agencies located in or providing regular service to the State of Kansas.

A. Active Members shall consist of those persons who, at the time of their application and election, are full-time or part-time Chiefs of Police of a regularly organized police department in any Municipality, University Police Department, Community College Police Department, Unified School District Police Department, Railroad/Airport Police Department, Tribal Police Department, or Law Enforcement Institutional Directors in the State of Kansas. Institutional Directors may serve as voting board members as Regional Representatives, Secretary, or Treasurer.



B. Upon receipt of a membership application, the Executive Director shall confirm the applicant's position and status. The Executive Director shall present the new member applicant name to the Board of Directors.

C. Those who qualify as Active (Voting) members of the Association qualify for a \$2500.00 Line of Duty Death Benefit. Line of Duty Death is defined by federal guidelines.

### **Section 3 LIFE MEMBERS**

Life Members shall consist of the following:

A. Any Charter member of the Association upon retirement from active law enforcement service.

B. Any member having served in the office of President of the Association shall automatically become a Life Member of the Association upon retirement from active law enforcement service.

C. Any person residing in Kansas who has retired from active police service from a state other than Kansas and who, at the time of retirement, had held the office of Chief of Police as defined in Section 2(A) of this article for at least five years prior to retirement shall be eligible to apply for status as a Life Member in the Association by providing the appropriate forms to the Executive Director of the Association. The Executive Director shall present such application to the Board of Directors who may approve life membership status by a vote of two-thirds of the members present and voting.

D. Any Active Member who has retired from active police service and who, at the time of retirement, held the office of the Chief of Police as defined in Section 2(A) of this article within the State of Kansas for at least three years prior to retirement shall automatically become a Life Member upon presentation to the Board of Directors evidence of retirement.

E. Any other person who has been an Active or Associate Member of this Association for at least five years and who has served the Association with honor and distinction may be elected a Life Member upon the unanimous recommendation of the Board of Directors. It is the duty of the member to apply through the Executive Director.

F. Life Members shall have the same Association privileges as those of Active Members, except that they may not hold elected office.

## **Section 4 ASSOCIATE MEMBERS**

A. Associate membership shall be available to any elected sheriff in the State of Kansas, or any paid, full-time commanding officer of any organization as described in Article II, Section 2, or any full-time director of a law enforcement or criminal justice education program which is part of the regular curriculum at an accredited Kansas college or university.

B. Applications for Associate membership must be endorsed by an Active or Life Member.

C. Associate Members shall have all the privileges of the Association, except that they may not vote or serve on the Board of Directors.

D. Those who qualify as Associate Members of the Association qualify for a \$1000.00 Line of Duty Death Benefit. Line of Duty Death is defined by federal guidelines.

## **Section 5 LIMITATION TO ONE MEMBERSHIP**

A member shall hold only one type of membership in the Association at any one time.

## **Section 6 RESIGNATION OF MEMBERS**

Any member not in default in payment of dues and against whom no complaint or charge is pending, may at any time file his/her resignation, in writing, with the Executive Director and it shall become effective as of the date it was filed. The actual membership shall remain with the agency and may be filled by the member's replacement for the balance of that year upon Association Board acceptance without requiring additional dues.

## **Section 7 SUSPENSION AND EXPULSION OF MEMBERS**

The Board of Directors may censure, suspend, or expel any member for cause in such manner as the Board of Directors shall direct. Such person may request a hearing with the Board of Directors. The Board of Directors may suspend or drop from membership any member for nonpayment of dues.

