

**FBI NATIONAL ACADEMY ASSOCIATES  
NEW YORK STATE & EASTERN CANADA CHAPTER, INC.  
CONSTITUTION and BY-LAWS**

The following articles formulate and outline the Constitution and By-Laws of the FBI National Academy Associates – New York State & Eastern Canada Chapter, Inc.

**I. NAME OF THE ORGANIZATION**

The name of the organization shall be:

The FBI National Academy Associates, New York State & Eastern Canada Chapter, Inc. (FBINAA NYS/EC Chapter).

**II. TERM OF THE ASSOCIATION**

The term of the Association shall be perpetual.

**III. PURPOSE OF THE ASSOCIATION**

The purpose of this Association shall be to:

- A. Uphold and defend the Constitution of our respective country and the local laws of our respective jurisdictions;
- B. Protect our country from any and all enemies, whether foreign or domestic;
- C. Always be on the alert and ready to take proper action against any person or persons who propose the overthrow of our form of government or who violate a law involving the person or property of any citizen;
- D. Promote and encourage training programs in the various duly constituted law enforcement departments in our country;
- E. Maintain police training under the direction, control and sponsorship of law enforcement officials and organizations;
- F. Assist in every way possible, individually and as an organization, to the end that all law enforcement officers of our country may receive the benefit of our training received at the FBI National Academy;
- G. Cooperate and encourage cooperation with the Federal Bureau of Investigation (FBI) in any and every way possible;

- H. Use and inform all law enforcement officers of the various facilities of the FBI and like facilities in their respective countries available to them, and encourage their use and in doing so increase the efficiency of law enforcement throughout the world;
- I. Perpetuate the memory of our association with the members of our class, associates, both national and international, and the faculty of the FBI National Academy;
- J. Attend and encourage attendance at all meetings and functions of our Chapter and all retraining sessions of the FBI National Academy Associates;
- K. Encourage and assist in the enlightenment and education of the general public in matters of interest of our citizenry, and particularly regarding their responsibility to cooperate with law enforcement officers in the detection and prevention of crime, and to transmit all information possible to the proper authorities that will aid in the solving of crimes when committed and the apprehension of criminals responsible thereof;
- L. Exchange and disseminate ideas and information with all duly constituted law enforcement officers and the general public in all matters of mutual interest, thereby pledging and striving for the highest degree of respect for law and order and the maintenance thereof; and
- M. Always conduct ourselves in both private and official positions in a manner that will lend strength, dignity and credit to the profession of law enforcement.

#### **IV. MEMBERS OF THE ASSOCIATION A.**

##### **MEMBERSHIP**

Membership in this Association shall be limited to the following:

1. Individuals who have satisfactorily completed the prescribed course of instruction in the FBI National Academy and who are actively engaged in law enforcement duties, the nature of which would qualify a candidate for admittance to the FBI National Academy.
2. Graduates of the FBI National Academy who are regularly retired from law enforcement work, the nature of which would qualify a candidate for admittance in the FBI National Academy;
3. Members, excluding retired members, shall be from one of three (3) Divisions listed in Article VI-C;
4. Active and retired Special Agents of the FBI who have served as counselors and/or Field Office National Academy Coordinators for a National Academy session or who have been directly involved as a regularly appointed full-time

administrator of the National Academy Program at FBI Headquarters. Active and retired Special Agents shall not be eligible to hold association elected office at either the local or national level.

5. Special agents of the Federal Bureau of Investigation who have been involved in and have supported the National Academy Program may be nominated for membership by the Chapter to the National Executive Board. The Chapter shall provide the National Executive Board with such nomination along with documentation of support, service and/or involvement for review and approval of the nominated Special Agent's membership.
6. There shall be no honorary or other types of membership except active membership.

#### B. DUES

1. The dues of this Association shall be payable annually (upon receipt of the dues notice) in the amount approved by two-thirds (2/3) majority of the members present at an annual Chapter business meeting.
2. A member in good standing shall be defined as a member who pays dues annually for a minimum of two continuous years (except for new graduates in their graduation year).
3. A member is eligible for "retired dues" if retired as of January 1 of the dues year. There are no partial annual retirement dues.

#### C. PRIVILEGES AND BENEFITS

Members in good standing shall be entitled to all privileges and benefits of the Association including the right to vote, hold office (except as otherwise indicated) and participate or serve as a sponsor for the Youth Leadership Program or any scholarship programs offered and/or supported by the Chapter.

