

BYLAWS

August 2019

ARTICLE I – NAME & OFFICES

The name of this organization shall be the VIRGINIA FORENSIC SCIENCE ACADEMY ALUMNI ASSOCIATION, INC. (The Association). The principle office shall be in the City of Richmond, VA. The corporation may have offices and places of business at such other places within and without the state of Virginia as shall be determined by the Board of Directors (the Board).

ARTICLE II – MEMBERSHIP & DUES

Section 1. The membership of The Association shall be classified as follows: Active, Associate, Honorary, and Life.

Section 2. Active Membership. An Active member shall be a graduate of the Virginia Forensic Science Academy or the Virginia Institute of Forensic Science and Medicine’s full crime scene academy (parallel to the Forensic Science Academy) who is currently employed within or receiving retirement or disability pay from an agency within the Criminal Justice System, and who is current in his/her dues.

**Section 3.** **Life Membership.** A Life member shall be an Active member who meets either of the following conditions:

1. Has paid his/her membership dues for twenty (20) consecutive years or;

2. Is a Past President.

Life members shall be exempt from payment of dues and shall have the full privileges of an Active member.

**Section 4.** **Associate Membership.** Upon written request to any Board member no later than thirty (30) days prior to the Annual Meeting of the General Membership (Annual Meeting), and upon ratification by a majority of the electorate, an Academy graduate who no longer qualifies for Active membership shall be received into The Association as an Associate member. An Associate member shall have the right to hold office and vote, provided that the graduate is current in his/her dues.

**Section 5. Honorary Membership.** An Active or Associate member may nominate for Honorary Membership any person who has performed exemplary work in the field of Forensic Science or has otherwise demonstrated worthiness by continuous contribution to the Virginia Forensic Science Academy or the law enforcement community. The nominating member will submit a completed Virginia Forensic Science Academy Alumni Association Nomination for Honorary Membership form to the Nominating Committee, as defined in Article II Section 7, no later than thirty (30) days prior to the Annual Meeting.

**A.** Upon approval by the Board of Directors, and ratification by the “electorate” as defined in Article II Section 6, an Honorary member may attend any Association function, but shall not pay any dues, vote, or hold office in The Association.

**Section 6. Electorate.** The electorate shall be comprised of those Active or Associate members who are current in dues and are present at the Annual Meeting.

**Section 7. Nominating Committee**. There shall be a Nominating Committee composed of at least five (5) members who are not members of the Board. The President shall appoint the Chairperson who shall then appoint at least one member from each region to serve on the committee. Each member shall serve for a period of one year.

**A.** The Nominating Committee shall review all nominations for Honorary Membership and submit those names to the Board.

1. The Nominating Committee may provide a written recommendation to accompany any nomination forwarded to the Board.
2. The Nominating Committee shall submit the names of the nominees to the Board no later than thirty (30) days prior to the Annual Meeting.

**B.** The Board shall review all nominations submitted by the Nominating Committee and decide by a majority vote which nominees will be presented to the membership for ratification at the Annual Meeting.

**1.** A majority vote of the electorate shall be necessary to elect an Honorary member.

**C.** An Active or Associate member may re-nominate an individual for Honorary Membership as many times as desired; however, each nomination must be accompanied by a new and complete nomination form.

**Section 8. Invitation for Membership.** The President, or the President’s designee, shall extend an invitation to join The Association to all graduates of the Virginia Forensic Science Academy.

**Section 9. Dues**. The annual dues shall be determined by a majority vote of the electorate. Dues for the upcoming year must be paid prior to the Annual Meeting in order for a member to be entitled to vote on matters coming before the membership.

**Section 10. Termination of Membership.** In order to resign in good standing, a member must be current in the payment of dues up to and including the year of termination, not under any investigation by the Membership/Ethics Committee and must send a written resignation to the Secretary for action by the Board.