## **Article III**

### **Board of Directors**

#### **Section 1 DEFINED**

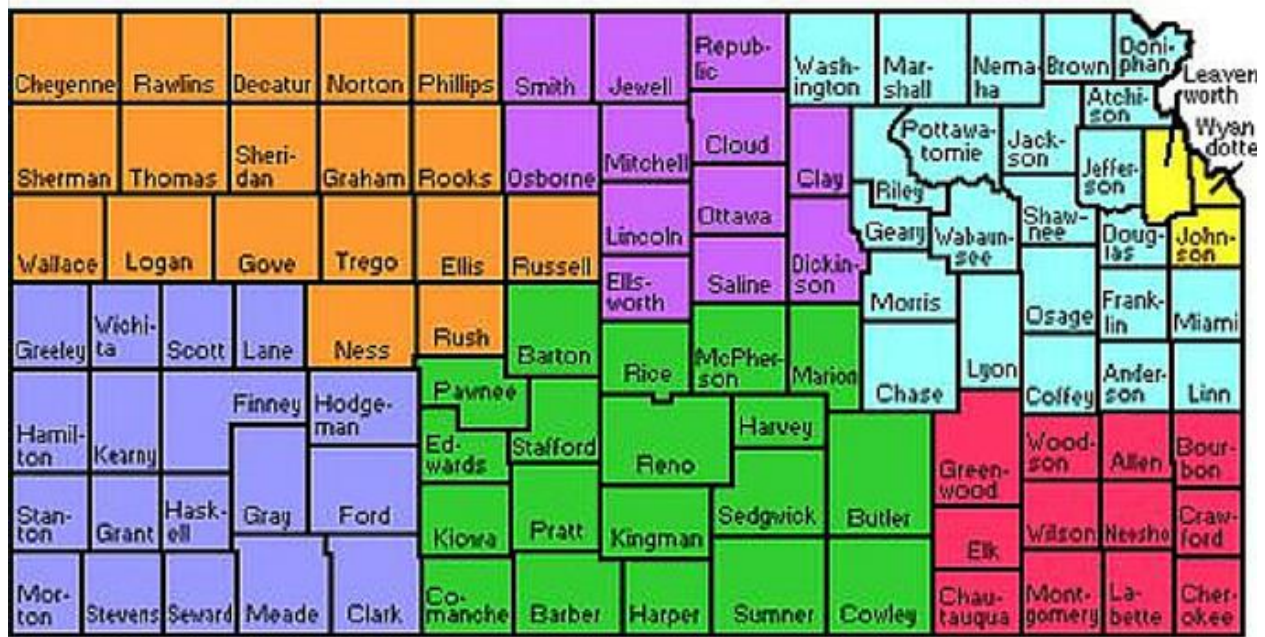
- A. The Board of Directors shall be the governing body of the Association and shall have the authority to take appropriate measures and to perform all duties required to accomplish the objectives of the Association. The Board of Directors shall establish and promulgate the rules of the Association by which its business and affairs shall be conducted and governed in accordance with the provisions of this Constitution. Such rules shall include administration; membership procedure; regulations governing the budgeting, receipt, custody, disbursement of an accounting for all Association funds; purchases, contacts, travel vouchers and other expenditures; employment and compensation of staff; order of business conduct of all meetings; and adoption and use of official seal and insignia of the Association. Such rules shall be published and made available to all members.

#### **Section 2 MEMBERSHIP OF BOARD OF DIRECTORS**

- A. There shall be a Board of Directors of the Association consisting of the President, the Vice President, the Treasurer, the Sergeant-at-Arms, the Recording Secretary/the Parliamentarian, Region Representatives, SACOP Representative, and the Immediate Past President at the time of the adoption of this provision. The President shall appoint not more than seven (7) Active Members as Region Representatives from the following areas:

Representatives from the following areas:

- One member representing Region I (Blue)
- One member representing Region II (Pink)
- One member representing Region III (Purple)
- One member representing Region IV (Green)
- One member representing Region V (Orange)
- One member representing Region VI (Lavender)
- One member representing Region VII (Yellow)



The President shall appoint Region Representatives from Regions I, III, V, and VII on odd years and Region Representatives from Regions II, IV, and VI on even years. When the term of any such Region Representative expires, the President shall appoint a member from that Region to serve as Region Representative, and all such appointments shall be for two-year terms.

