



National Federation of Republican Women

Conduct & Discipline for Clubs, State Federations

A club, a club committee, or a State Federation has the absolute right to expect orderly conduct and ethical behavior by its members or attendees. Unruly behavior may be anything from not adhering to the agenda, failing to observe proper procedure, or even an officer who oversteps or a member who disparages the club/Federation publicly. Members who cannot act in a respectful and responsible way often cause small disruptions at first, but they can escalate into destructive forces if not dealt with immediately. But what can you do if a member becomes unruly or refuses to act in a manner consistent with the Federation, club, or committee ethos?

There are several options open to our clubs and Federations, but the first step should always be to have an open and respectful conversation with the offender. Many times, people simply do not realize that their behavior is out of line and will correct the situation once they are made aware.

But if you've talked and talked and talked, and the situation has gone from bad to worse, don't give up hope. There are things you can do.

The next step would be to review the Federation or club bylaws for any clause which may be informative and give direction. Most bylaws are silent on the matter of discipline, and if yours are, then we look to Robert's Rules of Order Newly Revised (11th edition) – or RONR -- for guidance.

Generally, RONR breaks down discipline in three ways: unruly behavior by a member at a meeting, egregious behavior occurring outside of a meeting and injurious to the organization, and removal of elected officers.

For our purposes, "punishments" may be something as simple as changed behavior or an apology, but there are more drastic measures which include censure, expulsion, suspension of the members rights, and removal from membership of a committee or even the organization.

NATIONAL FEDERATION OF REPUBLICAN WOMEN

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Unruly Behavior in Meetings

Keep in mind that all members of the club or committee have the right to be present at meetings except in cases where the bylaws may provide for automatic suspension for dues in arrears or where the group has, by motion and vote for a specific offense, forbidden attendance.

A club or Federation may choose to allow nonmembers to attend meetings in certain circumstances and have every right to expect nonmembers to behave appropriately. In the event that a nonmember fails to meet the expectations for behavior, his/her expulsion from the meeting may be effected by the chair, or by means of a motion and a vote.

A first or minor infraction of the rules should merely be called out and the chair should remind the offender to avoid such behavior.

If a member continually acts inappropriately at a meeting, the chair may call out the offender and request his/her behavior cease, and the secretary should be instructed to note the infraction(s) in the minutes. If the unwanted behavior continues, the chair has no authority to remove the offender, but the members of the committee or club are so empowered by means of a motion and a vote. The chair may, however, ask, "What penalty shall be enforced on the member?" and the members of the committee can offer a motion.

This motion can be anything from demanding an apology or behavior changes to censure to expulsion from the meeting (or even future meetings) to removal from the committee, or the club. Once a motion is made and adopted, the offender has no right to appeal the decision, but another member of the committee may do so on his/her behalf.

If a motion for discipline is made during a meeting, the offender has the right to be in the room during the discussion and present a defense. A motion may be made and adopted by a majority vote to have the offender leave the room during consideration of the penalty; however, she must be allowed to first present a defense. A motion for the offender to leave is NOT debatable or amendable.

Censure

A censure is merely a motion to warn a member that if certain behavior(s) continues, the next steps will be removal from the meeting, a temporary suspension of her rights, or removal from membership.

For infractions during meetings, censure motions may be moved when no other business is pending on the agenda, but must take place promptly after the breach of conduct. A member would rise, obtain the floor, and say, “Madam Chair, I move to censure Mrs. Smith.”

Censure motions require a second, are amendable and debatable, require a majority vote and may be reconsidered. The member being censured can defend herself during debate but may not vote on the motion. If the members of the club or committee would like to vote by ballot, the chair may say, “Is there any objection to a ballot vote?” and then proceed. No one may be censured twice for the same offense.

Expulsion From Meeting, Suspending Member’s Rights, or Removal From Membership

If a member continues to behave unacceptably, a motion may be made to expel her from the remainder of meeting, to suspend a member’s rights for a specific period, or to remove her from membership. All are considered very serious penalties because they infringe on a member’s rights.

Expulsion from the meeting would require a second, is debatable and amendable, and can be reconsidered. A majority vote is required, and this vote may be taken by ballot on demand of any one member, other than the named offender.

To make a motion to expel from the meeting, a member would rise, obtain the floor, and say, “Madam Chair, I move to expel Mrs. Smith from the remainder of this meeting.”

As in the case of censure, the assembly may choose, via a motion, to deliberate without the offender in the room, and opportunity for the named offender to defend herself must first be provided.

