



American Probation and Parole Association

APPA CONSTITUTION

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APPA CONSTITUTION PREAMBLE

We, the members of the American Probation and Parole Association, recognize the crucial need to reduce the incidence of criminal, delinquent and harmful behavior by persons under supervision and to reduce recidivism through the practice of pretrial, probation, parole and community corrections. We value and respect human life and believe that every individual has the capacity to change. We work to protect society by providing information to the criminal and juvenile justice systems and services to persons under supervision which lead to the reduction of the risk of reoffending while increasing the individual's ability to function as a law abiding citizen. We strive to further serve our communities by addressing the needs of victims through restitution and other types of community service programs. We hereby:

Commit ourselves to the improvement and advancement of pretrial, probation, parole and community correction practices at all levels by fostering the development of necessary knowledge, skills, resources and legislation for the most equitable, effective, and efficient service delivery system possible; a system that identifies and reduces bias in all forms.

In order to achieve these ends, we shall further commit ourselves to the promulgation of appropriate standards and guidelines that will enhance the professional status of pretrial, probation, parole and community corrections personnel and thereby secure the confidence and respect of the citizenry. We will promote policies and provide training, information, services and benefits that improve and enhance our constituents' skills, knowledge, work environment and physical, psychological and financial wellbeing. To accomplish the above noted aims, we, the members of the American Probation and Parole Association, do hereby adopt and dedicate this constitution.

ARTICLE I: OFFICIAL TITLE AND ORGANIZATIONAL STATUS

Section 1: Title

The name of the Association shall be the American Probation and Parole Association and shall be referred to hereinafter as the Association.

Section 2: Incorporation

The Association shall be incorporated as a non-profit organization under the laws of the State of North Carolina. The Association shall not have as its purpose pecuniary gain/profit, incidental or otherwise, for any of its members.

Section 3: Perpetuity

The duration of the Association shall be perpetual.

Section 4: Funding

The Association may enter into contracts or execute and deliver any contract, or instrument on behalf of the Association. The Association may solicit and receive funds and grants to aid in the carrying out the purpose, goals and functions.

ARTICLE II: GOALS AND FUNCTIONS

The goals and functions of the Association are to:

1. Advance pretrial, probation, parole and community correction practices.
2. Provide professional development opportunities to the field of probation, parole, pretrial and community corrections.
3. Promote high standards of professionalism at all Association activities.
4. Promote international communication and exchange of ideas.
5. Provide relevant and timely information to the field in order to promote effective practices across pretrial, probation, parole and community corrections.
6. Increase public awareness and support of pretrial, probation, parole and community corrections as a meaningful justice system response to reduce criminal or delinquent behavior.
7. Foster the development of innovative practices, research and program evaluation.
8. Promote awareness of the importance of staff health, safety and strategies to improve the quality of life.
9. Advocate for resources, programs and services to address the needs of victims.
10. Seek out and leverage the unique perspective of justice-involved individuals to improve service delivery and outcomes.

ARTICLE III: CONSTITUTIONAL AMENDMENTS

Section 1: Changes to the Constitution

Proposed amendments to the constitution may be recommended to the Constitution and By-Law Review Committee by any individual member of the Association, the designated representative of an agency member, or the designated representative of an educational member in writing.

Section 2: Process:

The Constitution and By-Law Review Committee will review the proposed amendment(s) and present their recommendation to the President of the Association. The President shall notify the Board of Directors of the proposed amendment and the recommendation of the Constitution and By-Law Committee.

Section 3: Voting:

The President of the Association shall put the proposed amendment to the Board of Directors for a vote. The amendment may proceed with the

approval of a two-thirds majority of the entire board.

Amendments receiving Board of Director approval shall be presented to the body of members with voting rights (individual members, lifetime members, student members, the (one) designated representative of each educational membership and the (one) designated representative of each agency membership). After a 30-day posting, votes shall be taken electronically, and a two-thirds majority of those voting is required to pass an amendment.