B. The term of any person appointed as a member of the Board of Directors shall terminate thirty (30) days after his/her honorable departure from service. Vacancies on the Board of Directors shall be filled as set forth in Article IV, Section 3, and Section 5.

C. The Executive Director shall meet and serve with the Board of Directors in a non-voting, advisory capacity.

D. The President may appoint any person to serve on the Board of Directors in a non-voting, advisory capacity.

E. The Board of Directors may suspend or terminate any member of the Board of Directors for cause. A suspended or terminated member may exercise his/her due process by requesting a full hearing before the entire Board.

## **Section 3 COMPENSATION OF OFFICERS**

No officer of this Association may receive compensation, except for actual expenses incurred in the performance of his/her duties and for which budgeting provisions have been made. Expenditures other than above must be approved by a majority vote of the Board of Directors at an official meeting.

## **Section 4 MEETINGS**

A. The Board of Directors shall convene at the time of any regular business meeting of the Association.

B. Special meetings may be convened at the time and place as designated by the President, or upon request of at least five (5) members of the Board of Directors.

C. The Executive Director shall provide a written notice to each member of the Board of Directors at least ten (10) days in advance, whenever possible. Fifty (50) percent of the Board of Directors' voting members shall constitute a quorum for any of its meetings.

## **Section 5 ACTION WITHOUT MEETING**

If a matter should arise concerning the Association and requiring the action of the Board of Directors or members of the Association and it is impractical for either to hold a formal meeting, the matter may be submitted in writing by electronic communication to each member of the Board of Directors or the members of the Association entitled to vote thereon for its consideration. The notice of the proposal shall specify a deadline for voting thereon, not less than forty-eight (48) hours from the date of the communication of the notice. If approved in writing, by electronic communication by a majority of the members of the Board of Directors who are eligible to vote or a majority of the voting members of the Association, as the case may be, or by the required number of votes as may be otherwise specified in the Constitution or the Rules of the Association, the action so approved when taken by the Board of Directors or members of the Association shall be valid the same as though approved at a formal meeting thereof.

Voting on an issue(s) may also be conducted by telephone/video in situations of Board business urgency. In telephone voting situations, an official script describing the issue shall be prepared and read in its exact form to the Board members who are eligible to vote. The resulting action shall be documented and shall become valid

and official upon receipt and identification of a majority of votes from members of the Board who are eligible to vote, or by the required number of votes as may be otherwise specified in the Association Constitution or By-laws.

Action, as identified in this section, shall be documented, and retained in official Association “Action Without Meeting” minutes. Discussion used in telephone/video voting shall become part of the corresponding minutes.

# **Article IV**

## **Section 1 DESIGNATION OF OFFICERS**

The voting officers of this Association shall be the President, the Vice President, the Treasurer, Seven Region Representatives, the Immediate Past President, the Sergeant-at-Arms, and the SACOP Representative. The Secretary/Parliamentarian shall be a voting member of the Board if an Active Member.

## **Section 2 QUALIFICATIONS**

An officer of this Association, apart from the Secretary/Parliamentarian, at the time of his/her election or appointment, shall be an Active Member and continuously for at least two (2) years immediately prior thereto, must be a member of the Association in good standing. Each officer, at the time of election or appointment, also shall be regularly engaged in active police service in the position of Police Chief or any comparable position of other law enforcement agencies.

## **Section 3. TERM OF OFFICE**

A. Immediately upon election during the annual meeting, the President, the Vice President, the Treasurer, and the Sergeant-at-Arms shall assume office.

B. Within thirty (30) days of assuming office, the President shall appoint those Region Representatives whose term of office has expired. Region Representatives shall serve on the Board of Directors until such time as new appointments are made.

C. Within thirty (30) days of assuming office, the President shall appoint a Recording Secretary/Parliamentarian and those committees deemed necessary and appropriate. All committees and the Recording Secretary/Parliamentarian shall serve in their existing functions until such time as new appointments are made.

