

# AMERICAN SOCIETY OF TRACE EVIDENCE EXAMINERS (ASTEET)

## BYLAWS

(approved September 2015)

### 1. ARTICLE I: ORGANIZATION

#### 1.1. GENERAL

- 1.1.1. Name. The name shall be the American Society of Trace Evidence Examiners; hereinafter referred to as the Society.
- 1.1.2. Objectives. The objectives of the Society shall be to:
  - 1.1.2.1. Encourage the exchange and dissemination of ideas and information within the fields of trace evidence through improving contacts between persons and laboratories engaged in trace evidence analysis.
  - 1.1.2.2. Stimulate research and the development of new and/or improved scientific techniques for forensic trace applications.
  - 1.1.2.3. Promote high standards of performance and professional ethics and to acknowledge persons working in the recognized forensic science field of trace evidence.
- 1.1.3. Bylaws Provisions. May contain any provisions for the regulations and management of the affairs of the Society and shall not be in conflict with the Statutes of Incorporation for the State of New Jersey
- 1.1.4. Parliamentary Guide. Robert's Rules of Order, latest edition, shall govern all meetings of the Society.
- 1.1.5. Dissolution. Should the Society be dissolved, the Board of Directors, hereinafter referred to as the Board, shall dispose of any assets remaining after all existing liabilities have been paid. Such assets may go only to another organization with purposes as prescribed in these Bylaws.

#### 1.2. MEETING AND OTHER NOTICES

- 1.2.1. Meeting Notices. For meetings of the Board or the membership at-large notice shall be delivered at least ten (10) calendar days prior to the meeting. Notice of any special meeting shall include the purpose(s) of the meeting.
- 1.2.2. Waiver of Notice. Whenever any notice of a meeting is required to be given under the Articles of Incorporation or Bylaws of the Society, a written waiver signed by the person or persons entitled to such notice, whether before or after the time slated therein, shall be deemed equivalent to the giving of such notice. Further, attendance of any member at any meeting time slated therein, shall be deemed equivalent to the giving of such notice. Further, attendance of any member at any meeting shall constitute a waiver of notice of such meeting, except where a member attends the meeting for the express purpose of objecting to the meeting.
- 1.2.3. Delivery. The Society shall use electronic means (e.g. website posting or e-mail), fax, U.S. Postal Service, or hand delivery, to deliver information to members. All items will be sent to members at the electronic or mailing addresses shown in the Society records. Responsibility for notifying the Secretary of any change of address rests with members.

## **2. ARTICLE II: MEMBERSHIP**

### **2.1. DEFINITIONS**

- 2.1.1. Classes. Founder, Charter, Emeritus, Regular, Associate, and Student.
- 2.1.2. Dues. The Society shall prescribe annual dues on the recommendation of the Board. Changes in dues shall require a two-thirds (2/3) majority of the voting members present at a business meeting of the Society.
- 2.1.3. Term. Membership continues through the end of December each year.
- 2.1.4. Voting Member. Shall apply to all Charter, Emeritus, Fellow, and Regular members in good standing.
- 2.1.5. Good Standing. Members, Associates and Students shall remain in good standing provided that they are not in conflict with the objectives, goals, and the Code of Ethics of the Society and that dues and other fees are paid as prescribed.

### **2.2. QUALIFICATIONS**

- 2.2.1. General. Membership shall be available only to those persons of professional competence, integrity and good moral character:
  - 2.2.1.1. Who satisfy the requirements for membership of the class for which they applied.
- 2.2.2. Founder. The eight members present at the first meeting of the Association.
- 2.2.3. Charter. Applicants who meet the criteria for Regular member status as set forth below and whose membership applications were approved by December 31, 2009 shall be classified as charter members. This membership classification shall be held as long as members continuously maintain their membership in the Society.
- 2.2.4. Emeritus. Founders, Charter, or Regular members may be proposed by any member in good standing for emeritus status if they have had 20 years of service in the forensic sciences, a minimum of 5 years of membership in good standing, and are retired from full-time forensic work. This classification must be confirmed by a three-fourths (3/4) majority vote of members present at a business meeting of the Society. Emeritus members shall retain all rights and privileges of members, but shall be excused from all dues and assessments.
- 2.2.5. Regular. Regular members must pay the dues and meet the following criteria:
  - 2.2.5.1. Hold at minimum, a B.S. or B.A. degree in one of the natural sciences (chemistry, biology, physics, or geology, engineering, forensic science, or a closely related field); AND,
  - 2.2.5.2. Currently work in a forensic science laboratory doing or having done examinations and interpretations of trace evidence for at least three years and must have completed a documented training program within the discipline of trace evidence. A forensic science laboratory is defined as one that has, as its primary function, service to the criminal and/or civil justice system by the examination and interpretation of physical evidence; OR,
  - 2.2.5.3. Currently work full time in forensic science education at an accredited college or university and teach courses specifically related to the analysis and interpretation of trace evidence.; OR,
  - 2.2.5.4. Work primarily in research related to trace evidence (e.g. academic researchers, government and private research institutions); OR, \_
  - 2.2.5.5. Work in a managerial or support capacity such as quality assurance/quality control officer or others having a direct impact on the daily functions of a forensic trace laboratory and have at least three years of bench level experience with the completion of a documented training program within the discipline of trace evidence.

