

Alabama Society of Professional Engineers

Deleted: Room 42, Engineering Building
1919 8th Avenue South, Birmingham, Ala. 35294

CONSTITUTION

PREAMBLE

Recognizing that service to the public, to the state and to the profession is a fundamental obligation of the professional engineer, the Alabama Society of Professional Engineers does hereby dedicate itself to the promotion and protection of the profession of engineering as a social and economic influence vital to the health, safety and welfare of the community, the State of Alabama, the United States of America and all mankind.

ARTICLE I - GENERAL

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Section 1. The name of this organization shall be the Alabama Society of Professional Engineers, hereinafter called the Society.

Section 2. The Society is incorporated as a nonprofit organization under the laws of the State of Alabama.

Section 3. The Society is a member state society of the National Society of Professional Engineers, a national organization of like aims and purposes, hereinafter called the National Society, or NSPE.

Section 4. The Society subscribes to and supports the Code of Ethics of the NSPE.

ARTICLE II - OBJECTIVES

Section 1. The objectives of this Society shall be:

- a. Advance and promote the public health, safety and welfare.
- b. Advance the professional, social and economic interests of the profession.
- c. Strive throughout the profession to make licensure more meaningful in terms of acknowledgement of individual achievement in engineering as reflected by education and practice, and encourage all qualified engineers to seek legal and professional status through licensure.

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d. Stimulate and develop professional concepts among all engineers.

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e. Advance self-education and self-improvement, motivating practicing engineers to upgrade and expand their competence by continuing study.

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f. Develop the civic consciousness of members of the engineering profession, and serve the public good by support of, and cooperation with, the governor and other public officials.

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g. Represent the engineering profession in legislative matters in the interests of the state and the profession.

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h. Promote high standards of engineering education.

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i. Cultivate public appreciation for the work of the engineer through improved public relations, and provide a forum for effective exchange and advancement of knowledge of matters of concern to the profession.

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j. Assist well-qualified and properly-motivated young people in obtaining reliable information concerning the profession of engineering.

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k. Establish and preserve high standards of ethical conduct and practice by members of the profession.

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l. Provide an organization that offers to all technical societies of engineers in Alabama, leadership in developing and sustaining the professional status of engineering.

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ARTICLE III - CHAPTERS

Engineers

Section 1. The membership of the Society may be organized into chapters. The Board of Directors, hereinafter called the Board, may authorize and charter such chapters, defining geographical boundaries as may best serve the members of the Society.

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Each chapter thus formed shall have a minimum of 10 voting members. All qualified members of each chapter shall be members of the Society and the National Society.

Section 2. The Board shall have authority to make rules and regulations for and decisions affecting the chartering, combining or dissolving of chapters. Should a chapter become inactive, any funds of that chapter shall be held in escrow by the Society for use in effects to reactivate that chapter. If, after reasonable efforts to

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reactivate that chapter, no success is achieved, that chapter shall be dissolved by the Board and any remaining funds assigned to the Society.

Section 3. Each chapter chartered by the Society shall adopt such bylaws for its operation, as it may deem proper. Nothing contained therein shall conflict with or contravene the Constitution and Bylaws of the Society.

Section 4. Chapters shall engage only in activities consistent with professional ideals and ethics. Such activities shall be restricted to geographical areas for which the chapter is chartered, except as the Board may authorize.

Section 5. In all matters of local concern not covered by this Constitution and Bylaws, chapters shall retain full autonomy, but may call upon the Society and National Society for advice, counsel and assistance.

Section 6. The chapters shall be grouped into three districts: North, Central and South.

Section 7. Each chapter shall be represented on the Board and on the committees of the Society as provided in the Constitution and Bylaws of the Society.

Section 8. No chapter shall contract any debt or obligation on behalf of the Society unless expressly authorized by the Board.

Section 9. The fiscal and administrative years of the chapters shall be concurrent with those of the Society.

Section 10. The annual dues shall be determined by the Society.

Students

Section 11. Student members in engineering colleges and universities may be organized into student chapters, as provided in the Bylaws.

ARTICLE IV - MEMBERSHIP

Section 1. The grades of membership shall be consistent with the rules established by the National Society or as Special Members as defined by the Board. All members shall abide by the Constitution and Bylaws and the Code of Ethics and shall be subject to election, discipline, suspension or termination as provided in the Bylaws.