## **Section 4. SUCCESSION OF OFFICE**

The offices of President and Vice President shall be filled in the following manner:

A. The Vice President of the previous year shall succeed to the Presidency.



B. The Sergeant-at-Arms of the previous year shall succeed to the Vice Presidency.

The Treasurer shall be elected at even year fall business meetings of the Association and shall serve for two years or until a successor is installed.

The remaining offices shall be filled in accordance with the guidelines set forth in Article IV, Section 3.

## **Section 5. FILLING VACANCIES**

In the event any officer of the Association ceases to be an Active Member or is unable to continue the duties of his/her office, the Board of Directors shall declare that office vacant and the office shall be filled in the following manner:

A. If the vacancy occurs in the office of the President, the Vice President shall become President,

B. If the vacancy occurs in the office of the Vice President, the Sergeant-at-Arms shall become Vice President,

C. If the vacancy occurs in the office of Sergeant-at-Arms, the President shall notify the general membership by electronic communication informing them of the vacancy and soliciting members interested in the office. Following reasonable notice, the President shall select one member in good standing to the Board for a vote. This person shall serve the remainder of the term. If the member wishes to continue as Sergeant -at-Arms, he/she will need run for that position.

D. Where the vacancy in the Sergeant-at-Arms office occurs within ninety (90) days prior to the annual meeting, the office shall remain vacant and will be filled at the annual meeting.

E. Where an officer is completing a term of office due to vacancy, that officer may remain in office during the next full term of succession except for the Sergeant-at-Arms position.

F. If the vacancy occurs in the office of the Treasurer, the President shall appoint a new Treasurer upon approval of a majority of the Board of Directors.

## **Section 6 NOMINATIONS**

A. There shall be a nominating committee composed of not less than six (6) Active Members in good standing appointed by the President, a simple majority of whom attend the regular fall meeting. The Chairman of the Nominating Committee shall be the Immediate Past President. In the event the Immediate Past President is unavailable, the President may appoint another Active or Life Member as Chairman of the Nominating Committee.

B. It shall be the duty of the Nominating Committee at the business session of the regular fall meeting to nominate at least one candidate for each office required to be filled by election.

C. Any member wishing to serve as an officer shall submit a letter of intent to the President. The letter of intent shall be submitted no more than 30 days prior to the annual election meeting. Each letter of intent should be accompanied by endorsements from two Active or Life Members. All such letters of intent shall then be presented to the Committee by the President for their consideration. If no letters of intent are received prior to the meeting, the Board of Directors shall fill the vacancy within 30 days following the annual election meeting.

## **Section 7 ELECTIONS**

A. All said nominations shall be voted upon by secret, written ballot unless there is only one candidate for the office to be filled. Prior to actual voting, all nominated members shall be given the opportunity to present their platforms to the general membership. The candidate receiving a majority of votes cast for each office shall be declared elected. In the event no candidate receives a majority of votes on the first ballot, another ballot shall be taken between the two candidates receiving the highest number of votes on the first ballot, and the one receiving a majority of the votes cast on the second ballot shall be declared elected.

B. In cases where the Nominating Committee's slate is submitted and no other nominations are made, the whole slate may be voted upon by a show of hands.

## **Article V**

### **Section 1 TIME AND PLACE**

The Association shall meet at least once annually at such time and place as shall be determined by the Board of Directors. Announcements of time and place shall be made for the forthcoming year at the regular fall business session when practical. In the event it is later determined by the Board of Directors that the time or place so selected will not be desirable or available for the meeting, the Board of Directors may select another time or place and official notice thereof shall be published at least three (3) months prior to the actual date of such regular meeting. In the event act or emergency beyond the control of the Board of Directors, a new location may be selected with notice given at least forty-eight (48) hours prior to the event. Notice will be in the form of electronic communication. For reporting purposes, the regular fall business session shall be designated as the Association's Annual Meeting.