The effective date of the amendment shall be contained within the amendment. The vote of the membership is binding on the Board of Directors.

Section 4. Notification:

The Executive Director shall publish notification of the passed amendment(s) on the Association website.

The Constitution was revised and approved by the members on:

January 8, 1995
September 27, 1995
February 7, 1996
January 4, 1998
July 26, 2000
August 24, 2003
July 11, 2007
August 6, 2009
February 28, 2011
May 8, 2012
August 5, 2014
August 27, 2020

APPA BY-LAWS

ARTICLE I: MEMBERSHIP

Section 1: Membership Levels

There shall be the following memberships:

- Individual: An individual membership is open to any interested person. Individual members may serve on committees, chair a committee and may run for an elected position.
- Educational: An educational membership is open to any educational institution interested in furthering study and awareness of pretrial, probation, parole and community corrections.
- Affiliate: An Affiliate membership is available to any association of professionals directly involved in pretrial, probation, parole, or community corrections.
- Agency: Agency membership is available to any local, county, state, federal, tribal, provincial or private agency that operates community corrections programs.
- Corporate: Membership is open to any corporation with an interest in the field of pretrial, probation, parole or community corrections. All corporate memberships are subject to approval by the Board of Directors.
- Library Membership: This membership is open to any academic, school-based, public, or specialized library interested in furthering study and awareness of pretrial, probation, parole, and community corrections.
- Student Membership: A student membership is open to any college student interested in furthering their professional development in pretrial, probation, parole, community corrections, social sciences, or education.
- Lifetime Membership: Lifetime membership is open to individuals with 25 years' experience working in the adult or juvenile community corrections field. Individuals must also have been an individual member of the Association for at least 10 years and held a position on the Board of Directors. The Lifetime member will receive all the benefits of an individual member.

Section 2: Terms and Conditions

Membership shall commence after an application has been approved by staff and fees are paid in accordance with the membership categories established and set by the By-Laws. Membership shall expire if

membership fees become sixty (60) days past due. Fees paid shall not be refunded or transferred. If a Board or Committee position is being held by a person who has failed to pay dues as required, that individual forfeits the position.

ARTICLE II: ORGANIZATIONAL STRUCTURE: DEFINITION AND DUTIES

Section 1: Executive Committee

The Executive Committee includes the following:

- ❖ President
- ❖ President-Elect
- ❖ Vice President
- ❖ Secretary
- ❖ Treasurer
- ❖ Executive Director (non-voting)

The Executive Committee shall function as the association's steering committee providing overall direction for the Executive Director and the Board of Directors. The Executive Committee has the power to act on behalf of the full board in exigent circumstances. The Executive Committee works with the Executive Director in establishing Association goals and completing annual performance evaluations. The Executive Committee shall establish the Executive Director's compensation package and performance expectations, which shall be reviewed annually by the Board of Directors.

The Executive Committee establishes meeting agendas for the full board, and task forces, reviews serious issues and determines which topics/issues reach the board of directors and streamlines activities that the board needs to address.

Section 2: Board of Directors

The Board of Directors shall consist of 15 members, each having one vote in matters brought before the BOD, and include the following:

1. President
2. President-Elect
3. Vice President
4. Secretary
5. Treasurer
6. Immediate Past President
7. Second Past President
8. Region 1 Regional Representative
9. Region 2 Regional Representative
10. Region 3 Regional Representative
11. Region 4 Regional Representative
12. Region 5 Regional Representative
13. One (1) Member at Large
14. One (1) Line Staff Representative
15. One (1) Affiliate Representative

The Board of Directors is responsible for guarding the vision of the Association,

setting goals and providing leadership to the field. The Board shall ratify actions of the Executive Committee. Furthermore, the Board is responsible for presenting and discussing issues germane to the field and setting the course for future initiatives of the Association.

a) President

The President shall serve as the Chair of the Board of Directors. The President shall be an ex-officio member of all standing committees and shall have the general power and duties usually vested in the office of President.

