

ASSOCIATION FOUNDED 1/13/76
CONSTITUTION/BYLAWS ADOPTED 1/18/77
BYLAWS AMENDED 1/20/84
BYLAWS AMENDED 1/11/94
CONSTITUTION/BYLAWS AMENDED 1/23/98
CONSTITUTION/BYLAWS AMENDED 8/11/01

"ASSOCIATION OF OHIO PEDOLOGISTS"

CONSTITUTION

PREAMBLE

Section 1.

WHEREAS, the pedologist who by virtue of specialized higher education, training and experience with soils -that group of natural bodies occupying the unconsolidated portion of the earth's surface and having physical and chemical properties due to the combined effect of climate and living organisms, as modified by topography and time, upon parent material --is able to :

- (1) identify soils as natural units on the landscape.
- (2) differentiate soil types and landscape units, then document their location on aerial photographs or other suitable base map.
- (3) describe their characteristics and properties, and recognize their limitations for various land uses.
- (4) promote their wise utilization, and:

Section 2.

WHEREAS, there is no statewide structure dedicated to the establishment and maintenance of professional standards in "pedology", and;

Section 3.

WHEREAS, there is an uncertain concept of this profession before its members, the public, the legislative bodies, and the courts, and;

Section 4.

WHEREAS, there is a growing need to disseminate and use pedological information, and;

Section 5.

WHEREAS, there is a potential for misuse of pedological information and misrepresentation of the information to the public, so:
BE IT THEREFORE resolved that an Association of Ohio Pedologists be formed to promote all sections of this PREAMBLE, and have the organization and purpose as set forth in the following:

ARTICLE I - NAME

The name of the organization shall be:

"ASSOCIATION OF OHIO PEDOLOGISTS"

ARTICLE II - PURPOSE

The purpose of the organization shall be:

Section 1.

To take action necessary to technically and professionally strengthen the membership.

Section 2.

To set standards for professional conduct of its Pedologist members.

Section 3.

To promote recognition of the pedologist as a professional, before the public, legislative bodies and the courts.

Section 4.

To take a position on matters that relate to the profession.

Section 5.

To administer a program certifying individuals with soils expertise.

ARTICLE III - MEMBERSHIP

Section 1.

The membership of the "Association" shall consist of five categories:

(a) Pedologist: Those persons who by virtue of qualifications stated in the constitution and bylaws are qualified professional Pedologists.

(b) Soils Professional: Those persons who by virtue of higher education and experience in soil resource related work, meet most of the requirements of a professional Pedologist, however: lack adequate experience in differentiating soil types and landscape units and documenting their location on aerial photographs or other suitable base maps.

(c) Affiliate Member: Those persons who lack the requirements for pedologist and/or soils professional, but have an interest and concern for the aims and objectives of the Association.

(d) Honorary Member: Those persons whom the membership wishes to honor.

(e) Student Member: Those persons actively engaged in securing an education who have an interest in pedology or are preparing to enter the profession.

ARTICLE IV - OFFICERS

Section 1.

The officers of the Association shall be:

- (a) President
- (b) President-elect
- (c) Secretary
- (d) Treasurer
- (e) Editor

Section 2.

Nomination and election of members to the offices of the Association shall follow the procedures as provided in the by-laws.

ARTICLE V - MANAGEMENT

Section 1.

The membership is responsible for the management of the Association, however an Executive Council, hereafter referred to as the Council, is established to manage the Association between meetings of the membership as provided in the Constitution and By-laws.

Section 2.

The Council shall consist of the immediate Past President, President, President-elect, Secretary, Treasurer, Editor, and one member elected by the entire membership from each of the following categories of employment:

- (a) Federal Agencies
- (b) State Agencies
- (c) Academic Institutions
- (d) Private practice, Local Government, or other.

Section 3.

Nomination and election of members to the Executive Council shall follow the procedures as provided in the By-laws.

Section 4.

Retention of membership on the Executive Council for a full term shall be contingent upon residence in the state.