#### D. SUSPENDED FROM MEMBERSHIP

Any member of the Association shall be suspended from membership:

1. Upon severance of a member's full-time employment from duly constituted law enforcement, other than members retired in good standing;
2. Upon non-payment of any required dues, that being two consecutive years;
3. Upon participation in activity unworthy of, or inimical to, the best interests of law enforcement, as evidenced by any dismissal or requested resignation from any law enforcement agency based upon misfeasance or malfeasance, and by a majority vote of the Executive Board of this Association; or
4. Upon participation in activity unworthy of, or inimical to, the best interest of the FBI National Academy, or upon participation in activity unworthy of, or

inimical to, the best interest of the Federal Bureau of Investigation, and by a majority vote of the Executive Board of the Association.

#### E. REINSTATEMENT OF MEMBERSHIP

1. A member of this Association suspended for non-payment of dues may be reinstated and become a member in good standing upon payment of all outstanding and required dues, that being the current and preceding year. The member may elect to pay only the current year's dues, in which case will become a member with limited privileges and benefits and will not be allowed to hold office, vote or participate in any Chapter programs requiring "dues current" status.
2. After a member has paid the required dues for two consecutive years, the member will be deemed to be a member in good standing. "Dues" consists of both the National Association and Chapter's annual dues payments, the amount of which is determined by each Organization.

### V. EXECUTIVE BOARD and DUTIES

#### A. PRESIDENT

The President of the Association may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association.

The President shall:

1. be elected for a one (1) year term at the Annual Meeting;
2. reside within the area of the Division office from which he/she is elected;
3. preside over all regular and special business meetings. In conducting meetings, the President's decision shall be final unless otherwise provided for by this Constitution. The President's decision may be reversed by a two-thirds (2/3) vote of the membership present at any business meeting;
4. appoint all pro-tem officers in case of absentees;
5. have the authority to call a special business meeting of the Executive Board, and shall notify the board members of the date, time, place, and purpose of the meeting, if in the opinion of the President, an occasion or circumstances arises to warrant the calling of such a meeting;
6. appoint a Secretary, Treasurer and Historian with the approval of the Executive Board;
7. serve as chairperson of the Executive Board;

8. appoint the members of all committees for which not otherwise provided;
9. serve as an Ex-Officio member of all committees;
10. appoint three Ex-Officio Board Members.

B. FIRST VICE PRESIDENT

The First Vice President may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association.

The First Vice President shall:

1. be elected for a one (1) year term at the Annual Meeting;
2. reside within the area of the Division office from which he/she is elected;
3. perform all duties for the good of the Organization required by the President and in case of death, incapacity, resignation, disqualification or other inability of the President to serve, shall assume the duties of the President. The assumption of such duties shall be for the current term for the office being filled.
4. shall be the responsible for organizing and conducting the Annual Chapter Training Conference, unless the Annual National Training Conference is being hosted by another Section IV Chapter, or the Executive Board elects not to host a Chapter Conference for that year.

C. SECOND VICE PRESIDENT

The Second Vice President may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association.

The Second Vice President shall:

1. be elected for a one (1) year term at the Annual Meeting;
2. reside within the area of the Division office from which he/she is elected;

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3. perform all duties for the good of the Organization required by the President, and in the case of death, incapacity, resignation, disqualification or other inability of the First Vice-President to serve, shall assume the duties of the First Vice-President. The assumption of such duties shall be for the current term for the office being filled.

4. shall be the responsible for assisting the First Vice-President with organizing  
and conducting the Annual Chapter Training Conference, when one is scheduled to be held.

D. THIRD VICE PRESIDENT

The Third Vice President may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association.

The Third Vice President shall:

1. be elected for a one (1) year term at the Annual Meeting;
2. reside within the area of the Division office from which he/she is elected;
3. perform all duties for the good of the Organization required by the President and, in the case of death, incapacity, resignation, disqualification or other inability of the Second Vice-President to serve, shall assume the duties of the Second Vice-President. The assumption of such duties shall be for the current term for the office being filled.

E. THE SERGEANT-AT-ARMS

The Sergeant-at-Arms may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association . The Sergeant-at-Arms shall:

1. be elected for a one (1) year term at the Annual Meeting;
2. reside within the area of the Division office from which he/she is appointed;
3. examine the membership present at the business meeting and permit no unauthorized persons to be present during the meeting. The Sergeant-at-Arms shall maintain order and shall perform any duty required by the President for the orderly conduct of such business meeting.

F. THE TREASURER

The Treasurer may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association.

The Treasurer shall:

1. be appointed for a term of four (4) years by the President with the approval of the Executive Board;

2. only serve two consecutive terms;
3. be a non-voting member of the Executive Board;
4. collect all dues and make an accounting of all funds annually by means of an independent audit as required by Article V Section 1 Paragraph B;
5. have the authority to disperse such monies as required in keeping with the policies established by the Executive Board;
6. be responsible for all the financial activity of the Organization, its not-for-profit status and its income tax reporting obligations;

G. IMMEDIATE PAST-PRESIDENT

The Immediate Past-President may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association. The Immediate Past President shall:

1. remain as a member of the Executive Board, in a non-voting capacity, for the year following his/her term as President;
2. provide guidance and counsel to the Executive Board as requested by the members of the Executive Board;
3. serve as the Chair of the Nominating and Elections Committee.