### **Section 2 BUSINESS SESSION**

A. One session of each regular meeting of the Association shall be designated as a business session, notice of which shall be published by written notice at least thirty (30) days prior to the meeting. All official business of the Association requiring action of the members including the election of officers at the fall meeting, amending the Constitution, and passing upon proposed resolutions, shall be conducted at that session.

B. All committee Chairmen will provide a presentation of their activities and recommendations to the membership during the business session and may provide a written report of the same to the Executive Director.

### **Section 3 QUORUM**

Those members present at any business meeting shall constitute a quorum and are empowered to conduct business for the Association, provided that:

A. The meeting was properly announced as a business meeting as defined in Article V, Section 1, and Section 2.

B. At least one person in attendance is a voting member of the Association and does not serve on the Board of Directors.

## Article VI

### Section 1 Constitutional Amendments

This constitution may be amended by the affirmative vote of the majority of members present and eligible to vote at the business session of any annual or special meeting of the Association, provided that the proposed amendment, which may be filed by one or more members of the Association with the Executive Director, shall have been submitted with a written explanation of the reason for the proposed amendments at least forty-five (45) days before the meeting at which it is to be offered. The Executive Director shall reproduce the amendment and the reasons therefore and notify the membership of the Association therefore, by electronic communication, at least thirty (30) days before such meeting. The Board of Directors, before the business session of annual meeting, shall study and consider the proposed amendment and shall report its recommendations thereon to the Association before the membership shall vote upon it. In those cases, deemed necessary by the Board of Directors, and where a membership meeting is not apparent in the near future, the Executive Director may poll the membership by mail on amendments to the Constitution.

Constitution Adopted 05-06-77

Amended 08-11-77      Amended 07-20-17

Amended 09-24-79      Amended 09-28-20

Amended 10-12-81

Amended 09-27-82

Amended 09-14-83

Amended 10-01-84

Amended 06-14-85

Amended 09-12-86

Amended 10-03-88

Amended 10-03-95

Amended 10-14-97

Amended 10-13-03

Amended 10-18-05

Amended 09-21-10

## **By-Laws**

### **Section 1 PURPOSE**

As part of this Constitution, a set of By-Laws are established to aid in the efficient functioning of the Association. These By-Laws shall be considered the standing rules of the Association and shall be binding on all meetings and the conduct of business.

## **Article I**

### **Section 1 THE PRESIDENT**

A. The President shall act as Chairman of the Board of Directors and shall preside at all regular meetings of the Association and other meetings that may be required. He or She shall appoint such standing and special committees as are authorized by the Constitution, by the Association, or designated by the President. Membership of all committees shall also be appointed by the President and shall be limited to Active, Life, and Associate Members of this Association, in good standing.

B. The President shall be responsible to the Board of Directors for the functioning of all committees and shall perform such other duties as may, from time to time, be assigned to him/her by the Board of Directors.

C. As approved by the Board of Directors, annually, the President may choose to attend the International Association of Chiefs of Police Conference. The President's expenses shall be limited to the allocation set by the Board of Directors. Any overage shall be the President's personal responsibility.

### **Section 2 VICE PRESIDENT**

It shall be the duty of the Vice President to perform all the duties of the President during his/her absence. The Vice President may serve on the committees as appointed by the President.

### **Section 3 SERGEANT-AT-ARMS**

It shall be the duty of the Sergeant-at-Arms to secure prompt attendance of members at each session of all regular meetings, arrange the seating of members, assist the President in balloting at the election, and to take such steps as may be necessary to establish orderly meetings. The President may appoint as many assistants to aid the Sergeant-at-Arms as he deems necessary.

### **Section 4 TREASURER**

A. The Treasurer shall be the chief financial agent of the Association and shall exercise authority in financial matters in accordance with the Constitution and the Rules of the Association. The Treasurer shall be responsible for the general financial oversight of all funds and securities belonging to the Association and, subject to the approval of the Board of Directors, may determine the manner of depositing and safeguarding these funds and securities. The Treasurer shall have access to financial records and shall make regular assessments of those records.