Section 2. A member may be disciplined by the Society for cause as provided in the Bylaws. In disciplinary matters, the Board may: (a) authorize joint action with other state societies; (b) waive jurisdiction to another state society; or (c) request the

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Deleted: a. Member - A member shall be defined as a person holding a valid license or certificate of registration as a professional engineer, issued under the laws of any state, territory, possession or district of the United States, or a province or territory of Canada.¶

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b. Senior Associate Member - A Senior Associate Member shall be defined as a person who:¶

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<#>Has graduated from an engineering curriculum accredited by the¶

Accrediting Board for Engineering and Technology (ABET); or has¶

graduated from an engineering curriculum prior to the establishment ¶

of professional accreditation procedures by ABET; or has¶

graduated from an engineering curriculum which is accredited¶

by ABET within 6 years after his graduation; or has been awarded¶

a graduate engineering degree from a college or university which¶

has one or more undergraduate engineering curricula accredited¶

by ABET; or has graduated from a curriculum approved by the state¶

registration board;¶

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<#>Has not less than 12 years of acceptable engineering experience;¶

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<#>Is a member of an engineering society in a grade approved by the NSPE Board of Directors?¶

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No person shall be accepted as a Senior Associate Member under the provisions of Section 1 after January 1, 1980.¶

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<#>Associate Member - An Associate Member shall be defined as a person who is:¶

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<#>A certified engineering-in-training; or¶

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<#>A certified land surveyor-in-training; or¶

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assistance of the National Society where in the Board's judgment the circumstances warrant.

Section 3. All members other than Student Members shall have voting privileges. Only Members may hold the offices of president and president-elect; only Members and Surveyor Members may vote on Constitutional changes; and only Members, Senior Associate Members, and Surveyor Members may hold other elected offices.

Section 4. All members of the Society shall be members of the National Society.

Section 5. Should all of the licensures of any Member or Surveyor Member lapse or any one of their licensures be revoked for any reason, said person shall automatically cease to be a member of the Society. A member may be expelled from the Society for cause, as provided in the Bylaws.

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Section 6. Applications for membership shall be submitted as stated in the Bylaws.

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ARTICLE V - DUES

The dues of the Society and the means for billing and collection shall be determined by the Board. The schedule and conditions for dues payment, delinquency, dropping from membership and reinstatement shall be determined by the Board.

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ARTICLE VI - ADMINISTRATION

Section 1. The Society shall be administered by a Board of Directors (the Board). The Board shall determine all questions of policy and shall administer the affairs of the Society under this Constitution and the general provisions of the law under which it is incorporated.

Section 2. The Board shall consist of the president, president-elect, vice-president north, vice-president central, vice-president south, secretary, treasurer, the latest living past president, regional director(s), state director(s), Non-voting members of the Board shall consist of the presidents of the chapters of the Society and one representative of each officially recognized practice division.

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Section 3. A minimum of six of the voting officer Board members, as cited in Article VII, section 1, shall constitute a quorum. An affirmative vote of a majority of the Board members present at any regular or duly called meeting shall be required to pass any motion not inconsistent with the Constitution and Bylaws of the Society. The president shall vote only when necessary to break a tie.

Section 4. The Board shall have authority to decide upon any question by means of a letter ballot directed to all members of the Board. Procedures for determining a vote

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by letter ballot shall be specified in the Bylaws, and a majority of the votes cast within the stipulated time shall decide the question submitted to ballot.

Section 5. The Board shall direct the investment and care of funds for the Society and shall adopt an annual budget and make appropriations for other specific purposes.

Section 6. No members of the Board shall receive a salary or compensation from the Society, except for expenses incurred on behalf of the Society as approved by the Board.

Section 7. The Board shall consider all questions brought before it involving the rights and standing of members, and all questions of ethics.

Section 8. There shall be an Executive Committee of the Board consisting of the president, president-elect, past president, secretary, treasurer, and regional director. Within the provisions of the Constitution and Bylaws, the Executive Committee shall act for the Board between Board meetings provided that such action is not inconsistent with Board policy. All actions of the Executive Committee shall be reported to the Board at its next meeting. A majority of the Executive Committee shall constitute a quorum.

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ARTICLE VII - OFFICERS AND DIRECTORS

State

Section 1. The officers of the Society shall consist of the president, president-elect, vice-president north, vice-president central, vice-president south, regional director, secretary, treasurer and the latest living past president.

Section 2. The president-elect and secretary shall be elected for a term of one year, and the treasurer shall be appointed by the Board for a term of one year. The president-elect shall automatically assume the office of president for the year following the term of the president.

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Section 3. Each chapter shall be represented on the Board by at least one state director. Chapters having more than 110 Members shall be entitled to one additional director. Chapters having 185 and 260 Members shall be entitled to 2 and 3 additional directors respectively, with a maximum of four state directors from any one chapter. The state directors shall be elected for a term of three years by the local chapters, and the terms of office shall be staggered insofar as possible.

