

American College of Veterinary Clinical Pharmacology

*BYLAWS*

Article I

**Election of Officers and Board Members**

Section 1: The Officers of the College, as specified in Article VI, Section 1 of the Constitution, shall be Charter Diplomates or Diplomates selected by a majority of the members who have voted in a mail ballot.

- a. An election shall be held biennially for the President-Elect, Vice-President, and Secretary, and Treasurer.
- b. Continuity of leadership will be attained by the President-Elect moving to President in succeeding terms.
- c. Term of office for each of the officers shall be two years. Re-election to the position of Vice-President, Secretary and Treasurer shall be allowed.

Section 2: Sequence of election events.

- a. A slate of candidates for each available position shall be submitted by the Nominating Committee to the Secretary at least 90 calendar days before the biennial meeting of the College corresponding to the election year.
- b. The slate developed by the Nominating Committee shall be mailed to the membership at least 60 calendar days before the meeting.
- c. Additional nominations from the membership must be received by the Secretary by 45 calendar days before the meeting.
- d. A final ballot shall be sent to the membership by 30 calendar days before the meeting.
- e. Validated ballots must be returned to the Secretary no later than 15 calendar days before the meeting. The Secretary will tally the vote and announce the winners at the meeting.
- f. If a majority of the vote for a position is not received by one candidate, an additional ballot, containing the names of the two candidates with the highest number of votes, will be mailed to the membership by 30 calendar days after the annual meeting of the election year. Validated ballots must be returned to the Secretary within 15 calendar days.
- g. Newly elected officers shall take office at the conclusion of the annual meeting at which their election is announced, or as soon as their election is declared in the event of an additional ballot.

Section 3: Candidates for election to any office must provide written confirmation to the Secretary of their willingness to serve, before they can be recommended to the membership.

Section 4: Unforeseen vacancies of any offices, or on the Board occurring between annual meetings shall be filled by appointment by the Board for the remainder

of the year, at which time the vacancy shall be filled by election as specified in Article I, Section 2 of these Bylaws.

## Article II

### **Duties of Officers**

- Section 1: President. The President will perform the usual duties of a President and a Chairperson of the Board. This person will call and preside over all meetings of the College and the Board, will serve as spokesperson for both the College and the Board, and shall serve as Chairperson of the Nominating Committee.
- Section 2: President-Elect. The President-Elect shall succeed to the office of President, serve the function of President in the President's absence, serve as the Chairperson of the Scientific Program Committee, and be a member of the Board.
- Section 3: Vice-President. The Vice-President shall be a member of the Board, and serve as Chairperson of the Credentials Committee.
- Section 4: Secretary. The Secretary shall keep minutes of all meetings of the College and the Board, serve on the Board, conduct the correspondence of the College with the approval of the Board, arrange secure and safe storage of all records, and perform the usual duties of a secretary.
- Section 5: The Treasurer shall also collect dues, issue receipts, draw vouchers, pay all the necessary expenses of the College, arrange the safe-keeping of all funds, submit a financial statement at the annual meeting and perform the usual duties of a treasurer. He/she shall also prepare and submit all documents required by state or federal authorities.
- Section 6: Past President. The immediate Past President shall continue to serve as a voting member of the Board for two years, and shall serve as Chairperson of the Education Committee.

## Article III

### **Duties and Powers of the Board of Regents**

- Section 1: The Board shall have the duties and powers ordinarily delegated to the governing body of a corporation and granted by the Constitution. These shall include but not be limited to:
- a. developing and administering a procedure for certifying specialists in veterinary clinical pharmacology;
  - b. appointing the Nominating Committee, with the exception of the Chairperson who is the President of the College;

- c. appointing the Education Committee, with the exception of the Chairperson who is the Past President of the College;
- d. approving procedural guidelines for the evaluation of training programs and applicant credentials;
- e. approving training programs following evaluation and recommendation by the Education Committee;
- f. appointing the Credentials Committee, with the exception of the Chairperson who is the Vice-President of the College;
- g. admitting candidates to the Diplomate Certification Examination after consideration of the recommendation of the Credentials Committee;
- h. appointing the Examination Committee, and Examination Committee Chairperson who shall be an ex officio member of the Board, without vote;
- i. approving procedural guidelines for the preparation, administration, and grading of all examinations;
- j. reviewing and approving examinations prepared by the Examination Committee;
- k. when necessary, appointing a member to replace an existing member of any standing committee who fails to perform the duties expected by the committee chairperson;
- l. formally accepting candidates as Diplomates and issuing of certificates;
  - m. appointing the liaison representative and alternate to the American Board of Veterinary Specialties (ABVS) for a term of five years with eligibility for one additional term.