**Section 11. Disqualification.** Any Active or Associate member who has not paid dues for the current year within thirty (30) days after the Annual Meeting will be automatically disqualified as a member of The Association.

**Section 12. Reinstatement.** In the event that a member is not in good standing, as a result of non-payment of dues, as provided in Article II Sections 11, or has otherwise withdrawn from membership while in good standing, the membership is reinstated upon the payment of the current year’s dues.

**Section 13. Disciplinary Action**. A member, as defined in Section 1 of this Article, shall refrain from any criminal act or any conduct that may adversely impact on The Association or its stated purposes as reflected in Article II of The Association’s Articles of Incorporation. Any member providing forensic services and/or testimony in any criminal or civil case shall provide such services and/or testimony in accordance with the practices and protocol followed by forensic experts employed by the Virginia Department of Forensic Science, including but not limited to the preparation of a written report of the results of the examination, and the willingness to discuss the findings resulting from such examination with counsel representing both parties in the case.

1. Any information or complaint alleging misconduct of a member shall be referred to the Membership/Ethics Committee, which shall first determine whether the complaint is unfounded or requires further action. If determined to be unfounded the Committee shall so report to the Board. Otherwise, the Committee shall notify the parties involved, to include the member whose conduct is questioned, and any person having filed a written complaint alleging misconduct, that further investigation is being conducted, and that a report will be filed with the Board. Upon receipt of such notification, the member involved may respond in writing to any Committee or Board member and shall cooperate with the investigation conducted by the Membership/ethics Committee. Failure to provide such cooperation may be grounds for termination of membership.
2. If, upon receipt of the Committee’s report, the Board finds that further action is required:
3. The Board shall schedule a meeting and notify, in writing, the member involved of the opportunity to be heard at that meeting. Such notification shall be sent to the member no later than thirty (30) days prior to such Board meeting.
4. The member whose conduct is called into question shall be entitled to address the Board in person or in writing at such meeting, or to have another member in good standing address the Board on his/her behalf. The member shall notify the Committee of his/her intention to appear no later than seven (7) days prior to the Board meeting. If such notice is not provided, the member will have waived his/her rights under this section, and the member’s appearance would be solely at the discretion of the Board.

**3.** After hearing from the Committee and the member involved, the Board shall decide in Executive Session the appropriate action to be taken. Such action shall include any of the following:

1. Dismiss the complaint as unfounded;
2. Issue a letter of reprimand to the member involved;
3. Suspend the member’s membership in The Association for a period of time to be determined by the Board;
4. Revoke the member’s membership in The Association or;
5. Take such other action as the Board may deem appropriate, including putting such member on terms or conditions for continued membership.

**C.** Any disposition determined by the Board shall be put in writing and sent by registered or certified mail to the member involved at that person’s home address on record with The Association.  The disposition by the Board shall be final unless within ten (10) business days of the delivery or attempted delivery of such written disposition the member notifies the Board, in writing and received by a Board member, of his/her intention to appeal the disposition to the full membership.  Upon the Board’s timely receipt of such notice of appeal, the disposition determined by the Board shall remain in full force and effect until the next Annual Meeting of The Association.

**D.** Upon appeal by the member involved, final disposition shall be determined by a majority vote of the electorate at the Annual Meeting following a reasonable opportunity to be heard by the member involved or by another member in good standing on his/her behalf.

**E**. Any member whose membership in The Association has been revoked, pursuant to the procedures set forth in Article II Section 13 of these Bylaws, shall remain ineligible for membership unless and until a majority of the electorate at the Annual Meeting votes for that person’s reinstatement, following a favorable recommendation from the Board.

**F.** The Board shall be authorized to set forth additional or more specific procedures to be followed, provided that such procedures are not inconsistent with the rights of members set forth in these Bylaws.

