

# *California Association of Toxicologists*

## *Bylaws*



*Revised January 2019*

## **ARTICLE I NAME**

The name of this organization shall be the California Association of Toxicologists, a non-profit organization, referred to hereafter as “The Association” and/or “The Corporation.”

## **ARTICLE II OBJECTIVES AND PURPOSES**

Section 1: The mutual exchange of information within the field of toxicology and the discussion of professional problems of common interest.

Section 2: To improve the practice, elevate the standards, and advance the cause of toxicology.

## **ARTICLE III ELIGIBILITY FOR MEMBERSHIP**

Membership shall be limited to persons of professional competency, integrity, and good moral character who are actively engaged in the field of toxicology or who have advanced the cause of toxicology in some significant manner.

## **ARTICLE IV MEETINGS**

Section 1: A minimum of two meetings shall be held each calendar year. Location and date will be decided by the Board of Directors.

Section 2: The Board of Directors shall meet at least twice a year. A quorum for the Board of Directors meeting shall be at least five members of the Board.

## **ARTICLE V OFFICERS AND BOARD OF DIRECTORS**

Section 1: Officers of this Association shall consist of President, Vice-President, Secretary/membership, Treasurer, and Secretary/proceedings.

Section 2: Officers shall be elected every second year at the second meeting of each even-numbered calendar year and shall hold office for two years until successors have been elected and qualified. The Board of Directors consists of all the officers, the Immediate Past President, and two Members-at-Large. The term of office of each Member-at-Large shall be two years and shall be elected in the same manner as the officers.

Section 3: The Board of Directors shall fill any vacancy in its membership and any vacant office by the appointment of any member qualified to hold office. Such member so appointed shall serve until the next election.

## ARTICLE VI MEMBERSHIP

Section 1: There shall be five (5) classes of membership in the Association:

### 1. FULL MEMBER

- a) A person who meets the qualifications below may be admitted to the Association as a Full Member.
  - i) Has been actively engaged in the field of toxicology for at least one (1) year.
  - ii) Has been recommended for membership by two (2) voting members familiar with his or her qualifications.
  - iii) Has shown interest in the Association by attending at least two (2) meetings within two (2) years.
  - iv) Has been proposed for membership by the Membership and Nominating Committee and the Board of Directors.
  - v) Has been approved by at least a two-thirds (2/3) vote of the voting membership in attendance at a business meeting.
- b) A Full Member shall be registered with the Association, may vote, and is eligible to hold office. Full Members will receive Association mailings and have access to all Association meetings.

### 2. CHARTER MEMBER

Was a dues-paying member or a member of a dues-paying laboratory, and attended a total of six (6) meetings prior to May, 1973.

### 3. ASSOCIATE MEMBER

- a) A person who shares interest in promoting the objectives and purposes of the Association, but who does not wish to apply for Full Membership, may apply for status as an Associate Member.
- b) Associate Members may participate in Association meetings, will pay Association dues, and will receive Association mailings, but are not eligible to vote or hold office.
- c) Membership is proposed by the Membership and Nominating Committee and the Board of Directors. Additionally, approval by at least a two-thirds (2/3) vote of the

Voting Members in attendance at a business meeting is required.

#### 4. MEMBER EMERITUS

A person who meets the qualifications below may become a Member Emeritus.

- a) A Charter Member in good standing or a Full Member with 20 years of CAT membership AND
- b) At least 60 years old AND
- c) Retired from the toxicology profession.

#### 5. STUDENT MEMBER

- a) The Student membership level is a temporary status that exists for individuals who are enrolled in toxicology or toxicology related undergraduate or graduate programs. Student membership status may be maintained as long as the Student member is enrolled full time in a program leading to a toxicology related degree. Each Student member must certify eligibility annually.
- b) Student members pay reduced membership fees and do not have voting privileges.
- c) Applicant must provide one (1) letter of reference from his/her academic advisor.

Section 2: Only Full Members and Charter Members may vote in business meetings. Proxy votes will not be accepted.

#### Section 3: Applications for Membership

1. Application for Full or Associate membership shall be made upon forms furnished by the Association. Applicants for Full membership shall be recommended by letters from two (2) Voting Members familiar with his or her qualifications. These letters shall be forwarded directly from the endorsers to the designated officer.
2. Application for Student membership shall be made upon forms furnished by the Association. The applicant must provide one letter of reference from his/her academic advisor.
3. All applications and all materials shall be forwarded to the Chair of the Membership and Nominating Committee for evaluation.
4. The Membership and Nominating Committee shall investigate each application and make a complete report and recommendation on all pending applications to the Board of Directors on or before a Scientific Meeting.

