

American Board of Forensic Anthropology, Inc.

Diplomate Manual

BYLAWS

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ARTICLE I: Definitions

- Section 1 All definitions of terms and words herein, unless applicable law otherwise requires, shall be as defined by the Articles of Incorporation, the Bylaws, or the Board of Directors, in that order of precedence.
- Section 2 Forensic anthropology shall be defined as the application of the science of physical anthropology and archaeology to the legal process.
- Section 3 Unless otherwise specified a quorum shall consist of a majority of the Board of Directors.
- Section 4 "Active Members" of the ABFA shall include all living individuals who hold a non- retired Certificate of Qualification in Forensic Anthropology as awarded by the Board of Directors and who are also in good standing as determined by the Board of Directors.

ARTICLE II: Name and Purposes

- Section 1 Name. The name of this organization shall be the AMERICAN BOARD OF FORENSIC ANTHROPOLOGY, INC.; hereinafter referred to as the "ABFA", or the "Corporation".
- Section 2 Purposes. The purposes of the ABFA, in the public interest, shall be:
1. to encourage the study of, improve the practice of, establish and enhance standards for, and advance the science of forensic anthropology; to encourage and promote adherence to high standards of ethics, conduct, and professional

- practice in forensic anthropology;
2. to grant and issue certificates, and/or other recognition, in cognizance of special qualifications in forensic anthropology to voluntary applicants who conform to the standards established by the ABFA and who have established their fitness and competence therefore;
 3. to inform the appropriate branches of federal and state governments and private agencies and organizations of the existence and nature of the ABFA and the professional quality of its members for the practice of forensic anthropology;
 4. to maintain and furnish lists of individuals who have been granted certificates by the Board (hereinafter referred to as Diplomates);
 5. to engage in any activities, not prohibited by law or the ABFA's Articles of Incorporation, which may contribute to the above purposes or which are in furtherance of the objects and purposes enumerated in the Articles of Incorporation.

ARTICLE III: Sponsors

- Section 1 Initial Sponsors. The ABFA was initially sponsored by the American Academy of Forensic Sciences and The Forensic Sciences Foundation, Inc. The ABFA is currently an independent, self-sufficient nonprofit organization with no sponsors.
- Section 2 Other Sponsors. The Board of Directors may, by affirmative vote of the Directors, invite organizations having a legitimate interest in forensic anthropology to become sponsors of the ABFA.
- Section 3 Termination of Sponsorship. A sponsoring organization may, in its discretion, terminate its sponsorship of the ABFA upon due notice to the ABFA. Such sponsorship may also be terminated by a two-thirds (2/3) affirmative vote of the Directors.
- Section 4 Responsibility of Sponsors. A sponsoring organization shall not have any obligations for financial support of the ABFA and shall not, by virtue of its sponsorship of the ABFA, have authority over or responsibility for any of the ABFA's operations or activities. The principal role of a sponsoring organization or organizations is to endorse and support the objectives of the ABFA and to give recognition to the ABFA's activities and programs.

ARTICLE IV: Offices

- Section 1 Office of Record. The office of record of the ABFA shall be in the city of Washington, District of Columbia, at 910 17th Street, N.W., Suite 717, Washington, D.C. 20006.
- Section 2 Other Offices. The ABFA may have such other offices at such locations, within or without the District of Columbia, as the Board

of Directors may, from time to time, designate.

ARTICLE V: Officers

- Section 1 Officers of the Corporation. The Officers of the Corporation shall be a President, a Vice President, a Secretary, and a Treasurer. They shall be elected by the Board of Directors from its membership.
- Section 2 Officers of the Board of Directors. The Officers of the Corporation shall serve, in the same respective capacities, as Officers of the Board of Directors of the Corporation.
- Section 3 Functions and Duties. The functions and duties of the President, Vice President, Secretary, and Treasurer shall be such as usually and customarily pertain to their respective offices, and also such other functions and duties as may, from time to time, be delegated or designated by the Board of Directors or as are herein prescribed.

ARTICLE VI: Board of Directors

- Section 1 Authority. The governing body of the Corporation shall be a Board of Directors, which shall be empowered to have, hold, control, manage and administer all of the property, funds, business, affairs and operations of the ABFA pursuant to its Articles of Incorporation, with authority to do everything necessary and desirable in the conduct of the affairs and business of the ABFA and in accordance with these Bylaws.
- Section 2 Composition. The Board of Directors shall consist of at least five (5) and not more than fifteen (15) Directors. Directors shall be nominated and elected by the active Members of the ABFA via majority affirmative vote.
- Section 3 Qualifications of Directors.
1. Directors shall be chosen and elected with due regard for their general attainments and their professional qualifications and experience in forensic anthropology and/or closely related fields;
 2. every person elected as a Director shall be an active Member of the ABFA; provided, however, that one (1) position on the Board of Directors may be held by a duly qualified attorney-at-law who shall not be required to be an active Member of the ABFA;
 3. any active Member of the ABFA may be elected as a member of the Board of Directors whenever an eligible vacancy exists, except as noted in Article IX Section 5 below.
- Section 4 Duties and Functions. The duties and functions of the Board of Directors shall be as follows:
1. the Board of Directors shall exercise overall control over the affairs and operations of the ABFA;