# ARTICLE III – OFFICERS

**Section 1. Officers.** The Officers of The Association shall consist of a President, First Vice-President, Second Vice-President, Secretary, Treasurer, Western Director, Eastern Director, Northern Director, Central Director, and Sergeant-at-Arms. Each officer shall be an Active or Associate member of The Association elected by a majority vote of the electorate, except that the Regional Directors shall be elected by the respective active Regional membership. The term of office shall be for a period of one year from the date of the Annual Meeting or until a successor is elected, providing each officer remains an Active or Associate member of The Association during the term of office.

**Section 2. Nomination of Officers.** It shall be the annual duty of the Nominating Committee to compile a list of qualified candidates who are willing to assume the offices and duties described in Articles III and IV, excluding the offices of Regional Directors. The committee shall present its nominations to The Association membership through correspondence no later than thirty (30) days prior to the Annual Meeting.

**Section 3. Election of Officers.** Election of officers shall take place at the Annual Meeting.

1. Nominations may be made as follows:
   1. Recommendations of the Nominating Committee.
   2. From the floor by any Active or Associate member.

1. Elections of officers shall proceed by a hand count or at the decision of The Board by secret ballot. If there is only one nominee for an office, the office may be filled by a voice vote.
2. The newly elected officers shall take office at the close of the Annual Meeting.

# ARTICLE IV – DUTIES OF OFFICERS

**Section 1. President.** The President shall be the Chief Executive Officer of The Association and Chairman of the Board and shall preside at all meetings of The Association and Board of Directors except as hereinafter provided in Article IV, Section 2. The President shall appoint any and all committees which the business of The Association may require, subject to the approval of the Board, and shall be a member ex-officio of all committees except the Nominating Committee. The President shall have the authority to call special meetings of the Board upon his/her own initiative. Except in exigent circumstances, notice of any such special meetings shall be provided to each member of the Board at least ten (10) days prior to the meeting and shall specify the business to be considered. Association business other than that specified may be considered at such meetings upon approval of a majority of the Board.

**Section 2. First Vice-President.** The First Vice-President shall assist the President in performing his/her duties and in the absence of the President shall assume and perform the duties of the President. The First Vice-President shall also assist the President in contacting Academy graduates interested in membership.

**Section 3. Second Vice-President.** The Second Vice-President shall perform such duties which the President or the Board may assign.

**Section 4. Secretary.** The Secretary shall record and maintain all minutes of The Association and Board meetings. The Secretary shall keep Standing Rules on policy current. He/She shall assist the President and Board with correspondence as the business of The Association may require and shall maintain such records in an accurate true form. The Secretary shall also perform such other duties as directed by the President.

**Section 5. Treasurer.** The Treasurer shall collect and maintain an accurate record of all financial transactions and shall receive, disburse, and give receipts for all monies handled. The Treasurer shall present a financial report at the Annual Meeting and at Board meetings as requested by the Board. The financial records shall be made available to the Audit Committee annually. The annual financial records shall also be made available to the membership. The funds of The Association shall be deposited in such bank or trust companies, and checks drawn against such funds shall be signed in such manner, as may be determined from time to time by the Board. The Treasurer shall also perform such other duties as directed by the President.

**Section 6. Sergeant-at-Arms.** The Sergeant-at-Arms shall assist the President in preserving order at all meetings.The Sergeant-at-Arms shall see that an election is conducted in an orderly manner and that all votes are properly counted. The Sergeant-at Arms shall also perform such other duties as directed by the President.

**Section 7. Regional Directors.** The membership shall be divided geographically into regional chapters, comprised of Active and Associate members from jurisdictions, which correspond with the service regions of the Department of Forensic Science. Each Regional Chapter is hereby chartered and authorized to establish Regional Bylaws, not inconsistent with the Virginia Forensic Science Academy Alumni Association’s Bylaws, as necessary for the normal operation of the respective regional activities.

**A.** Each Regional Director, who shall be elected in accordance with Article III, Section 1 of these Bylaws, shall be authorized to appoint a Regional Bylaws Committee, comprised of active members of the respective Regional membership for the purpose of establishing Regional Bylaws.