5. The list of names of all applicants reported favorably upon by the Board of Directors shall be presented to the Voting Membership and must be approved by at least two-thirds (2/3) of the Voting Members in attendance.

#### Section 4: Reclassification of Membership

Proposals for change in the class of membership shall be handled with the same procedures as set forth in Section 3 above.

#### Section 5: Termination of Membership

1. Termination upon request of member. Any member may terminate his or her membership in the Association by a written request directed to the Secretary/membership of the Association. The Secretary/membership shall inform the Board of Directors and members of the Association of such termination at the next regular business meeting.
2. Termination for failure to pay dues. Membership will be automatically terminated when the member is delinquent in dues payment for a period of one (1) year during which at least a total of two (2) notices were issued in writing by the Secretary/membership.
3. Termination for cause. A member may be censured, suspended or expelled from the Association for unethical conduct, conduct detrimental to the profession or conduct detrimental to the welfare of the Association. Unethical conduct shall be addressed in accordance with Article IX. For other conduct, a member or members of the Association may initiate proceedings against another member for cause by petitioning in writing to the Secretary/membership who shall immediately furnish copies to the accused and the Board of Directors. The Board of Directors shall:
  - a) Investigate all such claims of unprofessional conduct.
  - b) Allow the accused and accuser a reasonable opportunity to be heard and to be confronted.
  - c) Give a report and recommendation to the membership at the next business meeting of the Association. At least a two-thirds (2/3) vote of the voting members at the meeting is required for censure, suspension, and expulsion of a member.

#### Section 6: Objections to Membership

1. Should a valid objection be raised by a Voting Member to the acceptance of an application for membership, that application will be tabled and returned to the Board of Directors for further investigation.
2. The Board of Directors shall call for submission of written documentation of the

objections of the accuser. This document shall be submitted within thirty (30) days after the Board of Directors' request. Thereafter the document shall be turned over to the applicant to examine and to reply to the objection, either in person or by letter to the President. The final decision regarding the objection and reply will be made by the Board of Directors.

## **ARTICLE VII GOVERNMENT**

Section 1: The general management of the Corporation shall be the responsibility of the Board of Directors. Dues shall be decided and assessed by the Board of Directors and will be levied yearly and be payable immediately by each member regardless of classification, upon receipt of a bill from the Corporation's Secretary/membership. Any decision of the Board of Directors is subject to recall by at least a two-thirds (2/3) vote of the voting members present at the next business meeting or by electronic vote.

Section 2: The President shall preside at the business meeting and appoint necessary committees. In the absence of the President, the Vice-President shall preside. In the absence of both, a member of the Board of Directors shall preside.

Section 3: The Vice-President shall assist the President in the performance of his or her duties and undertake such tasks as may be assigned to him or her by the President.

Section 4: It shall be the responsibility of the Treasurer to:

1. Bill, collect, keep account of, and properly safeguard all funds of the Corporation.
2. Maintain all business records and papers belonging to the Corporation and provide quarterly and annual financial reports to the Board of Directors.

Section 5: It shall be the responsibility of the Secretary/proceedings to:

1. Collect, assemble, and distribute the quarterly Association newsletters and maintain and update the Association roster.
2. Maintain the archives of the Association and to act as historian for the Association.
3. Correspond with other societies and groups as directed by the Board.

Section 6: The Secretary/proceedings shall be responsible for the recording of the minutes of all scientific and Board of Directors meetings. He or she shall also be responsible for the recording of the minutes of all other meetings of the Corporation as directed by the President.

Section 7: Each Member-at-Large shall be assigned certain regional areas where members reside and shall be responsible for:

1. The compilation and reporting of toxicological information for the region he or she represents to the Board of Directors.
2. The compilation of meetings of toxicological interest in his or her area.
3. Such other duties as may be assigned him or her by the Board of Directors.

Section 8: All officers and Members-at-Large elected at the business meeting of the second scientific meeting of the calendar year shall assume office at the close of that meeting.

Section 9: Members of all classifications shall be privileged to attend and participate in any of the Association's scientific, social, or business sessions. Only Voting Members may vote or hold office.

Section 10: The geographic location and date of the Scientific Meetings shall be determined in advance by the Board of Directors.