B. The Treasurer, in partnership with the Executive Director, shall give bond to the Association in the amount and form fixed by the Board of Directors, the cost of such bond to be borne by the Association. The Treasurer shall cause the receipts and disbursements of the Association to be reviewed by an audit committee or a recognized firm of certified public accountants and shall make a full financial report to the Association at its regular meetings. The Treasurer shall promptly deliver all monies, securities, books, papers, and other property of the Association to his/her successor in office or to whosoever the Board of Directors may designate to receive such.

C. The Treasurer shall act as the Chair of the Finance Committee which will consist of the President, Vice-President, Treasurer and Executive Director. The Finance Committee shall prepare an annual budget. The Treasurer shall present the annual budget to the Board of Directors at the Fall Meeting for adoption.

D. The Treasurer shall present an annual financial report to the Board of Directors at its first meeting of the new fiscal year.

## **Section 5 REGION REPRESENTATIVES**

It shall be the duty of each Region Representative to represent his/her region on matters relative to the Association's activities and to coordinate the activities in his/her area on matters as directed by the President or Board of Directors. Each shall serve as a member of the Board of Directors.

A. It shall be the duty of each Region Representative to work directly with the Executive Director to coordinate training/meetings annually for his/her territory.

B. It shall be the duty of each Region Representative to notify the Executive Director of any retirements and help in scheduling the presentation of the members(s) retirement plaque.

C. It shall be the duty of the Region Representative to work with the Executive Director on identifying new Chiefs within their region. Region Representatives should make direct contact with a new Chief and coordinate a formal introduction to the Association.

D. Region Representatives may request the President to approve the addition of an Assistant Regional Coordinator to assist his/her region. This position will be a non-voting member.

## **Section 6 SACOP REPRESENTATIVE**

It shall be the duty of the SACOP(State Association Chiefs of Police) representative to represent the Association at IACP SACOP committee meetings and to keep the Board of Directors and membership informed about issues discussed. The SACOP representative shall serve as a member of the Board of Directors.

## **Section 7 Recording Secretary/Parliamentarian**

The position of Recording Secretary/Parliamentarian, if held by an Active Member, is hereby established as a voting member of the Board of Directors. The position shall be appointed by and serve at the pleasure of the President, without compensation.

Subject to the policies, rules, and direction of the Board of Directors, the Recording Secretary/Parliamentarian, or a designee, shall;

A. As directed by the President, record and maintain the official minutes of all meetings of the Association and the Board of Directors.

B. Keep and maintain a current copy of the Association constitution, By-Laws, and the Articles of Incorporation, distributing copies to the general membership as needed.

C. Act as parliamentarian at all Association and Board of Directors meetings, advising the presiding officer as requested.

D. Assist the Executive Director in the discharge of his/her responsibilities.

E. Perform such duties as may have assigned him/her by the President or Board of Directors; and

F. Verify that all Constitutional guidelines are followed regarding the elections and appointments of all positions.



## **Article II**

### **Section 1 Executive Director/Assistant to Executive Director**

The Executive Director and or Assistant to the Executive Director (can be 1 full-time or up to two part-time) shall be considered a contract employee of the Association and will be subject to the policies, rules, and direction of the Board of Directors.

### **Section 2 DUTIES AND RESPONSIBILITIES**

A. The Executive Director/Assistant to the Executive Director is considered a contract employee of the Association and any other umbrella organizations founded by the Association Board of Directors

B. The Executive Director/Assistant to the Executive Director shall serve as the central repository and maintain records, files, and the library of the Association.

C. The Executive Director shall disburse funds only in accordance with the provisions of this constitution and the Rules established by the Board of Directors.