H. HISTORIAN

The Historian may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association. The Historian shall:

1. be appointed for a term of four (4) years by the President with the approval of the Executive Board;
2. only serve for two consecutive terms;
3. be a non-voting member of the Executive Board;
4. be the institutional memory for the Chapter by maintaining an accurate record of the Chapter's officers, events and significant programs.

I. GENERAL DUTIES OF THE EXECUTIVE BOARD

1. The Executive Board shall:

- a. perform all duties required of it by the Constitution and By-laws of the Chapter;
  - b. ensure the Treasurer's books and accounts are reviewed by an independent Certified Public Accountant at the end of each fiscal year, that being December 31. Said review shall include any and all accounts used to conduct the business and activities of the Chapter.
2. The term of office for all elected officers will be January 1 through December 31 of each year.
  3. The Oath of Office is to be taken by all officers each year at the Chapter's annual business meeting.
  4. Interim vacancies in any office shall be filled by appointment of the President with the concurrence of the Executive Board. The interim appointee shall hold office until the next regular business meeting of the Chapter at which time the election process is conducted.
  5. Interim appointments shall serve as fulfillment for the current term of the office being filled and will not count as a full term in office if less than 12 months.
  6. A majority of the voting members of the Executive Board shall constitute a quorum.
  7. All actions of the Executive Board shall be reported to the membership at the Chapter's annual business meeting.

#### J. THE SECRETARY

The Secretary may be fully retired and cannot be employed in any other employment or profession that is not compatible with the principles and purposes of this Association.

The Secretary shall:

1. Be appointed for a term of four (4) years by the President with the approval of the Executive Board;
2. Only serve two consecutive terms;
3. be a non-voting member of the Executive Board;
4. serve as Secretary to the Executive Board and the Chapter and shall perform such other duties as directed by the President;
5. be responsible for communicating Chapter business to the membership;
6. ensure that the chapter website is maintained and kept up to date.

## VI. BOARD OF GOVERNORS

### A. Board of Governors

1. The Board of Governors shall consist of nine (9) members of the Association, three (3) from each of the Chapter's three (3) Divisions. Members of the Board of Governors shall:

- a. be active in law enforcement duties, the nature of which would qualify a candidate for admittance to the National Academy.

However, once elected to a position on the Board of Governors, a member may retire from active law enforcement duties and shall not be required to forfeit their position, or their right to ascend to the Executive Board, unless they become employed in any other employment or profession that is not compatible with the principles and purposes of this Association.

- b. be elected for a three (3) year term at the Chapter's annual business meeting;
- c. not serve more than two (2) full terms, unless at the conclusion of the second full term, ascension into the Sergeant-at-Arms position is imminent;
- d. serve in an advisory capacity to the Executive Board and shall perform such other duties as the President directs;
- e. serve along with the Division Office FBINA Training Coordinator, Chapter members and Ex-Officio members as the planning board for each of the Chapter's Division Offices training activities.

2. The Executive Board shall also be a member of the Board of Governors. However, the law enforcement employment criteria for the Executive Board is as noted in Article V.

### B. Ex-Officios

1. The Board of Governors shall also consist of three (3) non-voting Ex-Officio members to represent each Division of the Chapter. The purpose and role of an Ex-Officio is to promote Chapter training activities and assist in obtaining support of said training activities.
2. No more than one Ex-Officio member may be appointed from a Chapter Division Office.

3. Ex-Officios:
  - a. are appointed by the Chapter President for a three (3) year term commencing January 1 and ending December 31;
  - b. appointments may be renewed at the discretion of the President;
  - c. may not serve more then two consecutive terms;
  - d. must be a “dues current” member in good standing of the Chapter and be a retired or former member of a federal, state or local law enforcement agency.
  
- C. For the purpose of election of representatives to the Executive Board and Board of Governors, the Chapter will be divided into three (3) Divisions which include the counties of New York State and provinces of Canada as follows:
  1. **Albany Division**

New York State Counties: Albany, Broome, Cayuga, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Tioga, Tompkins, Ulster, Warren, Washington;

Canadian Provinces: Quebec, New Brunswick
  2. **Buffalo Division:**

New York State Counties: Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, Yates;

Canadian Provinces: Ontario
  3. **New York City Division:**

New York State Counties: Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Westchester.

