



AMERICAN PSYCHOLOGICAL ASSOCIATION

BOARD OF DIRECTORS

June 10-12, 2016

APPROVED MINUTES

Board Members Present: Susan H. McDaniel, PhD, ABPP; Barry S. Anton, PhD, ABPP; Antonio E. Puente, PhD; Jennifer F. Kelly, PhD, ABPP; Bonnie Markham, PhD, PsyD; Cynthia D. Belar, PhD, ABPP; Linda F. Campbell, PhD; Helen L. Coons, PhD, ABPP; Christine M. Jehu, PhD; Richard M. McGraw, PhD; Diana L. Prescott, PhD; Sandra L. Shullman, PhD; Frank C. Worrell, PhD

Council Leadership Team Observer Present: Douglas C. Haldeman, PhD

Council Leadership Team Observer Absent: Jean Lau Chin, EdD

I. MINUTES OF MEETING

A.(1) The Board voted to approve the minutes of its February 18, 2016, meeting and actions taken by unanimous written consent between the December 11-13, 2015, and February 18, 2016, Board of Directors meetings.

II. ELECTIONS, AWARDS, MEMBERSHIP AND HUMAN RESOURCES

A. The executive session item “CODAPAR Appointments” was postponed to a future call of the Board.

B. The executive session item “Board and Committee Election Slates” was postponed to a future call of the Board.

III. ETHICS

A.(2) The Board voted to request that the Ethics Committee insert the word “observe” prior to “participate in” in section (b) of Standard 3.04. The Board voted to determine that, with the addition of the word “observe”, the following proposed revision to Standard 3.04 of the *Ethical Principles of Psychologists and Code of Conduct* (underlined material to be added) is appropriate and does not present undue risk to the Association:

Standard 3.04 Avoiding Harm

(a) Psychologists take reasonable steps to avoid harming their clients/patients, students, supervisees, research participants, organizational clients and others with whom they work, and to minimize harm where it is foreseeable and unavoidable.

(b) Psychologists do not observe, participate in, facilitate, assist, or otherwise engage in torture, defined as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person, or in any other cruel, inhuman, or degrading behavior that

violates 3.04(a). The Board referred the proposed revision to the Council Leadership Team for content review and to provide a recommendation to Council.

The Board's suggested amendment will be sent to the Ethics Committee to determine if it is considered to be a friendly amendment.

B.(3) The Board voted to refer following *Resolution in Favor of APA Providing Support and Assistance to Military and National Security Psychologists Striving to Abide by the APA Ethics Code and APA Policy* to the Council Leadership Team for content review and to provide a recommendation to Council:

Resolution in Favor of APA Providing Support and Assistance to Military and National Security Psychologists Striving to Abide by the APA Ethics Code and APA Policy

WHEREAS since 2005 APA has adopted eight policies in ten years regarding the roles, behaviors, and settings of military and national security psychologists;

WHEREAS the numerous obligations and prohibitions placed on military and national security psychologists in APA policy over the past decade risk unintentionally tainting a group of psychologists within APA by conveying an incorrect and harmful impression that these psychologists do not strive for and achieve the highest levels of competence and ethics in their work;

WHEREAS the 2013 *Policy Related to Psychologists' Work in National Security Settings and Reaffirmation of the APA Position Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment* was the result of a highly participatory and inclusive process that resulted in unanimous or near unanimous adoption by Council in August 2013;

WHEREAS the 2015 *Resolution to Amend the 2006 and 2013 Council Resolutions to Clarify the Roles of Psychologists Related to Interrogation and Detainee Welfare in National Security Settings, to Further Implement the 2008 Petition Resolution, and to Safeguard Against Acts of Torture and Cruel, Inhuman, or Degrading Treatment or Punishment in All Settings* incorporates the 2013 policy in its entirety, with few but very important revisions;

WHEREAS military and national security psychologists have strongly supported and endorsed all APA's policies against torture and other cruel, inhuman, and degrading treatment or punishment;

WHEREAS the record demonstrates that military and national security psychologists have taken stands against torture and other cruel, inhuman, and degrading treatment or punishment, at times at professional risk to themselves;

WHEREAS the APA policies adopted since 2005 and incorporated in the 2013 policy, along with the 2015 policy, give military and national security psychologists clearer and more specific guidance regarding what behaviors constitute torture and other cruel, inhuman, or degrading treatment or punishment;

WHEREAS in January of 2009 President Obama rescinded all legal opinions contrary to those of his administration regarding interrogation and the treatment of detainees, thus rescinding legal opinions of the Bush Administration Office of Legal Counsel regarding the definition of torture and the role of psychologists in military and national security interrogations;

WHEREAS in January of 2009, on his second full day in office, President Obama decreed in executive orders that:

- the UN Convention Against Torture, Common Article 3 of the Geneva Conventions, and the Detainee Treatment Act, among others, provide the minimum standards of treatment for all detainees in the custody or effective control of the US government;
- all CIA detention facilities (“black sites”) will be closed;
- the International Committee of the Red Cross will have access to all detainees in US custody;
- Detainees at Guantanamo Bay have the right of habeas corpus;

WHEREAS the McCain-Feinstein Anti-Torture Amendment to the National Defense Authorization Act of 2015 incorporated key elements of President Obama’s 2009 Executive Order “Ensuring Lawful Interrogations” into federal law;

WHEREAS APA strongly supported the McCain-Feinstein Amendment, with the President of APA stating in a November 2015 press release: “Our support for this amendment reflects APA’s fundamental mission to protect and promote human welfare and our policies that extend to national security detention settings to provide safeguards to detainees in U.S. custody;”

WHEREAS the November 2015 press release stated: “APA supported a similar amendment offered by McCain 10 years ago — the Detainee Welfare Act of 2005 — and the inclusion of its provisions in the 2009 presidential executive order ‘Ensuring Lawful Interrogations,’” thus highlighting the fact that APA strongly supported the McCain Amendment in 2005;

WHEREAS in 2008 the United States Supreme Court asserted jurisdiction over the legal framework at Guantanamo Bay;

WHEREAS President Obama appointed an attorney for the specific purpose of closing the detention facility at Guantanamo Bay, no detainees have been placed there since 2008, no interrogations are currently taking place there, and detainees are being removed as quickly as possible;

WHEREAS military and national security psychologists, like all psychologists who work in organizational settings, may face tensions between the APA Ethics Code, APA policy, and the demands of their organization;

WHEREAS Principle A in the Ethical Principles of Psychologists and Code of Conduct (2010), Beneficence and Nonmaleficence, states “Psychologists strive to benefit those with whom they work and take care to do no harm;”

WHEREAS Principle D of the Ethics Code states, “Psychologists recognize that fairness and justice entitle all persons to access to and benefit from the contributions of psychology and to equal quality in the processes, procedures and services being conducted by psychologists.”

BE IT RESOLVED that in keeping with Principles A and D of the Ethics Code, military and national security psychologists will be recognized as providers of psychological treatment to military personnel at detention settings, as well as to any other individual or group in need of psychological care, including detainees. Current APA policies (i.e., the first paragraph of Statement 1 of the 2013 policy and the “be it resolved” clause of the 2008 Petition Resolution policy, *Psychologists and Unlawful Detention Settings with a Focus on National Security*) will be changed accordingly and an explanatory footnote added to the first numbered paragraph of the final “be it resolved” clause in the 2015 policy;

BE IT RESOLVED that APA will act as a supportive resource in assisting military and national security psychologists to resist pressures they may experience to engage in unethical behavior in organizational settings by writing clear and unambiguous letters to government officials regarding APA policy and when psychologists in active duty request assistance and support from APA to resolve ethical dilemmas;

BE IT RESOLVED that APA policy addressing the behavior of military and national security psychologists will be based on an accurate and informed understanding of the roles and work of military and national security psychologists and, where appropriate, the relevant body of law;

BE IT RESOLVED that APA will strive to ensure that APA policy addressing the behavior and/or roles of military and national security psychologists will avoid any assumption that military and national security psychologists do not strive for and achieve the highest levels of competence and ethics in their professional work.

C. In executive session, the Board took action on one Ethics case.

D. The Board received an update on the APA Commission on Ethics Processes.

IV. BOARD OF DIRECTORS

A. The Board received a demonstration on video conferencing and an update from the Board Workgroup on Videoconferencing.

B. Lorraine Lavet from Korn Ferry, the search firm assisting with the CEO search, briefed the Board on the timeline and methodology for the CEO search. The Board and the Executive Management Group were asked to provide feedback regarding characteristics needed in APA’s next CEO.

C. In executive session, the Board received an update on the Board Code of Conduct Workgroup.

D. In executive session, the item “Psychology Defense Fund Request” was postponed to a future call of the Board.

E. In executive session, the Board discussed the June 8, 2016, letter from Division 42 and plans for a response.

VI. ORGANIZATION OF THE APA

A.(4) The discussion item “Center for Psychology and Health” was postponed to a future call of the Board.

B. In executive session, the Board discussed the evaluation of the trial delegation of authority to the Board and the Finance Committee’s plans to conduct webinars for Council members on the trial delegation prior to the August Council meeting.

C. In executive session, the Board was informed that the Independent Supplemental Review Report will not be ready for delivery in mid-June as Mr. Hoffman previously anticipated and that Mr. Hoffman does expect to stay within the previously agreed upon cost for his services. The Board requested that Council be provided the update.