#### Article IV

##### **Meetings**

Section 1: The College shall sponsor an annual open scientific program. The venue and date of this program will be decided by vote of the membership at the annual business meeting of the preceding year.

Section 2: The College and Board shall hold an annual business meeting. The venue and date of this meeting will be decided by vote of the membership at the annual business meeting of the preceding year.

Section 3: The entire membership of the College, including all classes of Diplomates in good standing, shall be informed by mail of the time and place of all meetings of the College.

#### Article V

##### **Committees**

### Section 1: Nominating Committee

- a. The Nominating Committee shall have four members, including the Chairperson.
- b. Members of the Nominating Committee shall serve for a term of two years but may be reappointed for an additional term.
- c. The Nominating Committee shall prepare a slate of at least two candidates for each official vacancy as specified in Article I, Section 1 of the Bylaws.

### Section 2: Education Committee

- a. The Education Committee shall consist of five Diplomates, including the Chairperson, and shall be appointed by the Board for staggered terms of 3 years each.
- b. The Education Committee shall be responsible for preparing guidelines for development and accreditation of standard and non-traditional training programs designed to prepare candidates for certification by the ACVCP and shall submit these guidelines to the Board for approval. Any amendments to the guidelines must be approved by the Board before the next application evaluation period to which changes would apply. Guidelines shall be consistent with the general requirements for training programs (Article VI, Section 1.A of the Bylaws).
- c. The Education Committee shall be responsible for preparing an information document describing the elements of an approved training program, including a candidate reading list, and shall submit this document to the Board for approval. Any amendments to the information document must be approved by the Board before the next application evaluation period to which changes would apply.
- d. The Education Committee shall evaluate the documentation of standard and non-traditional training programs provided by program supervisors and mentors in accordance with the requirements specified in the Bylaws and procedural guidelines approved by the Board and shall provide advice to program supervisors and mentors regarding the development of programs.
- e. The Education Committee shall submit recommendations for accrediting standard and non-traditional training programs to the Board for approval. Each program must be re-evaluated and accredited every five years.
- f. When necessary, the Education Committee shall develop and organize training opportunities or materials, such as workshops, seminars, and computer-based instructional modules.

### Section 3: Credentials Committee

- a. The Credentials Committee shall be composed of seven Diplomates, including the Chairperson and shall be appointed by the Board for staggered terms of 3 years each.
- b. The Credentials Committee shall be responsible for preparing procedural guidelines for the evaluation of applicant credentials and will submit these guidelines to the Board for approval. Any changes in subsequent years will require Board approval before the next application evaluation period to which changes would apply.

- c. The Credentials Committee shall evaluate the documentation provided by applicants wishing to sit the Diplomate Certification Examination in accordance with the requirements specified in the procedural guidelines approved by the Board.
- d. The Credentials Committee shall forward the credentials of approved applicants to the Board with a recommendation that they be allowed to sit the Diplomate Certification Examination.

#### Section 4: Examination Committee

- a. The Examination Committee shall consist of ten members, including the Chairperson, appointed by the Board for staggered terms of 3 years each. Members shall be appointed so as to provide a balance of expertise within the Committee.
- b. The Examination Committee shall be responsible for:
  - 1. preparing procedural guidelines for the preparation, administration, and grading of all examinations. These shall be submitted to the Board for approval. Any changes in subsequent years will require Board approval before the next examination to which the changes would apply;
  - 2. preparing, approving, administering, and grading all Diplomate Certification Examinations; and
  - 3. making recommendations to the Board regarding competence of applicants based on their performance in the Diplomate Certification Examination.

