

Revised October 2006

**By-laws and Procedures of the
Private Investigators & Security Professionals of West Virginia**

Article One

Name

Section 1. The name of this association shall be the "Private Investigators & Security Professionals of West Virginia."

Article Two

Objective

The purpose of this association shall be:

Section 1. To ensure better understanding and to promote professional and social practices in the private investigation/security industry in West Virginia.

Section 2. To provide an organization to facilitate an interchange of ideas and information on subjects of common interest to its members.

Section 3. To assist members in enabling themselves to render reliable and professional services to their clients by providing education/training and supporting legislation to achieve their objectives.

Section 4. To adopt and enforce a code of ethics compatible with the best interest of both the providers and the clients of these professions.

Article Three

Membership

Section 1. There shall be three categories for membership.

A. Active licensed membership (voting membership) shall be comprised of all persons, firms, or corporations actively engaged in the provision of private investigative or private security services who file an application for membership, pay the required dues, and are accepted for membership by the membership committee. Note: The payment of dues under this section by any firm or corporation entitles only one designated member of that firm or corporation to be a voting member. All other employees or associates of that firm or corporation must join under section 1.B to be voting members.

B. Active practitioners membership (voting membership) shall be comprised of all persons who are actively employed by any person, firm, or corporation actively engaged in the provision of private investigative or private security services who file an application for membership, pay the required dues, and are accepted for membership by the membership committee regardless of whether their employer is a member under section 1.A above or not.

C. Associate membership (non-voting membership) shall be comprised of any person, firm, or corporation who sympathizes with the goals and ideals of this association and who submits an

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application for membership, pays the required dues, and is accepted for membership by the membership committee.

Section 2. Any eligible person for membership in any of the above categories shall submit a written application to the membership committee. A majority vote of those present at the committee meeting shall be required to enroll a member.

Section 3. Forfeiture of membership shall occur when there is a failure to pay dues within thirty (30) days after the due date of the date of application for new members or January first of each succeeding calendar year for renewing members. Each individual case of possible forfeiture of membership shall be reviewed by the Board of divisional Vice-Presidents.

Section 4. Re-instatement of membership will be granted on full payment of the total arrears of such dues without penalty or further imposition.

Section 5. Membership may also be terminated in this association for disregard or infraction of the By-laws and procedures of this association, or acts which would constitute anything inconsistent with the ethics, behavior, and aims of this association, or any deliberate crime committed against the laws of any city, state, or the United States government, wherever committed. Charges under this section against any member shall be presented in written form together with affidavits or sworn testimony of all witnesses and/or complainants to the Board of Divisional Vice-Presidents.

Any member so charged shall be afforded the opportunity to answer such charges in person and introduce any evidence relative to his defense.

Upon a finding of true cause by the Board of Divisional Vice-Presidents regarding such a complaint, the member charged shall be dropped from membership in this association. Should such a finding be made against any officer or Divisional Vice-President of this association, he/she shall be relieved of all duties immediately and a substitute officer or Divisional Vice-President shall be appointed by the Board of Divisional Vice-Presidents to assume his duties, and shall serve in that capacity until the next regular election of officers.

All records of charges, hearings, and findings concerning violations of this section, Article Three, section 5, shall be confidential. The only persons having access to such records shall be the member so charged, the President, and Divisional Vice-Presidents.

Article Four

Officers

Section 1. The officers of this association shall be President, Divisional Vice-Presidents, Secretary, and Treasurer. The offices of Secretary and Treasurer may be held by one person, or at the option of the members, by two individual persons.

Section 2. The election of the President, Divisional Vice-Presidents, Secretary, and Treasurer shall be the preferred order of business at the summer quarterly meeting of the association. They shall be elected by a majority of the votes cast by those active, voting members who shall cast their votes by official paper ballot.

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Section 3. Each officer shall take office on the date of election, and shall continue in office until his successor is elected, he resigns, or he is removed from office under the proper procedures prescribed in these by-laws and procedures.

Section 4. The Board of Divisional Vice-Presidents, three in number, shall be elected during the same term as the President to a term equal to his own term of office. Divisional Vice-Presidents shall consist of a) Vice-President of Investigations b) Vice-President of Security and c) Vice-President of Education and Training.

Section 5. The Board of Divisional Vice-Presidents shall appoint by majority vote an officer to fill an unexpired term.

Article Five

Duties of Officers

Section 1. The President shall preside at all meetings of the association, and shall have the power to call special meetings when necessary. He shall notify all concerned of the time and place of any special meeting called by him. He shall conduct the day to day business of the association between meetings, and report on any significant actions to the body of the association at the next regular meeting.

Section 2. The duties of the Divisional Vice-President shall be to preside when the President is absent. He/she shall be responsible for the functioning of the standing committees and provide input in his/her area of expertise. This duty may be rotated among the Board of Divisional Vice-Presidents should the President be absent long term.

Section 3. The Secretary shall notify the membership of the time and place of all meetings; take the minutes of all business meetings; handle correspondence on behalf of the association; keep an active register of membership, showing the members' names and addresses; publish and distribute the newsletter upon timely submission from the contributors, and perform all of the duties ordinarily incidental to the office of Secretary. **The original set of by-laws and procedures are to remain in the custody of the Secretary.**

Section 4. The treasurer shall handle all financial affairs of the association; collect the dues voted by the membership or the Board of Divisional Vice-Presidents; keep an accurate record of all receipts and expenditures. The Treasurer shall keep an accurate register of all members, showing their current dues status.

Article Six

Board of Divisional Vice Presidents

Section 1. The Board of Divisional Vice-Presidents shall be elected for a term equal to that of the President. These terms shall be two (2) years. The President shall be the chairman of this board, which consists of persons with expertise in their particular division.