The same process is used to suspend a member’s rights for a specific period of time.

To remove someone completely from membership for actions during a meeting is a total removal of a member's rights. A member would rise, obtain the floor, and say, "Madam Chair, I move to remove Mrs. Smith from membership." While the process is the same as for expulsion, a two-thirds (2/3s) vote is required to remove a member. This is an extreme measure that should be reserved for only the most egregious behavior from a member with no realistic hope for change.

Egregious Behavior Outside of Meetings

Sometimes members will, outside of your meetings, behave in ways that bring dishonor to your organization or its members and refuse to stop or even apologize. Clearly, such behavior cannot be allowed to continue, or go unanswered.

Unlike bad behavior at meetings, if improper behavior occurs outside of your meeting, most of your members will generally have no first-hand knowledge of the exact circumstances. This means that if disciplinary measures are to be taken, charges must be preferred, and a formal "trial" must be held. A small, special committee may be appointed to investigate the matter, but this committee has only the authority to report its findings and recommendations to the club or Federation.

It is critical to understand that any such charges, findings, or recommendations must remain confidential to all but those involved, including the alleged offender.

The steps to expel or remove a member happen like this:

1. Confidential investigation by a committee
2. Report of the committee and preferral of charges, if warranted
3. Formal notification of the accused
4. "Trial," usually held in executive session
5. The assembly's review/acceptance of the trial committee's findings

Quotation marks are used around the word “trial” because it is not a legal trial in the sense that it is impossible for a club or Federation to obtain legal proof of facts, and, in order to get at the truth, hearsay evidence has to be admissible, and judgements will have to be made based on it. Witnesses are not sworn. The named offender, however, must be given ample time to prepare and present her defense -- her due rights must be protected.

At the conclusion of the “trial,” the committee will express its conclusion by way of a resolution with its finding of guilt or innocence and the recommended punishment which is voted on by the full body.

This is a drastic step and one that should be undertaken only under the most extreme circumstances with a great deal of consideration given to the ramifications. This kind of action can have wide-ranging consequences that are not pleasant. Please see RONR (11th ed.), pp. 654-669, for complete details.

Discipline of an Elected Officer:

Elected officers may be disciplined for failure to perform, overstepping or violating bylaws or organizational assignments, or fraud. The same process for censure is used for officers as described earlier.

Presiding officers (the chair) may be disciplined for things such as failure to perform, for not adhering to parliamentary procedure or the bylaws, denying members their rights, or fraud.

Censuring a presiding officer is a little different and may be more difficult because she “has the gavel.” When censuring a presiding officer, a member rises and informs the president that he/she is going to offer a motion to censure the president. The member then turns to the Vice President (or Secretary if the VP is not there) and makes the motion in the form of an oral resolution, pointing out the unwanted behavior and the proposed “punishment” in the resolving clause. Just as with any other proposed censure, the presiding officer is not entitled to vote and may be excused from the room for deliberation (via vote) after presenting her defense.

If censuring an officer or presiding chair doesn’t resolve the issue(s), one must consider

removing that officer from her position. Because an officer holds her position by way of action from the membership (an election), the process is a bit different.

First, look and see if your bylaws have a provision or process for removal of officers and follow those steps. If your bylaws are silent, then you must look at the provision for terms of office.

If the term of office in your bylaws is “___ years or until their successors are elected,” that officer may be removed by means of a motion. The vote required for adoption is either a) a two-thirds vote, b) a majority vote when previous notice has been given, or c) a vote of the majority of the membership.

If your bylaws say the term of office is for “___ years” or it says “___ years and until their successors are elected,” a formal trial proceeding must be held as described earlier. As you can see, the word “or” has significant meaning in bylaws.

Again, removal from office is a drastic step that should only be undertaken in the most egregious of circumstances. It is an ugly process that has the real potential to split loyalties and cause a great deal of angst among the remaining members of your club or Federation.

Bear in mind that such actions may also result in legal action, and if the National Federation of Republican Women (NFRW) is made a party to such a suit, the NFRW is entitled to, and will, recover from you and your club or Federation any legal expenses incurred. (See NFRW Bylaws, Article V, Section 6.H)

One does not have to be the club president to be a leader, and a good leader will always try and resolve any issues promptly and privately. A good leader may not be able to create resolution in every situation, but she will in most. Actions such as what has been described here should always be reserved for extreme situations and never undertaken lightly.

Prepared by Theresa Kosmoski, NFRW Parliamentarian, March 2019