B. The Regional Directors shall represent the interest of the respective regions on the Board of The Association and shall perform such other duties as directed by the respective Regional membership.

# ARTICLE V – BOARD OF DIRECTORS

**Section 1.** The Board shall consist of the President, First Vice-President, Second Vice-President, Secretary, Treasurer, Sergeant-at-Arms, the four Regional Directors, Legal Consultant (as appointed by the President), the Department of Forensic Science consultant, and the Immediate Past President of The Association.

**Section 2.** The duty of the Board shall be to supervise and conduct all business of The Association. The Board, by majority vote, shall fill any vacancies that occur on the Board.

**Section 3.** The Board shall convene at a time and place specified by the President of The Association. Notification shall be provided to the Board members not less than ten (10) days prior to the meeting.

**Section 4.** At any Board of Directors meeting six, (6) Board Members shall constitute a quorum. Proxies are not permitted for the purpose of establishing a quorum of the Board.

# ARTICLE VI - MEETINGS

**Section 1.** The Annual Meeting of The Association shall commence at a time and place specified by the Board by prior notice to the members and shall be held in conjunction with the annual re-training program.

**Section 2.** Special meetings of the membership may be held at such time and place as may be determined by the Board. Special meetings must be called by the President and held within forty-five (45) days of receipt of a written request from fifty-one per cent (51%)of the Active and Associate members. Notice to the full membership must be sent no later than ten (10) days prior to the meeting.

**Section 3.** At any meeting of the membership, at least fifty (50) members entitled to vote shall constitute a quorum. Proxies are not permitted to establish a quorum.

# ARTICLE VII - COMMITTEES

**Section 1.** There shall be four (4) standing committees as follows:

1. Nominating
2. Auditing
3. Bylaws
4. Membership/Ethics

**Section 2.** The Chairperson of each committee shall be appointed by the President with the approval of the Board.

**Section 3.** The duties of the Nominating Committee shall be to nominate candidates for office (See Article III Section 2) and to forward nominations for Honorary Membership (See Article IV Section 5 and 7) to the Board.

**Section 4**. The duty of the Auditing Committee shall be to conduct an annual audit of the financial records maintained by the Treasurer.

**Section 5.** The duty of the Bylaws Committee shall be to study proposed changes to the Bylaws and standing rules of The Association and to present recommendations annually to the Board.

**Section 6.** The duties of the Membership/Ethics Committee shall be to investigate and report to the Board alleged misconduct by any member, in accordance with Article II Section 13.

# ARTICLE VIII – FISCAL YEAR

The fiscal year of The Association shall be from the last Friday preceding Labor Day to the last Thursday preceding Labor Day of the following year.

# ARTICLE IX – PARLIAMENTARY AUTHORITY

The Parliamentary Authority for The Association shall be Robert’s Rules of Order, Newly Revised or any other accepted and recognized published Rules of Order.

# ARTICLE X – PROVISION FOR DISSOLUTION

In the event of dissolution of The Association, no member or individual shall be entitled to share in the distribution of any of The Association’s assets. All assets shall be distributed for its stated purpose or to scientific, educational or charitable groups, trusts, United Funds, or organizations of the kind described in Section 501 of the Internal Revenue Code of 1954, such recipient to be selected by the Board.

# ARTICLE XI – AMENDMENTS TO BYLAWS

Amendment(s) to these Bylaws shall be enacted at the Annual Meeting by a two-thirds (2/3) vote of the electorate, provided that the proposed amendment(s) approved by the Board has been made available in writing to the Membership no later than thirty (30) days prior to the Annual Meeting. Voting by proxy shall not be permitted.

**Approved and enacted per Article XI-Amendments to Bylaws of The Association, at the Annual Meeting August 29th, 2019**

**Secretary: Mark E. Garman August 29th, 2019**

**President: Marc Hackett August 29th, 2019**