ARTICLE VI - MEETINGS

Section 1.

The Association shall hold an annual meeting for the membership, at such time and place as may be selected by the Council and as provided in the By-laws.

Section 2.

Special meetings of the Association shall be called by the

President on request by a majority of the Council or upon petition by at least twenty (20) percent of the membership.

ARTICLE VII - BY-LAWS

Section 1.

The membership shall adopt a set of governing By-laws suitable for the business of the Association, said By-laws to become effective upon majority vote of the membership.

Section 2.

Changes in the By-laws will be considered at any meeting of the membership, provided proposed changes are presented to all eligible voting members at least thirty (30) days prior to the polling date, and shall be adopted by affirmative vote of the majority of those casting ballots.

ARTICLE VIII - AMENDMENTS

Section 1.

The Constitution may be amended provided proposed amendments are presented to all eligible voting members at least thirty (30) days prior to the polling date, and the amendments receive an affirmative vote of two-thirds (2/3) of those casting ballots.

ARTICLE IX - ADOPTION

Section 1.

A Constitution of the Association of Ohio Pedologists as expressed in the preceding eight articles was adopted at a meeting of the Charter Members present at the Hilton Motor Inn, Columbus, Ohio on January 13, 1976.

ARTICLE X - STATUS

Section 1.

The Association is a non-profit organization without capital stock, dedicated to the furtherance of professionalism in Pedology, for the benefit of the public.

ARTICLE XI - DISSOLUTION

Section 1.

In the event this Association is dissolved, the last Executive Council shall pay all just debts of the Association from Association funds and transfer all remaining money and assets to the Ohio State University, School of Natural Resources, for use in the establishment of a scholarship for the study of pedology.

"ASSOCIATION OF OHIO PEDOLOGISTS"

BYLAWS

ARTICLE I - ORGANIZATION

Section 1. Founding

The Association of Ohio Pedologists was founded at Columbus, Ohio on January 13, 1976 at Hilton Motor Inn. Basic concepts of a Constitution, and a set of governing Bylaws developed by a steering committee of seven were adopted by the individuals present at the founding meeting.

Section 2. Headquarters

The Executive Council, acting with the powers granted at the founding meeting, shall select a location for the headquarters that will be most advantageous for conducting the business of the Association.

Section 3. Incorporation

The Executive Council, acting with the powers granted at the founding meeting, may incorporate the "Association of Ohio Pedologists" as a Corporation Not For Profit, in and under the laws of the State of Ohio, filing Articles of Incorporation with the Secretary of State, and filing a copy thereof in the official record of Franklin County, State of Ohio.

Section 4. Definitions

A number of terms and phrases are used in the Constitution and By-laws in an abbreviated or simplified form. Any such terms or phrases shall be interpreted in the full meaning or official nomenclature as stated below:

Association: Association of Ohio Pedologists

Officers: Person or persons holding an office as prescribed by Article IV, section 1, of the Constitution.

Executive Council or Council: The group of persons prescribed by Article V, section 2 of the Constitution.

Board of Certification: The group of persons referred to in Article VII, Section 5 of the By-laws, appointed by the Executive Council, to administer the Certification Program of the Association.

Member(s): A person or persons approved by a vote of the Executive Council, as prescribed in Article II, section 3 of the Bylaws to the Association in one of the categories of membership as prescribed by Article III, section 1 of the Constitution.

Pedology: The science that studies the genesis, nature, distribution and use potentiality of soils, that group of natural bodies occupying the unconsolidated portion of the earth's surface and having properties due to the combined effect of climate and living organisms, as modified by topography and time upon parent materials.

Pedologist: Those persons who by virtue of qualifications stated in the constitution and bylaws are qualified professional pedologists.

ARTICLE II - MEMBERSHIP

Section 1. Categories

The membership shall consist of the five categories as prescribed in Article III, Section 1 of the Constitution.