#### Section 5: Scientific Program Committee

- a. The Scientific Program Committee shall consist of four members including the Chairperson.
- b. Members of the Scientific Program Committee are appointed by the President.
- c. The Scientific Program Committee will plan all scientific meetings.

#### Section 6: Maintenance of Certification Committee

- a. The Maintenance of Certification Committee shall have a minimum of three members, including the Chairperson, who represent the diversity of skills and knowledge required by Diplomates.
- b. Members of the Maintenance of Certification Committee shall serve for a term of two years but may be appointed for an additional term.
- c. The Maintenance of Certification Committee shall be responsible for preparing the procedural guidelines for maintenance of certification. These and any subsequent changes to the guidelines shall be submitted to the Board for approval. The members shall review the Record of Maintenance of Certification Hours every two years and contact diplomates if they are at risk of failing to acquire the number of hours to maintain certification at 10 years.

## Article VI

### **Training Programs, Credentials Evaluation and Examinations**

Section 1: Requirements for admission to the Diplomate Certification Examination shall be as follows:

- A. Satisfactory completion of a training program that has been evaluated by the Education Committee and approved by the Board of Regents. Training programs will be evaluated in accordance with the procedural guidelines (Article V, Section 2.b of the Bylaws) developed by the Education Committee and approved by the Board of Regents.
  1. Applicant credentials will be evaluated in accordance with the Credentials Committee procedural guidelines (Article V, Section 3.b of the Bylaws) developed by the Credentials Committee and approved by the Board.
  2. The applicant will be notified prior to December 1 of the year preceding that of the intended examination as to the acceptance or denial of his/her request.

Section 2: Diplomate Certification Examination.

- A. After training, publication, and application requirements have been satisfied, the candidate must demonstrate acceptable performance on the Diplomate Certification Examination, which will include two objective type comprehensive examinations. Phase I examination is designed to test the candidate's knowledge of basic pharmacology. Phase II examination is designed to test the candidate's ability to apply the principles of clinical pharmacology within a clinical milieu. The candidate must pass the Phase I examination before being permitted to take the Phase II examination.
- B. The Diplomate Certifying Examination, including both objective type and written components, will be prepared, reviewed, conducted, and graded in accordance with procedural guidelines (Article V, Section 3.c.4 of the Bylaws) developed by the Examination Committee and approved by the Board.
- C. The Chairperson of the Examination Committee will set the date and location of the Diplomate Certifying Examination.
- D. The result of each candidate's examination will be conveyed immediately to the Board of Regents and all candidates will be simultaneously notified of the decision of the Board within 45 days after completion of the examination.
- E. Candidates who fail an examination or decide not to take an examination the year after credentials are approved must notify the Secretary of their intention to take the examination the following year. Such notification must be received by October 1.
- F. An examination candidate must pass all components of the Diplomate Certifying Examination within five years after the application to take the Phase I

examination is approved. Failure to meet this time limit will require submission of a new application and reexamination.

### Section 3: Certification

- A. Candidates achieving satisfactory performance on the Diplomate Certification Examination will be granted Diplomate status by the Board upon consideration of the recommendation of the Examination Committee.
- B. Diplomate certificates will be issued to successful candidates by the Board, or presented to the new Diplomates at a ceremony at the next Annual Business Meeting the following year.

### Section 4: Appeals

- A. Candidates denied eligibility to sit the Diplomate Certification Examination may appeal this decision within 30 calendar days of the post marked date of notification. The appeal must be made in writing to the Secretary and shall include a statement of the grounds for reconsideration and appropriate documentation.
  - 1. Upon receipt of an appeal, the Secretary shall notify the President and the Chairperson of the Credentials Committee. The President will appoint within 15 calendar days of notification of the appeal a committee of 3 Diplomates (and name its convener) to serve as an ad hoc Appeals Committee. No member of the ad hoc Appeals Committee will have served on the Credentials Committee that made the original adverse decision.
  - 2. The Chairperson of the Credentials Committee and the President shall submit to the Appeals Committee written statements indicating the reasons for rejecting the application of the candidate. The complete dossier of the candidate will be provided for the Appeals Committee to review.
  - 3. The Appeals Committee shall review the appeal(s) and render a decision to the Board within 30 calendar days.
  - 4. The Board will notify the petitioner of the decision of the Appeals Committee within 15 calendar days after receipt of the report of the Appeals Committee.
  - 5. The petitioner may request mediation facilitation if the petitioner is not satisfied with the final decision.
- B. Candidates failing to pass the Diplomate Certification Examination may appeal this decision within 30 calendar days of the postmarked date of notification.
  - 1. The request for appeal must be made in writing to the Secretary and shall include a statement of the grounds for reconsideration and appropriate documentation.
  - 2. The Secretary shall notify the President and the Chairperson of the Examination Committee of the appeal. The President shall appoint 3