- 2.2.6. Associate. Associate members must pay the dues and meet the following criteria:
- 2.2.6.1. Hold at minimum, a B.S. or B.A. degree in one of the natural sciences (chemistry, biology, physics, or geology, engineering, forensic science, or a closely related field); AND,
  - 2.2.6.2. Currently working or training in a forensic science laboratory doing or having done examinations and interpretations of trace evidence. A forensic science laboratory is defined as one that has, as its primary function, service to the criminal and/or civil justice system by the examination and interpretation of physical evidence;
  - 2.2.6.3. The Membership Committee will evaluate each Associate applicant on a case by case basis to determine whether the applicant's area of expertise qualifies as a relevant trace evidentiary field.
  - 2.2.6.4. Associate applicants who do not meet the above listed criteria may also be evaluated on a case by case basis by the board.
  - 2.2.6.5. Although entitled to standard membership benefits, Associate members are not eligible to vote, hold office, or serve on the Board.
  - 2.2.6.6. Associate members who submitted applications prior to December 31, 2009 are eligible to upgrade to Charter member status if they meet the qualifications of Regular membership within three years of this date. Applications for upgrade must be received no later than December 31, 2012, otherwise, any upgrade will be to Regular member status.
- 2.2.7. Student. Student members are any members currently enrolled in a natural or forensic science program at an accredited college or university. Proof of student status is required to maintain this membership classification.
- 2.2.7.1. Student members are required to pay dues at the regular member rates but may be entitled to discounted rates at Society functions.
  - 2.2.7.2. Student members are not eligible to vote or hold positions in the Society.
  - 2.2.7.3. Upon graduation, Student members will have a two year grace period during which they will be eligible to maintain their member status in the Society. Upon expiration of this two year period, Student members who are not eligible to upgrade into Associate or Regular member status will be dropped.

### **2.3. APPLICATION**

- 2.3.1. Application for membership must be submitted on the approved form.
- 2.3.2. Procedures. The procedures are established in the Administrative Rules.
- 2.3.3. Applicants disapproved by the Board may be approved by a two-thirds (2/3) affirmative vote of the voting members present at a regular meeting.
- 2.3.4. Certificates. Membership certificates and/or cards in the Society shall be issued.

### **2.4. MAINTENANCE, TERMINATION, OR REINSTATEMENT**

- 2.4.1. Maintenance. It is the responsibility of all members to notify Treasurer and/or Secretary in writing of all changes in name, address, employment and phone number as soon as they occur.
- 2.4.2. Termination of Membership. Membership shall be terminated for the following reasons:
  - 2.4.2.1. Termination upon request of member. Members may resign from membership in the Society by giving written notice to the treasurer of the Society.
  - 2.4.2.2. Termination for failure to pay dues. Members who fail to pay annual dues or other assessments will be dropped from the roll of members in accordance

with the procedures established in the Administrative Rules. Terminated members may be reinstated only after paying all monies owed and submitting a new application, which shall receive the same consideration as is given other applications.

- 2.4.2.3. Termination for Cause. Members may be removed from membership for cause by action as described in the ASTEE Code of Ethics as adopted by the Society.
- 2.4.3. Appeal. Terminated members may appeal the matter before the membership. Such termination may be reversed by a three-fourths (3/4) majority vote of members present at a business meeting of the Society.
- 2.4.4. Ethics. Members are expected to adhere to the Society's Code of Ethics in their professional conduct. Additionally, when acting for the Society, members are expected to follow the Bylaws and Administrative Rules. Any ethics matters brought to the attention of the Board by any member of the Society are to be investigated by the Ethics Committee using the Society's Code of Ethics and Administrative Rules as guidelines. A report of such an investigation is to be made directly to the Board.