2. the Board of Directors shall be charged with establishing standards for the profession of forensic anthropology, in accordance with the Articles of Incorporation and these Bylaws. These standards shall apply to all persons applying for certification;
3. the Board of Directors shall hold at least one (1) meeting annually and may hold additional meetings on reasonable notice upon the call of the President of the Board or upon the written request of a majority of the Directors;
4. the Board of Directors may, from time to time, designate qualified persons (who need not be Directors) or organizations to act on behalf of the ABFA in performing such duties and functions as the Board of Directors may require. Such persons and organizations may be compensated for their services and reimbursed for the actual and necessary expenses incurred in the discharge of such duties and functions, and shall serve at the pleasure of the Board of Directors

ARTICLE VII: Executive Committee

Section 1 Composition. An Executive Committee of the Board of Directors shall be elected by the Board of Directors and shall consist of the following officers: the President, who shall serve as Chairperson, the Vice President, the Secretary, and the Treasurer. A quorum of the Executive Committee shall consist of a majority of its Officers, and its formal actions shall require a majority vote unless otherwise provided herein.

Section 2 Authority. The Executive Committee shall have full authority and power to act for and on behalf of the Board of Directors between meetings of said Board, except as herein otherwise provided. Actions taken by the Executive Committee on behalf of the Board of Directors shall be reported to the Board of Directors as soon as practical.

ARTICLE VIII: Committees

Section 1 General. The Board of Directors, by majority vote, may designate, establish, and determine the scope of authority, functions and duties of standing and special committees as it deems necessary.

Section 2 Composition. Each standing or special committee shall consist of two (2) or more persons, as designated by the Board of Directors. The Chairperson of each committee shall be a member of the Board of Directors; other members of a committee may be members of the Board of Directors or other qualified persons. The President shall be an *ex-officio* member of all committees.

Section 3 Appointment and Authority. The Chairperson and other members of each standing or special committee, unless otherwise provided herein,

shall be appointed by the President with the advice and consent of the Board of Directors. The President may appoint interim *ad hoc* committees pending approval of the Board of Directors. Every committee may, unless otherwise provided herein, exercise the authority of the Board of Directors in the manner and to the extent provided for in the resolution establishing the committee. Recommendations made by appointed committees shall not be binding upon the Board of Directors.

Section 4 Term of Office. Unless otherwise provided herein or in the resolution of the Board of Directors establishing a standing or special committee, the Chairperson and other members of every standing or special committee shall serve one (1) year terms and be eligible for reappointment. At the end of the term, individual committee members will cease participation unless asked by the President to remain on a specific committee for the sake of continuity or expertise.

ARTICLE IX: Elections and Terms of Office

Section 1 Election of Officers. The election of Executive Committee Officers shall be by ballot (electronic or written) or voice vote of the Board of Directors, and a majority of votes cast shall be required to elect an Officer.

Section 2 Terms of Office of Executive Committee Members. The Officers shall take office on July 1 following their election, and each shall hold office for one (1) year, or until his or her successor has been duly elected and qualified.

Section 3 Vacancies Among Officers. The current Vice President shall fill any vacancy in the office of President that occurs mid-term. Vacancies in other Officer positions shall be filled by election within the Board of Directors. Such election shall be conducted by ballot (electronic or written) or voice vote.

Section 4 Election of Directors. Directors shall be nominated and elected by the active Members of the ABFA. The election of Directors shall be by ballot (electronic or written) occurring prior to July 1 of each year. A plurality of votes cast shall be required to elect a Director. When two (2) or more vacancies for Directors are being filled, the nominees with the most votes shall be elected.

Section 5 Term of Office of Directors. The terms of all Directors shall be three (3) years, unless otherwise specified herein. A nominated Director may serve not more than two (2) consecutive full terms without an intervening period of one (1) year, unless otherwise specified herein. Each Director's term of office shall commence on July 1 following

election and shall end on June 30 of his or her final year in that office, or when his or her successor has been duly elected and qualified.