D. In executive session, the Board discussed proposals from the informal Council Diversity Workgroup. The Board suggested that the workgroup request Council’s input before bringing any recommended actions to Council and that they work with the Council Leadership Team to decide how to incorporate their proposals, once developed, into the August Council meeting.

VII. PUBLICATIONS AND DATABASES

A. The Board received a demonstration on APA Style Central and requested that Council be given a demonstration at its August 2016 meeting.

IX. EDUCATIONAL AFFAIRS

A.(5) The Board voted to recommend that the Council of Representatives approve amending Association Rule 120-5.1 as follows (bracketed material to be deleted; underlined material to be added):

120-5. COMMITTEE OF TEACHERS OF PSYCHOLOGY IN SECONDARY SCHOOLS

120-5.1 There shall be an American Psychological Association of Teachers of Psychology in Secondary Schools (TOPSS) Committee whose mission shall be to (a) promote the highest standards in the teaching of Psychology both as a science and discipline; (b) promote professional development and other means for lifelong learning for high school teachers of psychology; (c) increase professional identity and promote leadership for high school teachers of psychology; (d) facilitate networking, including the formation of both horizontal and vertical linkages, among teachers from all teaching levels of psychology; (e) encourage recruitment and retention of students, particularly minorities, in the field of psychology; (f) enhance the visibility and legitimacy of high school psychology within the American Psychological Association; (g) enhance the visibility and legitimacy of high school psychology with other members of the

psychological community, (h) recommend the appropriate response advocacy, education policy, and certification issues that impact on the quality or viability of teaching of high school psychology.

The voting members of the TOPSS Committee shall consist of seven members, ~~[three of whom serve three-year terms (the chair elect, chair, and past chair), and four of whom serve two-year terms]~~, who serve staggered three-year terms. The other members of the TOPSS Committee, who shall serve ex-officio without a vote, shall be composed of two college faculty advisors who~~[m]~~ serve three-year terms and one liaison from the BEA. All voting members of the Committee must be high school teacher affiliates of the association.

Each year, a call for nominations for the ~~[three]~~ open positions that will become vacant in the following year shall be broadly disseminated. Following the call, the committee shall prepare a slate of candidates for each position and hold an election in which all TOPSS affiliates are eligible to vote. Following the election, the results of the election shall be forwarded to the Board of Educational Affairs and the Board of Directors for final approval.

The TOPSS Committee shall report to Council through the APA Board of Educational Affairs.

X. PROFESSIONAL AFFAIRS

A.(6) The Board of Directors voted to determine that the *Guidelines for Integrating the Role of Work and Career into Professional Psychology Practice* are appropriate and do not present undue risk to the Association. The Board referred the Guidelines to the Council Leadership Team for content review and to provide a recommendation to Council.

B.(9) The Board received an update on the development of Clinical Practice Guidelines by APA.

XIV. INTERNATIONAL AFFAIRS

A.(7) The Board of Directors voted to approve that APA sign a Memorandum of Understanding with the Guatemala College of Psychologists/Colegio de Psicólogos de Guatemala, the Lebanese Psychological Association, and the Russian Psychological Society if their respective boards also approve.

XVI. FINANCIAL AFFAIRS

A.(8) The Board of Directors voted to 1) accept the audited Consolidated Financial Statements, the Supplemental Financial Report (A-133), the APA 750 LLC, and the APA Ten G LLC financial statements for the year ended December 31, 2015; and 2) appoint BDO USA, LLP to perform the 2016 APA audit and tax work (to be conducted in 2017) contingent upon negotiation of acceptable engagement terms.

B. In executive session, the Board of Directors voted to approve the following motion regarding the budget:

The Board directs the CEO to:

1. Ensure that in 2016 the budget goes no higher than the approved \$8.2M deficit and to plan for a budget with no higher than a \$4M deficit for 2017, with a goal of eliminating the deficit by 2018.
2. Ensure the investment portfolio is maintained at a level of no less than \$40M which allows for \$33M necessary for our debt covenant and \$7M in protection for contingencies.
3. Develop and provide resources to assist with the education and training of governance and stakeholders of these budget and finance requirements (e.g. webinars and presentations).
4. Develop financial stability guidelines and metrics for evaluating the APA budget given the new integrated budget model. The metrics developed will be implemented in 2017.

C. In executive session, the Board voted to 1) eliminate the previously approved allocation of the real estate tax abatement to the operating budget, net assets, and designation for convention; 2) request that any remaining balance as of December 31, 2016, in the designation for convention abatement be returned to undesignated net assets; 3) recommend that the Board of Convention Affairs submit requests for funds from the operating budget through the normal budget process for items previously covered under the designation for the convention.