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Section 4. There shall be three vice-presidents of the Society, one from each district of the state as delineated in the Bylaws and elected by the entire Society membership. The vice-presidents shall be elected for a term of three years.

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Section 5. The Board may appoint an executive secretary or executive director, when the financial and other conditions warrant, and fix their compensation and define their duties.

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Section 6. The duties of the officers and directors shall be defined in the Bylaws.

Section 7. The treasurer and the executive secretary shall be bonded, at the expense of the Society, for such amount, and at such time, as may be determined by the Board.

Section 8. The officers and directors shall take office on the first day of the administrative year following their election, and shall hold office until their successors have been duly elected and installed.

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Section 9. In the event the office of the president becomes vacant or the president is unable to serve, the president-elect shall assume the office of the president. Following such assumption of office, the president-elect shall also serve as president for his normal elected term. If the office of president-elect is vacated for other reasons, it shall be filled by a special election of the Board. Any other vacancy in the elected officers of the Board, including the regional director(s), shall be filled for the unexpired term by appointment by the Board. Vacancies in state directors on the Board shall be filled by the affected chapters. In the event any chapter does not comply within 30 days after due notice, the Board shall fill such vacancy, or vacancies, from the membership of the chapter affected.

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Section 10. Removal of officers may be effected for good cause by a three-fourths vote of the Board. Removal of directors may be effected for good cause by the chapter represented.

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National

Section 11. The Society shall be represented on the Board of Directors of the National Society by participation in the Southeast Region of the National Society in accordance with the Constitutional provisions of the National Society. Each regional director shall serve as a delegate to the Southeast Region of the NSPE in accordance with its constitutional provisions. The Society shall elect one alternate regional director, for each regional director, to serve in the absence of the regional director. The regional directors and the alternate regional directors shall be elected for terms of two years, and the terms shall be staggered insofar as possible.

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ARTICLE VIII - NOMINATION AND ELECTION OF OFFICERS

Section 1. Nominations for offices shall be made by the Nominating Committee. Additional nominations may be made from the floor of the winter business meeting of the Society or by a petition signed by 50 members eligible to vote. Any nominating petitions must be in the hands of the secretary by January 15.

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Section 2. The Nominating Committee shall consist of the latest available resident past president, who shall be chairman of the committee, and members selected by the local chapters. Each chapter is authorized the same number of members on this committee as the number of state directors authorized for the chapter. No officer shall be eligible for membership on this committee. The chairman is without vote unless there is a tie vote.

Section 3. If a chapter does not by November 1 report to the Board the name of the representative to fill each of its authorized memberships in the Nominating Committee, such vacancy may be filled by appointment from the chapter's membership by the president of the Society. In the event an elected member of the Nominating Committee is unable to fulfill his functions, the president shall declare the position vacant and appoint an alternate from the chapter involved. Should the chairman be unable to fulfill his functions, the president shall declare the position vacant and appoint another past president as chairman. In the event the newly appointed chairman was a voting member of the committee at the time of his appointment as chairman, the president shall then appoint a voting alternate from the chapter of the appointed chairman.

Section 4. After canvassing each chapter for suggested nominees, the Nominating Committee shall offer one or more nominees for each office, no one of whom shall be a member of the Nominating Committee. Nominations made by petition may include members of the Nominating Committee.

Section 5. The Nominating Committee shall report the names of the nominees on or before December 15, together with a brief biographical sketch of each nominee, to the secretary who shall transmit same to the members on or before January 15.

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Section 6. Election of officers shall be made annually by a plurality vote on individual letter ballots sent to all voting members of the Society in good standing. Dates for mailing, returning ballots and announcing results shall be determined by the Board and stated in the Bylaws.

Section 7. The treasurer for the ensuing year shall be appointed by the president subject to the approval of the Board.

Section 8. Each nominee to the office of vice-president north, vice-president central, or vice-president south must be a member of a chapter in that district, with those areas more specifically defined in the Bylaws. No one shall be nominated to any office without first-obtaining his agreement to serve in that office, if elected.

Section 9. Eligibility to nomination, election or retention of a position as an elective officer or director of the Society shall be contingent upon residence or employment in the State of Alabama.

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ARTICLE IX - MEETINGS

Section 1. The Society shall hold a mid-year business meeting and an annual meeting at such times and places as may be selected by the Board. Meetings shall be open to all members and their guests.

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Section 2. Special meetings of the Society may be called by the president on a two-thirds vote of the Board or upon petition by 50 members of the Society, or 10% of the membership, whichever is the smaller number.

Section 3. All meetings of the Board shall be called by the president or upon request of two-thirds of the directors representing at least three chapters of the Society.