## VII. COMMITTEES

- A. The following committees shall be appointed annually by the Chapter President:

1. Nominating and Election Committee;
  2. Constitution and by-law Committee;
  3. Resolutions Committee;
  4. Retraining Session Program and Planning Committee;
  5. The Caesar F. Zymanek Scholarship, Edward F, Moore, Bart Hose, Joseph E. Schneider, Jr. and John Fahy Award Committees
  6. The Youth Leadership Program Selection Committee
  7. The Dues Hardship Committee;
  8. The Membership Committee.
- B. The Chapter President shall appoint all committees not otherwise established or provided for by this Constitution and By-Laws.
- C. No member of the Association can chair or be a member of a committee which is considering an appointment or other business of which that member is a party to.

## **VIII. BUSINESS MEETINGS OF THE ASSOCIATION**

- A. The Chapter's annual business meeting shall be held during each annual training conference. Members of the Chapter who are in good standing and present during any regular business meeting shall constitute a quorum. B.

The order of business shall be as follows:

1. Calling the meeting to order;
2. Roll call of members;
3. Report of officers;
4. Reading of minutes of previous meeting;
5. Bills and communications;
6. Reports of committees;
7. Nominations and election of officers;
8. Installation of officers;
9. Unfinished business;

10. New business;
  11. Discharge of committees; 12. Memorial to deceased officers;
  13. Adjournment.
- C. Roberts Rules of Order shall be followed for the conduct of Chapter business when not otherwise inconsistent with the provisions of the Chapter's Constitution and By-Laws.

## **IX. CHAPTER VOTING**

- A. Any question, issue or matter requiring a decision of the full membership, at any time other than during a regular business meeting, shall be accomplished by utilizing electronic mail (e-mail).
- B. The Secretary will process and conduct all e-mail voting, record and file vote results and report the results of such vote to the membership. C. The resulting report shall include the:
1. number of e-mail votes distributed;
  2. number of responses;
  3. distribution of yea/nay/abstention votes.
- D. Non e-mail subscribing members will be required to advise the Secretary of such status. These members alone shall be provided a ballot via U.S. Mail in lieu of using e-mail.
- E. Each Chapter member is responsible for updating the Secretary/Treasurer of any change in their mailing or e-mail address.
- F. Electronic mail shall not replace or substitute the election of officers that is conducted at the annual business meeting.

## **X. GENERAL PROVISIONS**

- A. Notwithstanding any other provision of these articles, the Chapter is organized exclusively for one or more of the following purposes: religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provisions of athletic facilities or equipment, or for the prevention of cruelty to children or animals, as

specified in section 501©(3) of the Internal Revenue Code of 1954, and shall not carry on any activities not permitted to be carried on by an Organization exempt from Federal Income tax under Section 501©(3) of the Federal Revenue Code of 1954.

- B. No part of the net earnings of the Organization shall inure to the benefit of, or to be distributed to, its members, trustees, officers, or other private persons, except that the Organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its purpose.
- C. No substantial part of the activities of the Organization shall be carrying on of propaganda, or otherwise attempting to influence legislation and the Organization shall not participate in, or intervene in (including the publishing or distribution of statements) and political campaign on behalf of any candidate for public office.
- D. Upon dissolution of the Organization, the governing body of the Organization shall, after paying or making provision for the payment of all of the liabilities of the Organization, dispose of all of the assets of the Organization exclusively for religious, charitable, scientific, testing for public safety, literary or education purposes, or for the prevention of cruelty to children or animals; or to such organizations organized and operated exclusively for one or more such purposes as shall at the time qualify as exempt organizations under Section 501©(3) of the Internal Revenue Code

of 1954, or to the Federal Government, a State or local government for a public purpose.

- E. All correspondence and records of all action, including any use of the tax exemption form, taken by the Executive Board, or any Chapter member on behalf of the Chapter shall be filed with the Secretary.
- F. No member will issue any receipt for a contribution/donation. No member may use the FBI, FBINA, FBINAA or New York State and Eastern Canada Chapter, Inc., logo without the permission of the granting authority.
- G. The logo, emblem or seal of the FBI National Academy Associates, New York State and Eastern Canada Chapter, Inc. will not be joined with any other organization other than the FBI, FBINA or FBINAA.
- H. The Financial Activity Procedure affixed as an addendum to this Constitution shall be strictly adhered to.

## **XI. AMENDMENTS TO THE CONSTITUTION & BY-LAWS**

- A. Amendments to the Constitution and By-Laws may be made by a vote of two-thirds (2/3) of members in good standing who are present at an annual business meeting in accordance with Article VIII-A.
- B. Members shall be advised of proposed changes to the Constitution & By-Laws via e-mail not less than thirty (30) days prior to a scheduled vote.
- C. The Secretary shall have on record the dates and locations of all votes resulting in an amendment to the Constitution & By-Laws.
- D. The Secretary shall file all previous versions of the Constitution & By-Laws and retain such documents as a permanent record of the Chapter.

