

ATPE Policy on Expulsion and Reinstatement

Pursuant to Article III, Section 9, of the ATPE Bylaws, the Board of Directors is empowered to expel a member for cause and to reinstate an expelled member in accordance with this policy.

1. Expulsion:

- (a) **Good Cause.** The Board may expel a member for good cause following review by a disciplinary committee, notice to the member, and a hearing in accordance with this policy. Good cause is defined as one or more acts of intentional or knowing misconduct that results in (1) a substantial disruption of ATPE operations or (2) significant interference with an ATPE member's right to a safe environment when carrying out duties on behalf of ATPE or exercising the privileges of ATPE membership.
- (b) **Investigation.** A proposal for expulsion may be submitted to the ATPE Executive Director by any active ATPE member or employee. The proposal shall be reviewed by a disciplinary committee comprising the ATPE Executive Director and Associate Executive Directors. The committee may consult with additional ATPE staff and legal counsel as necessary. The committee will investigate the allegations, determine if there has been a preliminary showing of good cause, and assess options for informal resolution of the complaint. If the complaint cannot be resolved informally, the committee will refer the proposal for expulsion to the board and send notice to the member. A proposal for expulsion that is neither resolved nor referred to the board by the end of the membership year will be dismissed without prejudice and may be resubmitted to the Executive Director in the subsequent membership year.
- (c) **Notice and Hearing.** A member proposed for expulsion shall be notified in writing via certified mail not less than 30 days prior to a regular or special meeting of the Board of Directors at which the proposal will be considered. The notice shall contain the date and location of the board meeting. During the board meeting, the member proposed for expulsion will be allowed to speak to the Board, and Board members may ask questions. However, the member is not required to appear or speak at the board meeting. All board deliberations on the proposal for expulsion shall take place in executive session and remain confidential as allowed by law.
- (d) **Deliberations and Voting.** Following deliberations in executive session, the Board may expel the member by an affirmative vote by two-thirds (2/3) of the Board. The vote shall

be conducted in an open session and reflected in the Board meeting minutes. The member shall be notified in writing of the Board's decision.

- (e) **Effect.** An expulsion takes effect immediately upon the vote of the Board. An expelled member shall not be entitled to any of the rights and privileges of membership and is prohibited from attending any ATPE events or meetings unless reinstated by the Board. In accordance with the ATPE bylaws, an expelled member may not reapply for membership unless formally reinstated by the Board. An expelled member's attempt to rejoin ATPE without reinstatement will be deemed invalid, and no membership benefits will attach in such a circumstance. To the extent required by law, an expelled member remains eligible for legal and insured benefits for claims arising prior to the date of expulsion.

2. Reinstatement:

- (a) **Request.** An expelled member may submit a request for reinstatement. The request shall be submitted in writing to the ATPE Executive Director. The Executive Director will provide a copy of the written request for reinstatement with the Board of Directors. A request for reinstatement shall be placed on the agenda for the next regular meeting of the Board that occurs not less than 14 days after the date of receipt of the request by the Executive Director.
- (b) **Hearing.** The ATPE state office will notify a member requesting reinstatement of the date and location of the meeting at which the request will be considered by the Board. The ATPE State President may allow the expelled member requesting reinstatement to speak at the Board meeting. The Board's deliberations on a request for reinstatement shall take place in executive session. The Board may reinstate the expelled member by an affirmative vote by two-thirds (2/3) of the members of Board. The vote shall be conducted in an open session and reflected in the Board meeting minutes. The member requesting reinstatement shall be notified in writing of the Board's decision.
- (c) **Effect.** Reinstatement of an expelled member takes effect upon satisfaction of the member's obligations to pay dues for the appropriate membership category. Legal and insured benefits are subject to the express terms of the master insurance policy issued to ATPE, including timelines and limitations on eligibility as set forth in the policy. The Board may impose additional requirements for reinstatement as permitted by law.
- (d) **Court-Ordered Reinstatement.** If a court of competent jurisdiction orders reinstatement of an expelled member upon a finding that the member was expelled without good

cause, the member shall be reinstated without need for a hearing or vote by the Board. The member's reinstatement remains subject to requirements to pay dues for the appropriate membership category and all other terms, timelines, limitations, and eligibility requirements imposed under the master insurance policy issued to ATPE.

*Adopted May 20, 2023,
by the ATPE Board of Directors*