The President, with majority approval from the Executive Committee, may take formal positions on matters when deemed administratively expedient. Such actions shall be reported to the Board of Directors at the next scheduled meeting. The President, with Board of Director approval, shall notify committee chairs, Board members and Area Representatives of termination of their position should they be in non-compliance with the by-laws or Board of Director expectations.

b) President-Elect

The President-Elect shall serve as an aide to the President. They may have duties as assigned by the President, Executive Committee or Board of Directors. The President-Elect shall assume the duties of the President when the President is unable to act. If the President resigns or cannot continue, the President-Elect shall take over the term of President.

The President-Elect shall assume the duties of the President of the Association on July 1 of each year.

c) Vice President

The Vice President shall assume the general responsibilities as assigned by the Executive Committee or Board of Directors. The Vice President shall coordinate overall Regional Representative and Area Representative activities in furtherance of Association goals and to ensure that the voice of the membership is communicated to the Board of Directors. The Vice President shall act in the capacity of President should the President and President-Elect be absent.

d) Secretary

The Secretary shall take the minutes for all Executive and Board of Director meetings. They will provide copies of all minutes upon request. They will act as clerk for the Association should there be a need for a roll call vote.

The Secretary shall be responsible for oversight of all records of the Association with the exception of financial and membership records and shall ensure the proper maintenance of the records of all official meetings of the Board of Directors and Executive Committee. They shall ensure the distribution of special and regular meeting notices and act upon all communications as directed by the President. The Secretary shall ensure all members are provided access to issue papers, position statements, resolutions and constitutional amendments adopted by the Association.

e) Treasurer:

The Treasurer, in conjunction with the Association's Finance Committee, shall prepare the annual budget. The Treasurer shall have access to all financial records and shall maintain these records for the Association. The Treasurer shall provide regular financial updates to the Board of Directors.

The Treasurer shall assist with the submission of financial records for an external audit when requested.

f) Immediate Past President

The Immediate Past President shall be designated as the individual whose elected presidential term with the Association has just ended with the installment of the new President.

The Immediate Past President duties are to advise and assist the President on deadlines, timelines and management issues. In addition, this position provides the Board with history, knowledge of past activities and responsibilities as President.

g) Second Past President

The Second Past President shall be an individual who has previously served as President at some point prior to the Immediate Past President. This position shall be elected by the Past Presidents of the Association.

The Second Past President duties are to assist the Board of Directors with institutional knowledge, continuity of operations and long range perspective.

h) Member at Large Representative

The Member at Large Representative is an elected position open to all individual members. Their duties are to attend all Board of Director Meetings and bring forth issues and concerns.

i): Line Staff Representative

The Line Staff Representative shall be an individual in a non-supervisory or non-management role at the time of their election. This individual shall have served 10 years or less in the corrections field.

The Line Staff Representative duties are to attend all Board of Director meetings and bring forth issues and concerns.

j) Affiliate Representative

An Affiliate Representative shall be elected to the Board of Directors by affiliate organizations connected with the Association.

The Affiliate Representative is responsible for communicating information between the Association and the affiliate organizations and identifying potential initiatives of mutual interest and benefit.

k) Regional Representatives

There shall be five (5) Regional Representatives elected to the Board of Directors by members in their Region.

The duties of the five (5) Regional Representatives are to be the primary contact between the Association and constituents within their regions.

Working with Area Representatives, they are to collect issues and needs such as training, advocacy, research, guidance, etc. from their region and bring forth to the Board of Directors, Executive Committee or Executive Director for discussion and resolution. Further, Regional Representatives shall gather input from Area Representatives on voting matters that come to the Board of Directors. The Regional Representative is to have a minimum of two meetings per year with the Area Representatives in their region. The Regional Representatives are to establish regional goals and objectives in coordination with the Vice-President.