## **2.5. MEETINGS**

- 2.5.1. Business Meeting. The Society shall hold at least one business meeting every other year. Business meetings may be held in person, by conference call, or by teleconference/web conference.
- 2.5.2. Board Meetings. The Board shall meet at least one time per year. Four members of the Board of Directors shall be considered a quorum to conduct the business meeting of the Society. Board meetings may be held in person, by conference call, or by teleconference/web conference. Additional meetings may be called by the president if necessary. Votes may be taken by telephone, provided they are confirmed in writing or by electronic communication.
- 2.5.3. General Meetings. The Society may elect to hold one or more general meetings during the year. Members, guests and those qualified for membership may attend.
- 2.5.4. Special Meetings. The president may call a special meeting at any time. The president shall notify the participating members in writing and include an agenda for the meeting.
- 2.5.5. Quorum. Ten percent of the voting members shall be considered a quorum to conduct the business meeting of the Society. A quorum of the Board shall consist of four voting members.
- 2.5.6. Proxy Voting. No proxy voting shall be allowed at the membership meetings.
- 2.5.7. Manner of Acting. Any action normally taken at a meeting of the Society, may be taken without a meeting, if written consent of a quorum of the voting members is obtained before the action is taken.

## **3. ARTICLE III: MANAGEMENT**

### **3.1. GENERAL**

- 3.1.1. General Powers. The affairs of the Society shall be managed by the Board. To facilitate operations of the Society, the Board may issue and/or change the Administrative Rules governing the actions of the Society or members on behalf of the Society. Such rules shall not be in conflict with the Statutes of NEW JERSEY, the Articles of Incorporation or these Bylaws.
- 3.1.2. Contracts. The Board may authorize any officer(s) or agent(s) of the Society to enter into any contract or execute and deliver any instrument in the name of the Society and such authority may be general or confined to specific instances.

- 3.1.3. Books and Records. The Society shall keep correct and complete books and records of account and also keep minutes of the proceedings of meetings of its members, Boards, and committees having any of the authority of the Board and shall keep at the registered or principal office a record of the names and addresses of voting members. All books and records of the Society may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.
- 3.1.4. Public Statements. No officer or member may make statements on behalf of the Society without the approval of the Board.
- 3.1.5. Gifts. The Board may accept contributions for the use of the Society; they may not accept those items for personal use or as remuneration for services as board members.

### **3.2. FISCAL**

- 3.2.1. Fiscal Year. Shall be January 1 through December 31.
- 3.2.2. Checks, Drafts, Etc. The Administrative Rules shall contain procedures for the handling of Society funds. All such items for the payment of money, issuance of notes, or other evidence of indebtedness issued in the name of the Society shall be signed as prescribed by Paragraph 3.1.2 of this Article, except that no such item shall be made payable to cash.
- 3.2.3. Deposits. Society funds shall be deposited to the credit of the Society in such banks, trust companies, or other depositories as the Board may direct.
- 3.2.4. Dues and Fees. The Administrative Rules shall list the amounts of the non-refundable application fee and annual dues payable to the Society within the following limitations:
  - 3.2.4.1. Emeritus members are exempt from paying dues.
  - 3.2.4.2. There shall be no fee for application to change membership status.
- 3.2.5. Audits. Following each fiscal year, the Audit Committee shall conduct and complete an audit of the Society's books and present a report to the Board and members at the next business meeting.

### **3.3. BOARD OF DIRECTORS**

- 3.3.1. Composition. The officers shall be responsible for the general management of the Society. The Society Officers shall be comprised of the officers as prescribed by Section 3.3.2.
- 3.3.2. Officers and their Duties.
  - 3.3.2.1. Executive Board:
    - 3.3.2.1.1. President. Presides at Society and board meetings; conducts the business of the Society, and promotes the fulfillment of the Society's objectives. To accomplish these duties, the president may issue and/or change operational guidelines relating to committee and/or other operations providing such guidelines are not in conflict with these Bylaws, the Administrative Rules, or other items controlling actions of the Society.
    - 3.3.2.1.2. President-Elect. Fulfills the president's duties should the president be absent, leave office or become incapacitated.
    - 3.3.2.1.3. Secretary. Records the minutes of the Board and Society business meetings, maintains the Society records, record members' attendance at all business meetings, and files (or appoints an agent to file) any and all necessary documents with NEW JERSEY. In the absence of the Secretary from a business meeting, the presiding officer shall appoint a temporary Secretary to record the minutes of the meeting.