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Section 2. The Board of Divisional Vice-Presidents shall assume office immediately upon election, and serve for the term of the President. They may serve additional years at the option of the next President.

Section 3. The Board of Divisional Vice-Presidents shall have general control of all matters relevant to the Private Investigators & Security Professionals of West Virginia with full power to act therein. The President shall have an independent vote only in the event of a tie vote or a refusal to vote.

Section 4. In addition to their regular duties, the Divisional Vice-Presidents shall serve as the grievance, ethics, and disciplinary committees.

Article Seven

Meetings

Section 1. There shall be four (4) meetings of this association each year, one held during each quarter. The time and place of such meetings shall be determined by the President.

Section 2. Special meetings of the Board of Divisional Vice-Presidents may be called by the President by directing a letter to the Secretary of this association designating the time and place for such meeting. The Secretary must send written notice to each Divisional Vice-President a minimum of ten (10) days prior to such meetings.

Section 3. The Chairman of two members of the Board of Divisional Vice-Presidents shall constitute a quorum at any one of its meetings.

Section 4. There will be a business meeting reviewing the affairs of the association to include the election of officers and their installation at the summer quarterly meeting of the association.

Section 5. A majority of members enrolled as attending the quarterly meetings of this association shall constitute a quorum.

Section 5. Special meetings of the association may be held at the discretion of the President, with a minimum of ten (10) days written notice to each member designating the time and place of such meeting.

Article Eight

Committees

Section 1. It shall be the duty of the President upon accession to office to appoint the chairmen of each standing committee. He shall also appoint the chairmen of such special committees as authorized by the body or the Board of Divisional Vice-Presidents during his term of office. The committee chairmen may appoint their own members to serve on their committees.

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Section 2. The standing committees will be active as necessary and the duties shall be:

A. Membership: To increase the membership, to investigate the qualifications of applicants for membership, and report recommendations thereon to the Board of Divisional Vice-Presidents.

B. Legislative: To keep members of the association advised of national, state, and local laws that are under consideration or that have been passed affecting members of this association.

C. Education: To encourage all members to participate in professional improvement courses, and any other courses or educational materials that would in any way broaden the members' knowledge and abilities. This committee shall provide a minimum of two professionally related classes at each quarterly meeting.

D. Convention and Program: To arrange quarterly convention activities to be held in conjunction with the quarterly business meetings of this association, to provide a program or keynote speaker to discuss subjects of interest and value to association members.

E. By-laws: To review the by-laws and procedures annually and make such revisions as necessary so that they are always current. Any revisions are to be immediately attached to the master copy.

F. Certification: To review the qualifications of applicants for certification by this association, to investigate those qualifications, and to certify or reject for certification, for just cause, those applicants.

G. Nominations and Elections: To oversee the nomination and election process, and to report the results of the elections at the summer quarterly meeting.

H. Audit: To review the finances of the Association every two years or more frequently if needed, at the discretion of the officers.

Article Nine Dues

Section 1. All active members as defined in Article 3, Section 1 .A, shall pay dues annually as follows: Licensed individuals — Sixty (\$60) dollars per year. Licensed firm or corporation — Sixty (\$60) dollars per year.

Section 2. All active members as defined in Article 3, Section 1.B, shall pay Twenty-five (\$25) dollars per year.

Section 3. All associate members as defined in Article 3. Section 1 .C, shall pay Twenty (\$20) dollars per year.

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Section 4. All dues are due and payable on the first day of January of each calendar year in United States Currency to the Treasurer of the association. Any member not paid thirty (30) days after the due date may be subject to termination of membership. Initial membership dues will be prorated at the rate of \$5 per month for licensed individuals, firms, or corporations; \$6.25 per quarter for firm/corporation employees; and \$5 per quarter for associate memberships.

Article Ten

Procedure at Meetings

- Section 1. Order of Business
- A. Meeting called to order.
 - B. Pledge of Allegiance
 - C. Reading by Secretary of minutes of the prior meeting.
 - D. Report of the Treasurer.
 - E. Reports of the committees.
 - F. Unfinished Business.
 - G. New Business.
 - H. Good and Welfare of the association.
 - I. Meeting adjourned.

At the discretion of the President, the order of business above may be varied provided it is not inconsistent with the normal order of business to be conducted at the meeting.

Section 2. The conduct of the meetings shall be governed by Roberts' Rules of Order, Revised, when not in conflict with the association's by-laws and procedures.

Article Eleven Nominations

and Elections

Section 1. Nominations for election to office must be made in writing to the nominations and elections committee a minimum of thirty (30) days prior to the date of election. All nominations must be paid up members of this association in good standing at the time of their nomination, and at the time of the election.

Section 2. The nominations and elections committee shall then contact the member nominated for office to see if he is willing to accept the nomination and to serve in the office if elected.

Section 3. When the deadline for nominations has passed, the nominations and elections committee shall prepare an official paper ballot listing all duly nominated candidates for offices in this association for distribution to all paid up voting members in good standing at the time of the election.

Section 4. All ballots must be returned to the nominations and elections committee by the specified

deadline to be counted as valid. The committee shall prepare a report of the results of the election for presentation at the regular summer quarterly meeting of this association.

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Article Twelve

Amendments

Section 1. Proposed amendments to these by-laws and procedures must be submitted in writing to the President or Secretary. The Secretary shall notify the President and the Board of Divisional Vice - Presidents of the proposed amendment by certified mail or personal service no less than thirty (30) calendar days prior to the next regular meeting of the Board. A simple majority of the Board of Divisional Vice-Presidents is required to submit the proposed amendment to the body of the association at the next quarterly meeting where a two-thirds (2/3) majority of the active members present and voting is required for passage of the amendment.

These by-laws and procedures are lawfully adopted this 18th day of November, 2006.