D. The Executive Director shall prepare an annual financial report at the end of each year.

E. The Executive Director shall file all tax and non-profit related forms and reports as appropriate.

## **Article III**

### **Section 1 RULES OF ORDER**

In the absence of any provision to the contrary in this Constitution or the rules of the Association, all meetings of the Association and all meetings of the Board of Directors and of all committees shall be governed by the parliamentary rules and usages contained in the current edition of Robert's Rules of Order, Revised.

### **Section 2 PROXIES**

During any absence of any Active Member, such Active Member may appoint a representative of his/her own choosing to represent him/her at any annual or special meetings of the Association, providing such appointee is a regular member of the law enforcement agency of which the Active Member is a recognized executive head. The appointee shall have the right to participate in the discussion of the Association and vote the proxy of the Active Member. Notice of such appointment shall be given in writing to the President of the Association prior to any annual or special meetings of the Association and said proxy shall be effective only at the meeting next succeeding the receipt of said notice of appointment.

### **Section 3 APPLICATIONS**

A. Applications or recommendations for every membership in this Association shall be submitted on such form and in such manner as the Board of Directors may prescribe. The final determination of any question relating to the eligibility shall be made by the Board of Directors.

B. Any willful misstatement in the application for any type of membership or in any supplemental paper shall be grounds for rejection of the application or, if the applicant has been elected to membership, for the expulsion of the endorser from membership in the Association.

## **Section 4 RESOLUTIONS**

A. The President may appoint a Resolutions Committee consisting of a minimum of three (3) members of those Active Members registered for the meeting.

B. Every resolution offered for the consideration of this Association shall be in writing and concise in form. Each resolution presented to the Association shall be referred by the President on presentation, without debate, to the Resolutions Committee for hearing, consideration, and report to the membership at the business session of any regular meeting of the Association. Resolutions offered by the President to the Resolutions Committee for formal presentation, with its recommendations thereon, shall be presented at the same time as all other resolutions requiring action by the members. Only resolutions which are reported favorably by a committee, or which are adopted by a majority of the members present and voting at the business session of any regular meeting of the Association, need to be published in the proceedings of any meeting.

C. When acting on behalf of the Association and where it is not reasonable to wait for a general membership meeting, the Board of Directors are empowered to enact special resolutions on behalf of the Association to address specific conditions. The general membership shall be informed of such resolutions at the next regular meeting.

## **Article IV**

### **Section 1. Fiscal Year**

The fiscal year of the Association shall be from January 1 to December 31. The annual budget of the Association shall be presented to the board for adoption by the Board of Directors for the forthcoming fiscal year at its regular fall meeting.

### **Section 2 RECEIPT OF FUNDS**

A. The Association may accept special donations or bequests and devises of personal and real property from public-spirited persons, corporations, or organizations having a philanthropic interest in the work of the Association, to provide sufficient and additional means for the aid of the Association, or to carry out its general or special purposes. Such funds shall be spent in accordance with the terms of the donor as agreed upon by the Association.

B. All special funds granted to the Association shall be under the administrative supervision of the Board of Directors.

### **Section 3 DUES**

- A. Annual membership dues shall be established as part of the By-laws and may be changed by a majority vote of the Board of Directors.
- B. Life Members shall pay no dues after retirement from law enforcement.
- C. Dues shall be payable annually in advance and due on January 1st of each year and will include any benefits provided by the Association.

### **Section 4 Retention of Property Interest**

All rights, title, and interest, both legal and equitable, in and to the property of this Association shall remain in the Association. If any such property shall be in the possession or trust of a member, it shall be returned immediately to the Association in the event of his/her death, resignation, suspension, or expulsion.

## **Article V**

### **Section 1 AMENDMENTS**

- A. The By-Laws may be amended by the affirmative vote of the majority of members present and eligible to vote at a regular meeting of the Board of Directors or the general membership.
- B. Where an amendment has been passed by the Board of Directors, the Board shall present such amendment before the general membership at its next regular meeting for ratification by a majority of those present and eligible to vote.
- C. Where such ratification fails, the amendment shall be deleted from the By-Laws.