Diplomates to serve as an ad hoc Appeals Committee (and name its convener) within 15 calendar days of notification of an appeal. No member of the ad hoc Appeals Committee will have served on the Examination Committee that made the original adverse decision. The Chairperson of the Examination Committee shall submit to the Appeals Committee the examination and scores of the candidate, the complete list of scores of all candidates on that examination, and a statement as to the criteria used for the Committee's recommendation for success or failure.

3. The Appeals Committee shall evaluate whether the Examination Committee complied with the procedural guidelines for the preparation, administration, and grading of the examination and render decision(s) to the Board within 30 calendar days.
4. The Board will notify the petitioner of the decision within 15 calendar days after receipt of the recommendation(s) of the Appeals Committee.
5. The petitioner may request mediation facilitation if the petitioner is not satisfied with the final decision.
6. If an appeal is unsuccessful and the petitioner wishes to reapply to sit the Diplomate Certification Examination, the normal October 1 deadline for application, as specified in Article VI, Section 1.C.2, will be extended to January 1.

#### Section 5. Maintenance of Certification

Diplomates awarded after January 1, 2016 are required to maintain their certification. Maintenance of certification requires submission of the American College of Veterinary Clinical Pharmacology Record of Certification Maintenance as specified by the procedural guidelines for maintenance of certification. The Diplomate must meet requirements in accordance with the procedural guidelines for maintenance of certification.

### Article VII

#### **Fees and Fiscal Matters**

Section 1: Candidates for the Diplomate Certification Examination shall pay separate prescribed fees to the College for registration, credentials review and each phase of the examination as described in the procedural guidelines (Article V, Section 3.b and Article V, Section 4.b of the Bylaws). All fees are non-refundable except that the Board may authorize refunds if it deems that extenuating circumstances exist.

Section 2: Annual dues for Diplomates shall be decided by vote of the membership at the annual meeting and are due and payable as of September 1 each year. Dues

are non-refundable except that the Board may authorize refunds if it deems that extenuating circumstances exist.

Section 3: The annual operating budget of the College shall be developed by the Board and approved by the membership at the annual business meeting.

Section 4: The fiscal year of the College shall be from September 1 to August 31.

Section 5: All checks or orders for the payment of money, issued in the name of the Board shall be signed by such officer or officers, employee or employees, as may be so authorized by the Board.

Section 6: No loans shall be contracted on behalf of the corporation and no evidences of indebtedness shall be issued in its name unless authorized by or under the authority of a resolution of the Board. Such authorization may be general or confined to specific instances. Likewise, the corporation shall make no loans except by authority of a resolution of the Board.

Section 7: All funds of the College shall be deposited from time to time to the credit of the College in such bank or banks as the Board may select, or be otherwise invested as the Board may direct.

Section 8: The Board may authorize any officer or officers, employee or employees, agent or agents, to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Board and such authority may be general or confined to specific instances.

Section 9: The President shall appoint a member of the College to audit the accounts of the Treasurer. The audit shall be conducted on alternate years coincident with the election of officers. The audit will be submitted to the Board for review.