Section 3: Area Representatives

Area representatives are not members of the Board of Directors or Executive Committee. There shall be 53 Area Representatives, one for each U.S. State and one each for Canada, the District of Columbia and U.S. Pacific Island Territories. Area representatives must be an individual member and be elected by the eligible members in their geographic coverage area. They are to promote Association memberships, training, and the Association in general. Area Representatives are to set goals with their Regional Representative, recommend training needs in their areas and discuss ideas and issues with their assigned Regional Representative.

Section 4: Vacancies on the Board of Directors:

When a vacancy occurs in the office of the President, the President-Elect shall assume the office of the President of the Association for the balance of the term.

When a vacancy of an elected position on the Executive Committee or Board of Directors occurs, the President shall call for a special election to be held to elect a new officer to replace the vacancy if the position is more than 180 days from the next election.

Special Elections shall be held within sixty (60) days of written notification to the President that the Officer will be unable to serve in that position. The newly elected Officer will immediately assume the vacant position for the remainder of the unexpired term following the election. All other board vacancies shall be nominated by the President and approved by the Board of Directors by a two-thirds vote to fill out the individual's term until it expires.

ARTICLE III: BOARD OF DIRECTORS

Section 1: Qualifications

To qualify for a position on the Board the candidate must be an individual member of the Association in good standing, willing and able to fulfill the duties of the office for which nominated, and be willing and able to serve in the office for the length of time necessary to fulfill the duties of the office.

Section 2: Termination from Board

Any Board Member or Area Representative who fails to meet the standards of the position may be terminated upon the two-thirds vote of the Board of Directors.

Section 3: Installation

All Board members shall be installed on July 1st of each year.

ARTICLE IV: REPRESENTATIONAL STRUCTURE

Section 1: Makeup

For purposes of allocating representatives from the states and territories of the United States, Canada and other countries where its members reside, the Association will designate appropriate geographic regions based on the membership distribution. The Board of Directors shall review the membership distribution periodically and adjust the regions accordingly.

Section 2: Regions:

There shall be five (5) geographic regions in the Association. The Regions are set up as follows:

Region I:

Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, U.S Caribbean Territories, Canada, and other countries.

Region II:

Michigan, Indiana, Illinois and Ohio

Region III:

Texas, Oklahoma, Missouri, Louisiana, Alabama, Mississippi, Tennessee, Kentucky, Georgia and Florida

Region IV:

North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, Nebraska, Colorado, Kansas and Missouri

Region V:

Alaska, Washington, Oregon, California, Hawaii, Arizona, New Mexico, Nevada, Utah, Idaho, Wyoming, Montana and U.S. Pacific Island Territories

ARTICLE V: VOTING

Section 1: General Election Voting Rules

All members in good standing are eligible to vote in elections as indicated below.

Section 2: Voting Rights for Specific Board of Director Positions

- President-elect, Vice President, Treasurer, Secretary, At-large Representatives

Eligible to Vote: Voting for the above positions is limited to all individual members, lifetime members, student members, the (one) designated representative of each educational membership and the (one) designated representative of each agency membership.

- Second Past President

Eligible to Vote: Voting is limited to those members who have previously served as president of the association.

- Regional Representative

Eligible to Vote: All individual members, lifetime members, student members, and the (one) designated representative of educational memberships and the (one) designated representative of agency memberships may vote for *one* Regional Representative, based on the member's address of record.

- Affiliate Representative

Eligible to Vote: Voting is limited to the designated representatives of each affiliate organization on record with the Association.

- Area Representatives (Non-Board of Director Position)

Eligible to Vote: All individual members, lifetime members, student members, and the (one) designated representative of educational memberships and the (one) designated representative of agency memberships may vote for one Area Representative, based on the member's address of record.

Section 3: Not Eligible to Vote

Representatives of corporate members, associate members, and library members are **not eligible** to vote in any elections.