Section 6

Vacancies Among Directors. Should a Director be unable or unwilling to complete his or her elected term, the President shall be empowered to appoint a temporary Director from among the active Members of the ABFA for the remainder of the current term, for a period not to exceed one (1) year. At the next scheduled election cycle, the position shall be filled via a regular election. A duly- elected replacement Director shall serve for a term of three (3) years as described in Article IX Section 5 above.

ARTICLE X: Indemnification and Surety

Section 1

Indemnification. The Corporation shall indemnify any person made a party to any action, suit or proceeding, by reason of the fact that he/she, their testator or intestate, is or was a Director, Officer or employee of the Corporation, or of any corporation which he/she served as such at the request of the Corporation, against the reasonable expenses, including attorneys' fees actually and necessarily incurred by him or her in connection with the defense of such action, suit or proceeding, or in connection with any appeal therein, except in relation to matters as to which it shall be adjudged in such action, suit or proceeding that such Officer, Director or employee is liable for negligence or misconduct in the performance of his or her duties. The Corporation may also reimburse to any such Director, Officer, or employee the reasonable costs of settlement of any such action, suit or proceeding, if it shall be found by a majority of a committee composed of the Directors not involved in the matter in controversy (whether or not a quorum) that it was in the interests of the Corporation that such settlement be made and that such Director, Officer, or employee was not guilty of negligence or misconduct. Such rights of indemnification and reimbursement shall not be deemed exclusive of any other rights to which such Director, Officer or employee may be entitled apart from the provisions of this section.

Section 2

Surety. The Board of Directors shall, in their discretion, procure or cause to be procured, at the ABFA's expense, appropriate liability insurance coverage for the ABFA's Officers, Directors, agents and employees.

Section 3

Fidelity Bonds. The Board of Directors may require the Treasurer of the Board to furnish, at the expense of the ABFA, an appropriate fidelity bond approved by the Board of Directors. At the end of the term of the Treasurer of the ABFA an independent audit prepared by a CPA shall be provided to the Board, at the expense of the ABFA.

ARTICLE XI: Meetings and Operations

- Section 1 Annual Meeting. The annual meeting of the Board of Directors shall be held at the call of the President, at a location designated by the President within or without the District of Columbia. Notice of the annual meeting shall be provided to each Director at least thirty (30) days before the meeting date. An annual meeting may be conducted by mail or email or by conference upon the written consent of two-thirds (2/3) of the Directors in office.
- Section 2 Special Meetings. Special meetings of the Board of Directors may be called by the President, or upon the written request of a majority of the Directors in office, on a date and at a time and location to be designated by the President, within or without the District of Columbia. Notice of a special meeting shall be given to each Director at least fifteen (15) days before the meeting date, with information regarding the subject(s) to be considered.
- Section 3 Quorum. A quorum for all purposes herein, unless otherwise provided, shall consist of a majority of the Directors. In the event less than this number is present at a meeting, the President may adjourn the meeting not longer than thirty (30) days under the same call for a meeting. No Director shall be entitled to vote through use of a proxy.
- Section 4 Conduct of Board Business.
1. ABFA business including that of an annual meeting may be conducted by mail, or email, by conference, or by a committee comprised of not less than two (2) persons when authorized by a majority of the Directors in office.
 2. When such business conducted by mail or email calls for a vote of the Board of Directors, a two-thirds (2/3) affirmative vote of those responding shall be required to carry a motion.
 3. ABFA business carried on by conference or by standing or special committees shall be conducted in such manner as the Board of Directors may direct.
- Section 5 Territory. The operations of the ABFA are to be conducted in the United States of America and its territories and possessions, and in such other place(s) as the Board of Directors may, from time to time, authorize and direct.

ARTICLE XII: Finances

- Section 1 Fiscal Year. The fiscal year of the ABFA shall be from July 1 through June 30, inclusive.
- Section 2 Income. The income of the ABFA shall be derived from application fees and other fees and charges, from gifts, grants and contributions, and from such other sources and activities as may be approved by the Board

of Directors. All monies accruing to the Board shall be collected by such person(s) as the Board of Directors may designate.

Section 3 Compensation and Reimbursements. No member of the Board of Directors shall be paid any salary or fee for his or her services as a Director or an Officer. Subject to the availability of funds, a Director or an Officer may be reimbursed for actual and necessary expenses incurred by him or her in attending meetings of the Board of Directors or in performing other duties or functions on behalf of the ABFA. The Board of Directors shall determine the compensation and reimbursements to be paid to parties, other than Officers and Directors of the Board of Directors, for services performed or for activities carried out on behalf of the ABFA.

ARTICLE XIII: Certification

Section 1 Standards. The Board of Directors shall establish, maintain, and revise as necessary, standards and qualifications for the granting, issuing, and renewing of certificates and/or other forms of recognition in cognizance of special qualifications in forensic anthropology.