Section 2. Requirements

Pedologist- presently or formerly engaged in USDA taxonomic classification of soil resources, with at least 3 years experience, and able to identify soils as natural units on the landscape; map their location; describe their characteristics and properties; determine their interpretations and limitations; and promote their wise utilization and management. Also with a minimum of a Bachelor of Science degree with a minimum of 15 semester hours or 23 quarter hours of course work in soil science as well as related subjects that meet the qualifications for a professional Pedologist under the standards established by the Executive Council.

Soils Professional- presently or formerly engaged in soil resource related profession, with at least 3 years experience, and promote the wise utilization and management of soil resources. Also with a minimum of a Bachelor of Science degree, with a minimum of 15 semester hours or 23 quarter hours of course work in soil science as well as related subjects that meet the qualifications for a soils professional under the standards established by the Executive Council.

Affiliate Member- Meet all requirements for pedologist and/or soils professional category except having less than 3 years experience, or do not meet the requirements for Pedologist and/or Soils Professional, but have an interest and concern for the aims and objectives of the Association.

Honorary Member- nomination by the membership and election by a two-thirds (2/3) vote under procedures prescribed in the next section.

Student Member- at least half-time enrollment in an institution of higher education offering course work in pedology and soil science, or related subjects and actively engaged in preparing to enter the profession, or have an interest in pedology.

Section 3. Admission to Membership

A. Application for membership as "Pedologist", "Soils Professional", "Affiliate Member", or "Student Member", shall be submitted to the Secretary of the Association on forms authorized by the Association. Application will be reviewed by the Executive Council and if approved by two-thirds (2/3) of its members, the Secretary shall process the application and issue the membership. A candidate for "Honorary Member", shall be nominated by five (5) or more members of the Association and the nomination presented in writing to the Secretary on forms authorized by the Association. The nomination will be screened by the Council and if approved by a majority, the nomination will be presented at the next regular or special meeting of the Association or by special mail ballot to the general membership. If the nominee is approved by a two-thirds (2/3) vote of a legal quorum or by a two-thirds (2/3) majority of returned ballots, the Secretary will process and issue the membership. An honorary member shall be elected for Life unless revoked by a two-thirds (2/3) vote of the membership for just and sufficient cause.

B. Admission for membership status in the Association is based solely on professional, educational and technical standards addressed in Article II, Section 2 of the Bylaws. The Association does not restrict membership based on race, color, religion, national origin, gender, physical or mental handicap, or age.

Section 4. Rights of Members

A. General.

All categories of membership shall have the right to vote, and to receive newsletters and other official publications of the Association.

The right to hold office, serve on the Board of Certification, announce affiliation with the Association on professional cards, professional reports or otherwise consistent with dignified practice, and to use any seal or symbol of the Association is reserved to those who have Pedologist or Soils Professional membership status.

The right to become certified as having soils expertise by AOP, provided the member meets certification requirements.

B. Membership Suspension.

All membership rights shall be withheld when annual dues are delinquent beyond three (3) months after the due date. The Secretary shall notify delinquent memberships in writing. If delinquency is remedied in less than one year, all rights granted the membership shall be reinstated.

C. Membership Resignation

Members may resign at any time by submitting a written resignation to the Secretary of the Association. The membership will be terminated "Without Prejudice" with the former member having no obligation to the Association, in any form or manner, and the Executive Council having acknowledged this status.

D. Membership Termination

Membership in the Association shall be terminated when a member is found guilty of violating the Code of Ethics, the Constitution or By-laws. Proposal for termination shall be submitted to the Executive Council who will review the charges with the member. If the proposal is approved by three-fourths (3/4) vote of the council, the proposal will be submitted to the membership at an annual meeting.

Membership shall be terminated by two-thirds (2/3) vote of those present at the annual meeting. Membership in the Association may be terminated by the individual by not renewing their membership within one (1) year from notification of dues.

Section 5. Duties of Members

Maintenance of Standards. It shall be the duty of all members to seek to maintain the high standards of competence and the code of ethics established by the Association. If a Member decides he/she cannot abide by these requirements he/she shall resign.