Section 11: No public statement representing Association policy or opinion shall be made without approval by two-thirds (2/3) of the Voting Members present at a business meeting or by electronic vote. Any proposed policy statement or opinion must appear in writing to the membership prior to vote for approval. In the event of any public issue deemed to require immediate action by the Association, the urgency of the matter must be determined by the unanimous approval of the Board of Directors, who will then recommend the action to be taken. In this event, the requirement for presentation of the proposed policy statement or opinion in writing prior to membership vote may be waived. Only the President, Vice-President, Immediate Past President, Secretary, or a specifically designated person or committee approved by the Board of Directors may make official statements on behalf of the Association. This limitation does not apply to the conduct of routine business transactions.

Section 12: Use of any scientific data supplied by the Association is prohibited for use in publication or any public display without written permission of the original author.

Section 13: The fiscal year of the Corporation shall be fixed by resolution of the Board of Directors.

Section 14: If an officer of the Association should fail to fulfill the functions of the office, that officer may be removed by the unanimous approval of the other members of the Board of Directors.

## **ARTICLE VIII COMMITTEES**

Section 1: The President shall appoint a Program Chairman from the host area in sufficient time for proper arrangements to be made for the meeting.

Section 2: The standing committees to be appointed by the President not later than thirty (30) days following his or her election to office are:

1. Membership and Nominating Committee consisting of a Chairman and two other voting members.
2. The presiding President shall appoint all other necessary and appropriate committees.
3. Ethic Committee consisting of a Chairman and four other voting members.

Section 3: The President shall be ex-officio member of all standing committees.

Section 4: Duties of the appointed committees are:

The Membership and Nominating Committee shall fulfill all requirements as stated by the By-Laws with reference to membership of this Association. The Committee will also be responsible for presenting at least one nominee for the offices of President, Vice-President, Secretary/membership, Treasurer, Secretary/proceedings, and two Members-at-Large during the first Scientific Meeting of each even-numbered calendar year.

Section 5: Committee Regulations

1. No member of the Board of Directors or any appointed committee member shall receive directly or indirectly any salary or compensation for services rendered to the Corporation.
2. The Board of Directors shall provide such funds to the individual committees as it deems essential to carry out the duties of said committees.

## **ARTICLE IX    ETHICS**

Section 1: Ethics Code

1. Competency and Proficiency
  - a) We accurately represent our education, training, experience, and area of expertise.
  - b) We are properly trained and determined to be competent through testing prior to undertaking the examination of the evidence.
  - c) We treat evidence and samples with utmost care in order to avoid tampering, adulteration, loss, or unnecessary consumption.
  - d) We base our conclusions and opinions on generally accepted tests and procedures following current method validation standards and practices.
  - e) We follow our laboratory's validated procedures, policies, and practices.



f) We are committed to career-long learning in toxicology.

## 2. Professionalism

- a) We are independent, impartial, detached, and objective, approaching all examinations with due diligence and an open mind.
- b) We conduct full and fair examinations within the scope of our laboratory's testing capabilities and per their policies
- c) We remain aware of our limitations and only render opinions that are within our area of expertise.
- d) We report to the appropriate legal or administrative authorities any unethical, illegal, scientifically questionable conduct, or impaired competence.
- e) We take appropriate action if there is potential for, or there has been a miscarriage of justice due to circumstances that have come to light, incompetent practice, or malpractice.
- f) We report conflicts between our ethical/professional responsibilities and applicable agency policy, law, regulation, or other legal authority, and attempt to resolve them.
- g) We do not accept or participate in any case on a contingency fee basis or in which we have any other personal or financial conflict of interest or an appearance of such a conflict.

## 3. Communication

- a) We present accurate and complete data in reports, testimony, publications and oral presentations. We strive to do so in a timely manner.
- b) We make and retain full, contemporaneous, clear and accurate records of all examinations conducted and conclusions drawn, in sufficient detail to allow meaningful review and assessment of the conclusions by an independent person competent in the discipline.
- c) We prepare reports in which facts, opinions and interpretations are clearly distinguishable, and which clearly describe limitations of the methods, interpretations and opinions presented.
- d) We communicate honestly with all parties (the investigator, prosecutor, defense attorney, law enforcement, judge, and other expert witnesses) about all information relating to our analyses, when communications are permitted by law and agency practice.