ARTICLE VI: LENGTH OF OFFICE AND LIMITATIONS

Executive Committee members shall serve two years in their elected office. The President and President-Elect shall be limited to one term. All other Executive Committee Members shall be limited to no more than two consecutive terms in the same position and cannot hold two elected positions simultaneously. Any person who has held the role of President of the Association is not eligible to run for future elected positions, excluding the Second Past President position.

Other Board of Director positions shall serve three years in their elected position

and shall be limited to no more than two consecutive terms. Partial terms due to an appointment or special election are excluded from the calculating term limits.

ARTICLE VII: COMMITTEES

In addition to the Executive Committee, there are four standing committees. The Committee Chairperson(s) shall be appointed by the President and serve at their pleasure. The committees shall report to the President of the Association or the President's designee. All committee members must be individual members of the Association.

Section 1: Nominations:

On January 1st of each year, the Nominations Committee shall solicit written nominations for all open Association positions. This committee, with staff assistance, shall email all Association members the requirements of how to self-nominate or nominate a colleague. If they are recommending a colleague, members must include written documentation that this individual has accepted the offer to run for office and is willing to perform the required duties. There will be one voting opportunity for all individual members to vote for the candidates of their choice. Ballots shall only include the positions for which the individual member is eligible to vote. All positions require a minimum of two eligible candidates, unless all efforts have been exhausted by the committee.

On March 1st of each year a slate of all open positions that have been vetted, will be presented by the Nominations Committee Chair or designee to the Board of Directors for review. The Board of Directors shall approve the slate of candidates and the ballots shall be developed by Association staff for the specific regions.

On April 1st of each year the voting shall commence by electronic means. Voting shall remain open for 21 calendar days for all individual members in good standing. Association staff shall be responsible to notify all eligible voters through electronic means as well as posting how to access ballots and the slate of candidates on the Association website. The Executive Director shall inform the Nominations Chair of the results who will then notify all candidates. The Nominations Committee Chair shall present the election results to the members via a member email and posting on the Association website prior to May 1 of each year unless a change is authorized by the President.

Section 2: Constitution and By-Laws Review

The Constitution and By-Law Review Committee shall respond to Association member inquiries regarding constitutional issues, clarification requests and proposed amendments in writing from individual members. The committee Chair shall respond in a timely manner and a copy of the response shall be provided to the President. It is the committee's responsibility to interpret the constitution and by-laws, clarify issues and make recommendations on proposed amendments to the President.

Section 3: Research and Review

The Research and Review Committee receives, reviews, and recommends adoption of issue papers, position statements and resolutions (IPRs) on behalf of the Association.

Draft IPRs may be submitted to the Research and Review Committee by any individual member of the Association. The Committee shall review all such submissions for their relevancy to the organization's vision, appropriateness in furthering the goals and functions of the Association, and alignment with existing evidence. As needed, the Committee shall collaborate with the submitter to finalize the draft IPR.

IPRs recommended for adoption shall be presented to the Executive Committee for review and approval. If approved, the IPR shall be presented to the Board of Directors for approval by a simple majority.

IPRs adopted by the Board of Directors shall be communicated to the membership by the Executive Director of the Association.

A permanent record of all adopted IPRs shall be kept by the Executive Director of the Association.

The President, with majority approval from the Executive Committee, may take formal positions on matters when deemed expedient. Such actions shall be reported to the Board of Directors at the next scheduled meeting.

Section 4: Finance Committee:

The Finance Committee shall develop the Association's annual budget. The Treasurer of the Association shall be the chair of this committee and will present a budget to the Board of Directors no later than the first meeting of the fiscal year.

The Finance Committee shall monitor the Association's fiscal health and ensure that expenditures are aligned with the goals and mission of the Association. The Finance Committee shall develop recommendations and/or report issues of concern to the Board of Directors, as needed.

Section 5: Ad Hoc Committees:

The President may establish ad hoc committees. In doing so, the President shall appoint a chair of each committee who shall report to the President as directed and work towards the goals set by the President. The President has the authority to end the service of an ad hoc committee and/or chair at will. Committee chairs may appoint individual members to serve on their respective committees.

