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Snippet #133 Removing Members

The term “member” is the title given to one who is an official part of a particular group, such as a club, a house of delegates, a board of directors, or a committee. Sometimes the title is customized – a member of a board of directors is called a director, a member of a commission is called a commissioner, and a member of a house of delegates is called a delegate. Membership connotes belonging, camaraderie, and solidarity. But what if the relationship has gone sour?

Removing members is seldom a pleasant process. It can be regulated by statute, the bylaws, or fundamental principles. It's always best to consider how removal will be accomplished *before* problems begin, as making rules with a particular solution in mind is usually too narrow and often punitive in its focus. One of the underlying principles of membership removal is this: the power to appoint is usually the power to remove. If a committee is appointed by the president, the president has the power to remove members from that committee. If officers are elected by the board, the board has the power to remove officers. If the members elect the board, in general only the members may remove them.

The more complicated the appointment process and the farther removed the group is from it, the more complicated removal becomes. When a position is filled by election by the members, then removal requires the same type of ballot, which may require resources not commensurate with the action, making removal impractical and unlikely.

In general, administrative removal for objective criteria (such as dues payment or clear licensure violation) is best left to a small group that meets regularly, such as the board. Removal for subjective criteria (conduct detrimental to the organization, exceptions to certain requirements) should be assigned to a committee that is not tied to the political processes of the organization, such as a committee chosen to handle an individual situation or one that is kept in reserve for such duties. Subjective membership criteria must be defined in detail and matched with the consequences of failing to meet those criteria – the “or else” factor. The board of directors, whether or not accused of favoritism or conflict, may be tainted by the results of subjective actions. The board should monitor the disciplinary process to make sure that all rights of both the individual and the association are protected, but should steer clear of manipulating the outcomes.

Removal of a board member presents other complications, especially with confidentiality. By its nature, removal is an emotional and intense issue. It may also be subject to statutory provisions. Many states require that a hearing of some sort be held and the accused be allowed to speak on his or her own behalf. Even if not a statutory requirement, the disciplinary procedures outlined in *Robert's Rules of Order Newly Revised* include provisions for equal time by the accused for questions and opening and closing statements.

Just as with other actions, disciplinary removal must pass the “opposites” test – does the process work equally no matter which side is “right”? Does it serve well if a director is being unfairly accused by a runaway board--or, if the director is doing harm to the good name of the society, but keeps getting elected? A society has the right to determine its own membership, provided it does not illegally discriminate against anyone. Not as simple as it sounds, is it?