ARTICLE X - HEADQUARTERS

The location of the Headquarters of this Society shall be determined by the Board.

ARTICLE XI - COMMITTEES

Section 1. Such committees as may be appropriate shall be established as provided in the Bylaws.

Section 2. The duties of committees shall be defined by the Board.

ARTICLE XII - PRACTICE DIVISIONS

Section 1. To further the objectives of the Society, establishment of practice divisions is authorized.

Section 2. The Board may sanction the creation or order the dissolution of practice divisions as provided in the Bylaws.

ARTICLE XIII -AMENDMENTS

Section 1. Amendments to this Constitution may be proposed by: (a) a majority vote of the entire Board; (b) by a petition signed by not less than 15% of the members of the Society who are eligible to vote; or (c) by a majority vote of the Board members present, provided that the text of the proposed amendment shall have been mailed to the members of the Board not less than 30 days prior, to the day when the amendment shall be considered. Amendments submitted by petition shall be reviewed for conformance with existing procedures by the Board before being

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submitted to the secretary for ballot. The findings of this review may be transmitted to the members at the discretion of the Board.

Section 2. Proposed amendments to the Constitution, together with a letter ballot, shall be mailed by the secretary to each member eligible to vote. Ballots shall be returned to the secretary not later than 20 days after their mailing by the secretary.

Section 3. An amendment shall become effective only upon the affirmative vote of two-thirds of the votes cast by the qualified members.

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ARTICLE XIV - BYLAWS

Section 1. The Board shall prepare and adopt a series of Bylaws, which shall govern all procedures under this Constitution, including those of the Board and of the committees.

Section 2. Bylaws may be amended by an affirmative vote of a majority of the Board present at a meeting, provided that the text of the proposed amendment shall be distributed to the Board at least 20 days before the meeting at which a vote on the amendment will be taken.

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ARTICLE XV - SUSTAINING FIRM ORGANIZATION

A Sustaining Firm Organization is authorized. The Board is charged with the responsibility of enacting Bylaws for the formation and the administration of such Sustaining Firm Organization.

ARTICLE XVI - EFFECTIVE DATE

Section 1. This Constitution shall become effective upon its adoption in the manner prescribed for voting on amendments and thereupon the previous Constitution and prior amendments thereto are repealed.

Section 2. Any amendment to this Constitution affirmed according to the procedure herein specified, shall become effective 30 days after the deadline for the return of the letter ballots. Each chapter shall be notified in writing of the amendment and the effective date.

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- a. Member - A member shall be defined as a person holding a valid license or certificate of registration as a professional engineer, issued under the laws of any state, territory, possession or district of the United States, or a province or territory of Canada.

- b. Senior Associate Member - A Senior Associate Member shall be defined as a person who:
 1. Has graduated from an engineering curriculum accredited by the Accrediting Board for Engineering and Technology (ABET); or has graduated from an engineering curriculum prior to the establishment of professional accreditation procedures by ABET; or has graduated from an engineering curriculum which is accredited by ABET within 6 years after his graduation; or has been awarded a graduate engineering degree from a college or university which has one or more undergraduate engineering curricula accredited by ABET; or has graduated from a curriculum approved by the state registration board;
 2. Has not less than 12 years of acceptable engineering experience;
 3. Is a member of an engineering society in a grade approved by the NSPE Board of Directors?

No person shall be accepted as a Senior Associate Member under the provisions of Section 1 after January 1, 1980.

- c. Associate Member - An Associate Member shall be defined as a person who is:

1. A certified engineering-in-training; or
2. A certified land surveyor-in-training; or
3. A graduate engineer or land surveyor actively pursuing an engineering or surveying career or engaged in postgraduate study.

A graduate engineer is one who has graduated from an engineering curriculum accredited by the Accrediting Board for Engineering and Technology or has graduated from an engineering curriculum prior to the establishment of professional accrediting procedures by ABET; or has graduated from an engineering curriculum which is accredited by ABET within six years after graduation; or has been awarded a graduate degree in engineering from a college or university which has one or more undergraduate engineering curricula accredited by ABET;

or has graduated from a curriculum approved by the state registration board.

An Associate Member shall advance to the Member or Surveyor Member grade as soon as eligible by registration.

- d. Student Member - A Student Member shall be defined as an undergraduate or graduate engineering or surveying student.
- e. Surveyor Member - A Surveyor Member shall be a land surveyor licensed to practice in any state, territory, possession or district of the United States.
- f. Life Membership and Privileged Membership - Consistent with the Bylaws of the National Society, Life and Privileged Memberships are authorized. Members shall be granted Life or Privileged Memberships when so designated by the National Society.