ARTICLE III - OFFICERS

The Association shall have the following Officers: President, President-Elect, Secretary, Treasurer, and an Editor, as provided under Article IV, Section 1 of the Constitution. The officers shall continue in office until their successors are elected and assume office.

Section 1. Nomination to Office

A. Nominees for each office to be filled by election shall be submitted to the Executive Council by the Nominating Committee not later than sixty (60) days before the Annual Meeting. The names of the nominees shall be circulated to the membership not later than thirty (30) days prior to the Annual Meeting.

B. Additional nominations may be made from the floor at the Annual Meeting.

C. The Nominating Committee shall secure the consent of the nominees before placing their names in nomination for the offices of the Association.

D. Nominees nominated from the floor will be asked if they consent to serve. If they decline the nomination will be withdrawn.

Section 2. Elections

A. The President-Elect shall be elected each year to serve a one year term as President-Elect, and advances to the position of President at the beginning of the next administrative year of the Association. The next administrative year begins at the passing of the Presidential gavel at the Annual Meeting.

B. The President attains office by advancing from the office of President-Elect, and serves a one (1) year term.

C. The Secretary, Treasurer, and the Editor, each shall be elected for two (2) year terms of office.

D. Election shall be by a plurality vote or a simple majority in the case of only two (2) nominations of all qualified ballots cast. Elections will be held at Annual Meetings.

E. Eligible voters may request an absentee ballot from the Secretary, if unable to attend the Annual Meeting. Deadline for obtaining a ballot is twenty (20) days prior to the election. Marked ballots must be in the hands of the Secretary one (1) week prior to the election. The Absentee ballots will be opened and counted at the Annual Meeting.

F. Election ties will be decided by a coin toss.

G. All newly elected officers should be provided a position description by the Secretary at direction of the President at the beginning of his/her term.

Section 3. Vacancy in Office

Should a vacancy occur in the office of the president, the president-elect shall assume the office vacated. Other vacancies among elected officers shall be filled for the unexpired term by Executive Council appointment.

Section 4. Duties and Powers of Officers

A. President

The President shall preside at all meetings of the Association and Executive Council. He/She shall appoint such committees and personnel for assignments, with the advice of the Executive Council, as are required,

within the limitations of the Constitution and By-laws. He/she shall be an ex-officio member of all committees except the nomination committee. He/she may choose to provide a report on the state of the Association at the Annual Meeting. He/she shall direct the Secretary to provide position descriptions to each new member of the Executive Council at the beginning of their term. He/she shall continue membership on the Executive Council as Past-President for a one (1) year term after conclusion of his/her tenure as President.

B. President-Elect

The President-Elect shall have and assume the powers and duties of the President in the event of the absence or disability of the President. As a member of the Executive Council, he/she shall assist the President in the selection of committees and personnel for assignments. In the absence of the President and President-Elect, the immediate past president shall serve as presiding officer at the meetings of the Association, and the Executive Council.

C. Secretary

The Secretary shall keep the records of the proceedings of the Association, shall act as Secretary to the Executive Council, and keep the records of its proceedings, and perform such other duties as the Executive Council may direct. He/she will keep on file and provide all newly elected Council members with a position description, and newly appointed committee chairmen with committee responsibilities by direction of the President.

D. Treasurer

The Treasurer, under the direction of the Executive Council, shall collect and disburse all funds of the Association. He/she will be bonded at the expense of the Association for such amounts as shall be determined by the Executive Council. He/she shall keep records of all receipts and disbursements and other financial transactions and of the funds, securities, and other investments. Receipts may be disposed of following an audit as prescribed in Article VII, Section 4 of the Bylaws. The Treasurer shall submit an annual report and such interim reports as may be required by the Executive Council.

E. Editor

The Editor shall be in charge of the publications of the Association, shall have the authority to solicit, accept, or reject material for publication, subject to policy direction by the Executive Council. He/she may appoint assistant editors to serve during his term of office.