- e) We do not alter reports or other records, or withhold information from reports for strategic or tactical litigation advantage.
- f) We support sound scientific techniques and practices and we do not use our positions to pressure an examiner or technician to arrive at conclusions or results that are not supported by data.
- g) We only testify to results obtained and we only draw conclusions when we have confidence that the opinions are based on good scientific principles and methods.

## Section 2: Complaints Procedure

1. Allegations of Ethics Violations must be received in writing and will be submitted to the CAT Board of Directors. Complaints may originate from any person whether they are a member of CAT or not.
2. Once received, Officers of the Board will review the written allegation and choose by majority vote to (a) dismiss it, or (b) refer it to the Ethics Committee for investigation. This step should be completed within two weeks from the date of the receipt of the written allegation.
3. If the allegation is to be dismissed, the Complaining Party must be informed of this decision in writing. Membership will not be informed of an allegation dismissed at this stage.
4. The Complaining Party may choose to appeal the decision to dismiss the allegation. Such an appeal must be received in writing within one week from the date the Complaining Party was informed of the decision.
5. The appeal is to be forwarded to the Ethics Committee for their review. The Committee may uphold the decision to dismiss the allegation or may choose to further investigate. The Committee must make this determination within one week from the date of receipt of the written appeal by majority vote of the Committee and must communicate its decision in writing to the Complaining Party. This decision is final and cannot be further appealed or challenged.
6. If it is decided that the written allegation needs to be investigated further by the Ethics Committee, the written allegation and any supporting documentation that the Complaining Party has provided will be forwarded to the Ethics Committee Chair.
7. The Ethics Committee Chair shall inform in writing the Accused Party of the allegation and shall invite the Accused Party to provide any written documents to be considered by the Ethics Committee in response.

8. The Ethics Committee Chair shall convene the Ethics Committee in order to review the allegation. Additional information may be sought from the Complaining Party, the Accused Party or others as deemed appropriate and necessary by the Ethics Committee.
9. The Ethics Committee shall provide the Board of Directors their recommendations regarding the allegation within 90 days from the date the allegation was forwarded to the Ethics Committee.
10. The Officers of the Board shall have 30 days to consider the recommendations of the Ethics Committee and shall choose to (a) refer the matter back to the Ethics Committee for further review, or (b) submit the recommendations of the Ethics Committee to the Association's Membership for vote.
  - a) If the Ethics Committee is asked to further review the allegation, this shall be communicated to the Complaining Party in writing. The Ethics Committee shall complete any further review within 30 days of the referral from the Officers of the Board at the end of which period the findings of the additional review shall be communicated in writing to the Board of Directors.
  - b) The Officers of the Board shall have 30 days to submit the recommendations of the Ethics Committee to the Association's membership for vote.
11. The entire voting membership of the Association shall be provided with an electronic or mail-in ballot in order to vote on the recommendations of the Ethics Committee within the next 90 days.
  - a) The ballot shall be prepared by the Ethics Committee Chair and the President and shall contain a brief description of the allegation, a brief summary of the investigation as well as the recommendations of the Ethics Committee regarding this allegation.
  - b) The Voting membership will be asked to vote to (a) dismiss the allegation as unfounded, (b) dismiss the allegation as not in violation of the Ethics Code, or (c) censure/suspend/expel the Accused Party for unethical conduct as specified on the ballot.
  - c) The Vote Result shall be confirmed by the Secretary/membership and will be communicated in writing to the Membership. The result of the vote is final and may not be challenged or further appealed.
12. If additional information or complaints are received in the future, this shall constitute a new allegation which will commence a new investigation if the Board deems such a procedure necessary.

13. Any Board or Ethics Committee members, when conducting their Ethics Committee responsibilities, shall avoid conflicts of interest or the appearance of conflicts of interest. If a conflict or potential conflict arises, the Board/Committee member shall recuse himself/herself from participating in any case affected by the conflict or appearance of a conflict. If the recusal of the Board/Committee member will create a situation where necessary action cannot be taken because of an insufficient number of eligible Ethics Committee members remain, the Board shall be notified and appropriate action taken by the Board to resolve the situation.
14. The CAT president, past president, vice president or their designee will replace any Board or Ethics Committee member who is named in the allegation or a conflict or appearance of conflict of interest exists.

## ARTICLE X      AMENDMENTS

Any provision of the By-Laws may be amended by a two- thirds (2/3) vote of the voting members present at a Scientific Meeting or by electronic vote, provided that copies of each proposed amendment have been distributed to all voting members at least thirty (30) days in advance of the election.