- 3.3.2.1.4. Treasurer. Keeps Society financial records, safeguards its funds, keeps the membership list current, notifies the membership chair of address changes, deposits all monies received by the Society in accounts approved by the Board, files the Society (Corporate) Annual Report, and submits the corporate renewal fee.
- 3.3.2.2. Directors. Act at the direction of the executive board (President, President-Elect, Treasurer, and Secretary) to carry out assigned tasks on behalf of the Society. Serve on or chair a committee. Directors are voting members of the Board.
- 3.3.3. Nomination/Election.
  - 3.3.3.1. Candidates. Only Founder, Charter, Emeritus, and Regular voting members in good standing may hold office or serve on the Board.
  - 3.3.3.2. Elections. After the first two years of inception, elections will be held annually.
  - 3.3.3.3. Nominations. The Elections Committee will propose a slate of candidates and notify members at least thirty (30) calendar days prior to the annual date of the election, hereby set as the second Tuesday in October. Once the slate is announced, interested members may be added to the slate by a petition to the Board. Nominations will close fourteen (14) calendar days prior to the annual election.
  - 3.3.3.4. Election Oversight. The election will be refereed by the Executive Secretary. All votes will be mailed to and counted by the Executive Secretary.
  - 3.3.3.5. The president's vote will break any ties.
  - 3.3.3.6. The results of the vote will be posted on the website no later than three weeks after the closing date of the election and the newly elected officers shall assume their offices as of January 1 of the following year.
  - 3.3.3.7. Challenges. Any challenges to election results must be mailed to the President within ten (10) calendar days of the announcement of the results. Challenges will be addressed by the Elections Committee.
  - 3.3.3.8. Tenure. The terms of office shall be as follows:
    - 3.3.3.8.1. President: One year.
    - 3.3.3.8.2. President-Elect: One year. After one year becomes president for one year.
    - 3.3.3.8.3. Secretary: Two years with term staggered with treasurer.
    - 3.3.3.8.4. Treasurer: Two years with term staggered with secretary.
    - 3.3.3.8.5. Directors: Three years with terms staggered so that one director will be elected in any given year.
- 3.3.4. Vacancies. The Board shall fill any vacancy, except the president, by appointment. Such appointments will be subject to vote at the next election
- 3.3.5. Compensation. Board members shall not receive any stated salaries for their services as board members. They may receive reimbursement for expenses on the same basis as others. This section shall not be construed to preclude any board member from receiving reasonable compensation for other services provided to the Society.

#### **3.4. APPOINTED POSITIONS AND COMMITTEES**

- 3.4.1. Executive Secretary. Appointed by the President to serve as Chairperson of the Elections Committee, supervise the tabulation of ballots regarding elections and other Society votes, and to serve as a liaison between the standing committees and the Board.
- 3.4.2. Standing. To have duties as prescribed by the Bylaws and/or the Board. Unless specifically designated by these Bylaws, members are to be appointed by the

President from the membership and to serve for a term of one year or until their successors are appointed. All members serving on committees shall be in good standing.

- 3.4.3. Membership. The committee shall process the applications as outlined in the Administrative Rules and present a list of new members on the Society website.
- 3.4.4. Elections. The committee shall propose a slate of candidates for office.
- 3.4.5. Bylaws. The committee shall review and propose changes to the Bylaws, Administrative Rules and Code of Ethics.
- 3.4.6. Ethics. The committee shall review ethics violations.
- 3.4.7. Audit. The committee shall review the financial records of the Society.
- 3.4.8. Communications.
- 3.4.9. Special and/or Temporary. The president shall appoint other committees from the membership as required.
- 3.4.10. Committee Operation. Unless otherwise provided in the appointment of the committee, a majority of the whole committee shall constitute a quorum and the act of a quorum shall be the act of the committee.
- 3.4.11. Chair. To be designated by the president unless predetermined by these Bylaws.
- 3.4.12. Rules. Each committee may adopt such operational rules as are not in conflict with these Bylaws or extensions thereof.

#### **4. ARTICLE IV: AMENDMENT**

##### **4.1. PROCEDURE**

- 4.1.1. Deadline. A proposed amendment shall be submitted in writing to the president at least ninety (90) calendar days prior to a scheduled business meeting or annual election.
- 4.1.2. Publication. A proposed amendment shall be distributed to members via the Society's website or by mail at least thirty (30) calendar days prior to the next scheduled business meeting or annual election at which the vote is to occur.
- 4.1.3. Approval. Amendments to the Bylaws shall require approval by two-thirds (2/3) majority of the votes received from members in good standing once a quorum of ten percent of the voting membership has been met.
- 4.1.4. Changes. After a proposed amendment has been published, changes which alter the substance of the amendment may be made only by unanimous vote of those present and voting.
- 4.1.5. Implementation. Required implementation instructions shall be a part of the motion presenting the amendment, but shall not become part of the Bylaws.

#### **5. ARTICLE V: ETHICS**

- 5.1. The ASCLD/LAB "Guiding Principles of Professional Responsibility for Crime Laboratories and Forensic Scientists" has been adopted as the Code of Ethics for ASTEE.