ARTICLE IV - EXECUTIVE COUNCIL

The Association shall have an Executive Council with membership as provided under Article V, Section 2 of the Constitution.

Members of the Council shall continue to serve until their successors are elected and assume office. All newly elected council members assume responsibilities at the passing of the presidential gavel at the Annual Meeting.

Section 1. Nomination to Executive Council

A. Nominees for each of the seven categories to be represented on the Council shall be submitted by the Nominating Committee to the Executive Council, as stated in Article V, Section 2 of the Constitution, not later than sixty (60) days before the Annual Meeting. The names of the nominees shall be circulated to the membership not later than thirty (30) days prior to the Annual Meeting.

B. Additional nominations may be made from the floor at the Annual Meeting.

C. The Nominating Committee shall secure the consent of the nominees before placing their names in nomination.

D. Nominees nominated from the floor will be asked if they consent to serve. If they decline their nomination will be withdrawn.

Section 2. Elections

A. Executive Council members shall be elected each year to serve a one year term with the exception of Secretary, Treasurer, and Editor which serve two (2) year terms.

B. Election shall be by a plurality vote, or a simple majority in the case of only two nominees, of all qualified ballots cast.

C. Eligible voters may request an absentee ballot from the Secretary, if unable to attend the Annual Meeting. Deadlines for requesting and returning ballots are stated in Article III, Section 2E of the By-laws.

D. All newly elected Council members should receive position descriptions furnished by the Secretary by direction of the President.

Section 3. Duties of the Executive Council

The Council shall manage the affairs of the Association between meetings of the membership. The Council will meet at a minimum of 4 times a year. Its members shall make all necessary decisions except about those which are reserved or require final decision by the Association membership, or are delegated to the elected officials.

The Council shall appoint members to serve on the AOP Board of Certification, hereafter referred to as the Board. The Council shall specify the qualifications to be Board members, approve the annual operating budget of the Board, and approve any fees to be levied by the Board in the course of its operation. The Council shall also approve any modifications needed in the Certification Document. (NOTE: Current Certification Document states that

change to certification "policy" will be approved by the Board and the membership of AOP.)

ARTICLE V - DUES

Annual dues shall be determined by the Executive Council and payable to the Treasurer by January 1st of each calendar year. New members who join after July 1st will receive membership for the remainder of that calendar year, plus the entire following calendar year.

ARTICLE VI - QUORUM AND RULES OF ORDER

Section 1. Quorums.

A. A legal quorum to conduct business at meetings of the Association shall be thirty-three (33) percent of the total membership.

B. Five members of the Executive Council shall constitute a quorum for meetings of the Executive Council.

Section 2. Rules of Order.

A. All proceedings of the Association shall be conducted under and pursuant to Robert's Rules of Order, Modern Edition, except where it is inconsistent with the Constitution or By-Laws of the Association.

ARTICLE VII - COMMITTEES AND THE BOARD OF CERTIFICATION

Committees to accomplish the objectives and duties of the Association and utilize the talents of the membership will be selected by the President-Elect prior to the beginning of his/her term with the assistance of the Executive Council, and announced at the Annual Meeting.

Section 1. Duties of committee shall be determined by the Executive Council.

Section 2. Standing Committees

Awards
Certification
Educational
Finances
Membership
Regulatory and Legislative
Nomination - The Past-President or appointee
by the Executive Committee, will chair this
committee and have the assistance of two
other members of the Association.

Section 3. Special Committees to handle areas of concern will be appointed when they are needed.

By-Laws
Ethics
Publicity

Section 4. Audit

The accounts of the Association will be audited by the Committee on Finances annually prior to the Annual Meeting.

Section 5. The Board of Certification

The Board of Certification, hereafter referred to as the Board, following protocol and qualification standards established by the AOP Certification Document, shall administer a program certifying individuals as having soils expertise who meet said qualifications. The Board shall be administered as set forth in the AOP Certification Document. The Board shall also work in conjunction with the Ethics Committee and Certification Committee on an as-needed basis.