ARTICLE VIII: MEETINGS

Section 1: Executive Committee

The Executive Committee shall meet on a regularly schedule based on the needs of the organization.

Section 2: Board of Directors

The Board of Directors shall meet at least quarterly, but may meet more often as needed to meet the needs of the Association. Special meetings of the Board of

Directors may be called at any time by the President or upon written request of a majority of the Executive Committee or majority of the Board of Directors.

Section 3: Quorums

A quorum for the Board of Directors requires at least two-thirds members of the Board.

A quorum for the Executive Committee requires at least three (3) members of the committee before a vote may be taken on matters brought before the committee.

Section 4: Proxy Voting

Members of the Board may appoint another Board member proxy to vote at meetings provided they serve written notice at or before the meeting to the Secretary.

Section 5: Rules of Order

The most current version of Roberts' Rules of Order for Parliamentary Proceedings shall be used as a guide to govern meetings and debate except when in conflict with the Constitution or an established By-Laws of the Association.

ARTICLE IX: EXECUTIVE DIRECTOR

Section 1: Role and Responsibilities of the Executive Director

The Executive Director shall be the Chief Executive Officer of the Association, responsible for the overall leadership, administration, and management of the Association.

The Executive Director shall be knowledgeable about the community corrections field and have experience in administration and managing budgets. The Executive Director leads day-to-day operations including management of the Associations products and services and administration of grants. The Executive Director is responsible for managing the budget and the financial health of the Association.

The Executive Director may expend Association funds within the approved budget as are necessary for the operations of the Association. All other expenditures need Board approval. If the Executive Director acts outside of this purview, such actions shall be brought to the attention of the Board of Directors.

The Executive Director serves as the spokesperson for the Association with the media and public and communicates approved Association policies, resolutions and positions.

The Executive Director reports directly to the President and serves at the pleasure of the Board of Directors.

The Executive Director shall be a non-voting member of the Board of Directors and the Executive Committee. The Executive Director shall attend all Board of Director and Executive Committee meetings and provide information as requested. The Executive Director is an ex-officio member of every committee.

Section 2: Employ or Terminate Executive Director

The Board of Directors with a minimum of two-third's approval may appoint or terminate an Executive Director. The Board of Directors may establish an Executive Office to assist in conducting the business of the Association.

The Board of Directors within the framework of the approved budget may enter into contracts to carry out the functions of an Executive Office on behalf of the Association.

ARTICLE X: AMENDMENTS TO THE BY-LAWS

Section 1: Changes to the By-Laws

Proposed amendments to the by-laws may be recommended to the Constitution and By-Law Review Committee by any individual member of the Association in writing.

Section 2: Process:

The Constitution and By-Law Review Committee will review the proposed amendment(s) and present their recommendation to the President of the Association. The President shall notify the Board of Directors of the proposed amendment and the recommendation of the Constitution and By-Law Review Committee.

Section 3: Voting:

The President of the Association shall put the proposed amendment to a vote after a 30-day public comment period open to members. Amendments to the by-laws require a two-thirds majority of the Board of Directors present and voting. The effective date of the amendment shall be contained within the amendment.

Section 4. Notification:

The Executive Director shall publish notification of passed amendment(s) on the Association website.

ARTICLE XI: INTERPRETATION OF CONSTITUTION AND BY-LAWS

In the event that there is any question as to the interpretation of the Constitution or the By-Laws of the Association, the Constitution and By-Law Review Committee shall research the question and provide information to the Board of Directors upon which to base a decision on the interpretation.

The decision of the Board of Directors shall require a two-thirds vote. The decision of the Board of Directors shall be final.

The By-laws were revised and approved by the members on:

January 8, 1995

September 27, 1995
February 7, 1996
January 4, 1998
July 26, 2000
August 24, 2003
July 11, 2007
August 6, 2009
February 28, 2011
May 8, 2012
August 5, 2014
August 27, 2020