## Article VIII

### **Discipline**

Section 1: Certificates of Diplomate status always remain the property of the College and shall be repossessed when:

- a. the issuance of such a certificate or its receipt by the Diplomate shall have been contrary to, or in violation of, any provisions of the Constitution and Bylaws of the College; and
- b. In the case of delinquent dues, the Treasurer shall notify the Diplomate in arrears by mail within 90 days that dues are past due. If not paid by March 1 of the year in which dues are in arrears, the Treasurer will notify the Diplomate by registered mail that payment is overdue and that if not paid, with the next years dues by September 1 (one year after dues are first in arrears), Diplomate status will be rescinded. Unless the Board deems extenuating circumstances to exist, the

Treasurer will request return of the diploma and will de-list the then past-Diplomate from the rolls of the College. In order to regain membership, past-Diplomates must apply for and pass the Phase I and II examinations, pay examination fees, and pay all delinquent dues for the year in arrears.

- c. In the case of a Diplomate's refusal to participate in the Examination Committee, or Credentials Committee responsibilities when asked by the committee chairpersons, or refusal to respond to request(s) from the Examination Committee Chairperson to submit questions for the credentialing examination, the Chairperson will notify the Board of the Diplomate's failure to comply. The Chairperson of the Board will then notify the Diplomate by registered mail that they have been negligent in their duties to the College and be reminded that the consequences of this failure can be to rescind their Diplomate status. The Diplomate will then have an opportunity to respond to the Board within 30 calendar days. If the Diplomate fails to respond to two consecutive requests by the committee chairperson, Diplomate status can be revoked with a unanimous vote of the Board, unless extenuating circumstances exist. In order to regain membership, past-Diplomates must apply for and pass the Phase I and Phase II Examination, pay the examination fees, and pay all delinquent dues for the year(s) in arrears.

Section 2: It is the duty of any Diplomate, and especially any officer, (hereinafter called the Complainant) who becomes aware that any other Diplomate (hereinafter called the Respondent) has brought discredit or risk of discredit upon the College, through unethical conduct, incompetence, fraud, or any other reason(s), to submit a written complaint of such actions to the Board. If the Board so determines, it shall appoint an ad hoc Hearing Committee of three Diplomates (and name its convener) to investigate the matter. The Hearing Committee shall hold a review and hearing of the matter under the direction of legal counsel retained by the Board. At such a hearing, the Complainant and the Respondent shall have full opportunity to state their respective positions in writing and/or in person. The Hearing Committee shall submit a report and recommendation(s) to the Board. The Hearing Committee shall submit a report and recommendation(s) to the Board. Upon consideration of the report and recommendation(s) of the Hearing Committee, the Board may submit a motion on the matter to an annual meeting of the College. Approval of any motion shall require a two-thirds majority of those present at the meeting.

## Article IX

### **Conduct of Business**

Section 1: Diplomates who have paid dues for the fiscal year shall be eligible to attend, have voice, and vote in business meetings and to vote through mail ballots. In the case of a dispute, the records of the Treasurer will prevail.

Section 2: A quorum of the College shall consist of at least 25% of the voting membership.

Section 3: A quorum of the Board shall consist of a simple majority of the Board.

Section 4: In the presence of a quorum, the Bylaws may be suspended at any meeting by unanimous consent of all Diplomates present and eligible to vote.

Section 5: Roberts' Rules of Order, Revised, shall govern the conduct of all meetings except as described above.

## Article X

### **Liability**

In the event that any person is made a party to or threatened with any civil, criminal or administrative action, suit, or proceeding by reason of the fact that he or she is or was a member, emeritus member, officer or employee of the Board, the Board shall indemnify that person against the reasonable expenses, including attorney's fees, actually and necessarily incurred by him or her in connection with such matter, or in connection with any appeal therein, except as to matters as to which such person is guilty of negligence or misconduct in the performance of his duties.

## Article XI

### **Amendments**

Section 1: Proposed amendments shall be submitted to the Board for study through the Secretary at least 90 calendar days before a scheduled meeting of the College, or before a ballot.

Section 2: Proposed amendments, with the recommendation of the Board, shall be mailed to the membership, sent by electronic-mail, or posted on a secure ACVCP web site, at least 30 calendar days prior to a voice vote at a meeting of the College or the counting of a ballot.

Section 3: An affirmative vote on an amendment shall require that at least three fourths of the eligible membership vote, and that at least three/fourths of those voting approve the proposed amendment.

*Approved June 2018*