ARTICLE VIII - CODE OF ETHICS

Membership affiliation with the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) is contingent upon enacting and adopting their code of ethics. This was accomplished at the January 13, 1981 Annual Meeting of the Association.

If at any time, the membership agrees that the objectives and aims of ARCPACS does not meet that of the Association, the affiliation may be discontinued with a two-thirds (2/3) majority vote.

In order to ensure that the membership is familiar with and has access to the Code of Ethics, they are as follows:

Article I. Preamble

1. The privilege of professional practice imposes obligations of responsibility as well as professional knowledge. The ARCPACS program certifies the credentials of individuals through national certification boards and state certification boards. Registrants who enter into ARCPACS via national certification boards will receive the designation of Certified Professional. The ARCPACS program will award the title of Certified Professional to individuals who have completed a BS, MS, or PhD degree and have met the experience requirements as set forth by the following Certification Boards: Agronomy, Crop Science, Soil Science, Plant Pathology, Horticulture, and Weed Science.

2. The ARCPACS program will award the title of Certified to individuals who meet the experience, testing requirements, and the continuing education requirements of the State Boards participating in the Certified Crop Advisor (CCA) program. The CCA program does not require college level education. However college education will substitute for part of CCA work experience requirement as provided for in the CCA guidelines.

3. Certified Professionals and Certified Crop Advisors (hereafter called Registrants), at the request of a client or employer, must disclose the information used to gain certification. Registrants who knowingly misrepresent their credentials will face disciplinary action.

Article II. Relation of Professional to the Public

1. A member shall avoid and discourage sensational, exaggerated, and/or unwarranted statements that might induce participation in unsound enterprises.

2. A Registrant shall not give professional opinion or make a recommendation without being as thoroughly informed as might reasonably be expected considering the purpose for which the opinion or recommendation is desired; and the degree of completeness of information upon which it is based should be made clear.

5. A Registrant shall not issue a false statement or false information even though directed to do so by employer or client.

Article III. Relation of Professional to Employer and Client

1. A Registrant shall protect, to the fullest extent possible, the interest of his employer or client insofar as such interest is consistent with the law and his professional obligations and ethics.

2. A Registrant who finds that his obligations to his employer or client conflict with his professional obligation or ethics should have such objectionable conditions corrected or resign.

3. A Registrant shall not use, directly or indirectly, any employer's or client's information in any way which would violate the confidence of the employer or client.

4. A member retained by one client shall not accept without client's written consent, an engagement by another if the interest of the two are in any manner conflicting.

5. A registrant who has made an investigation for any employer or client shall not seek to profit economically from the information gained, unless written permission to do so is granted, or until it is clear that there can no longer be a conflict of interest with the original employer or client.

6. A registrant shall not divulge information given him in confidence.

7. A registrant shall engage, or advise his employer or client to engage, and cooperate with, other experts and specialists.

8. A registrant protects the interests of a client by recommending only products and services that are in the best interest of the client and public.

9. A Registrant protects his/her credibility by disclosing to clients how he/she will be compensated for providing recommendations to the client.

Article IV. Relation of Professionals to Each Other

1. A registrant shall not falsely or maliciously attempt to injure the reputation of another.

2. A registrant shall freely give credit for work done by others to whom the credit is due and shall refrain from plagiarism in oral and written communications, and not knowingly accept credit rightfully due another person.

3. A registrant shall not use the advantages of public employment (i.e., university, government) to compete unfairly with other certified professions.

4. A Registrant shall endeavor to cooperate with others in the profession and encourage the ethical dissemination of technical knowledge.

Article V. Duty to the Profession

1. A registrant shall aid in exclusion from certification, those who have not followed this Code of Ethics, or who do not have the required education and experience.

2. A registrant shall uphold this Code of Ethics by precept and example and encourage, by counsel and advice, other members to do the same.

3. A registrant having positive knowledge of deviation from this Code by another Registrant shall bring such deviation to the attention of the Board.