Section 2 Professional. Applicants must possess an earned doctoral degree in anthropology with an emphasis in physical/biological anthropology at the time of application. Doctoral degrees with a different emphasis must be approved by the Board of Directors.

Section 3 Evaluation of Applicants. The Board of Directors shall evaluate the fitness, competence, and qualifications of persons seeking certification by the ABFA. This function may be carried out, in part, by an Applications Committee whose membership shall include at least two (2) Directors. Approval for an applicant to sit for the ABFA examination requires a majority vote of the Board of Directors. Further details on the examination process are contained within the current ABFA guidelines for certification procedure.

Section 4 Certificates. The Board of Directors shall have authority to issue or cause to be issued Certificates of Qualification in Forensic Anthropology to persons who have met the standards of the ABFA and have fully complied with all applicable requirements. Certificates of Qualification shall be issued in such form and at a date as approved by the Board of Directors. A person holding a valid, un- revoked Certificate of Qualification issued by the ABFA shall be entitled to use the designation "Diplomate of the American Board of Forensic Anthropology", and shall be known as "certified" by the ABFA.

Section 5 Fees. The Board of Directors shall establish the fees and other charges incident to application for and granting, issuing, and renewing of Certificates of Qualification and/or other forms of recognition.

Section 6 Denial and Revocation of Certificates. The right to deny certification and to suspend or revoke Certificates of Qualification shall reside with the Board of Directors. Certificates issued by the ABFA are subject to revocation only for one or more of the following reasons:

1. a misstatement or misrepresentation, or concealment or omission, of a material fact or facts in an application or any other communication to the ABFA or its representative(s);
2. conviction of an applicant for certification or holder of a certificate of the ABFA by a court of competent jurisdiction of a felony or of any crime involving, in the opinion of the Board of Directors, moral turpitude;
3. issuance of a certificate contrary to or in violation of any of the laws, standards, rules, or regulations governing the ABFA and its certification programs at the time of its issuance; or determination that the person certified was not in fact eligible to receive such certificate at the time of its issuance;
4. non-payment of annual renewal fees after the second notice by the Treasurer. Reinstatement may be granted in that fiscal year upon payment of the outstanding fees plus a reinstatement charge equal to the current application fee;
5. failure to complete recertification updates as required;
6. or if the following two conditions apply:
 - a. upon the recommendation of any two (2) active Members of the ABFA, the qualifications of any active Member may be reviewed by the Ethics Committee to determine whether the Certificate of Qualification issued by the ABFA should be revoked. The candidate shall have the right to present his or her case to the Ethics Committee;
 - b. upon recommendation of the Ethics Committee and approval by 2/3 of the Board of Directors, action to suspend or revoke certification may only be taken after at least thirty (30) days advance notice of the nature of the charges or reasons for such action has been given to the individual concerned and a reasonable opportunity for such person to be heard has been provided by the Board of Directors.

ARTICLE XIV: Parliamentary Authority

Section 1 Parliamentary Authority. Unless otherwise provided in its Articles of Incorporation or Bylaws, the conduct of meetings of the ABFA shall be governed by rules promulgated by the Board of Directors or, in the absence of such rules, by the rules contained in Sturgis' "Standard Code of Parliamentary Procedure", latest edition available. Any question as to

priority of business shall be decided by a Parliamentarian designated by the President, or in the absence of a Parliamentarian, by the President. Suspension of Rules. The rules governing the conduct of meetings may be suspended at any meeting by a 2/3 vote of the Directors present, if and as allowed by a standard parliamentary procedure.

Section 2

ARTICLE XV: Seal and Insignia

Section 1

The Board shall have a corporate seal and may have other devices and insignia, of such design as the Board of Directors adopt.

ARTICLE XVI: Amendments

Section 1

Any active Member of the ABFA may propose amendments by submitting a proposal for consideration by the Board of Directors. It is the duty of the Board of Directors to publicize proposed amendments to the active Members of the ABFA as soon as possible after receipt.

Section 2

These Bylaws may be amended, altered, or repealed, in whole or in part, in the following ways:

1. upon two-thirds (2/3) affirmative vote of the active Members of the ABFA present at a meeting of the ABFA at which a quorum is present, provided that a copy of the proposed change(s) has been submitted to all active ABFA Members at least thirty (30) days prior to such meeting at which final action is to be taken;
2. upon two-thirds (2/3) affirmative vote by electronic communication of the active members of the ABFA who respond within thirty (30) days after a copy of the proposed change(s) has been submitted to all active Members of the ABFA.

ARTICLE XVII: Effective Date of Bylaws

Section 1

These Bylaws shall become effective following approval by the active Members as specified in Article XVI Section 2 above.