

American College of Veterinary Botanical Medicine

By-Laws

ARTICLE I Purposes and Organization

Section 1: Purposes

The purposes of the American College of Veterinary Botanical Medicine (the “College”) are to advance veterinary botanical medicine and increase the competence of those who practice in this field by:

- 1) establishing requirements for post-doctoral education and experience prerequisite to certification in the specialty of veterinary botanical medicine;
- 2) examining and certifying veterinarians as specialists in veterinary botanical medicine;
- 3) encouraging research and exploration into traditional uses of botanical medicine and other contributions to knowledge relating to the use of botanical medicine in the therapy, prevention and control of animal diseases in order to promote a state of wellness in animals, and promoting communication and dissemination of this knowledge;
- 4) providing professional botanical programs in phytochemistry, phytopharmacology, pharmacognasy, ethnopharmacology, and ethnoveterinarian medicine; and
- 5) promoting continued professional development of the Members of the College.

Section 2: Composition

The College shall have Members as described in Article II, a Board of Trustees (the “Board”) as described in Article III, and officers as described in Article IV.

ARTICLE II Membership

Section 1: Membership Classes

Members of the College (“Diplomates”) shall consist of the following: Charter Diplomates, Diplomates, Honorary Diplomates, and Emeritus Diplomates. Persons must apply for membership to the College. Membership will be granted to those persons who meet all the requirements of the class of Diplomates to which they are applying.

Section 2: Charter Diplomate

A Charter Diplomate must meet the following requirements:

- 1) be a graduate of a college or school of veterinary medicine approved by the American Veterinary Medical Association (“AVMA”), or possess a certificate issued by the Educational Commission for Foreign Veterinary Graduated (“ECFVG”), or be legally qualified to practice veterinary medicine in any country, or any state or province of any country;
- 2) demonstrate unquestionable moral character and impeccable professional behavior, to the satisfaction of the Board;
- 3) hold one or more of the following qualifications:
 - a) at least ten (10) years of experience in botanical medicine, with not less than 75% of professional time in each of 10 years being devoted to practice or teaching of, or research in, veterinary botanical medicine; and demonstrated competence in, or significant contribution to the development of, veterinary botanical medicine, to the satisfaction of the Board;
 - b) authorship of significant publications resulting from research or practice in botanical medicine, as determined by the Board;
 - c) a professorship or department headship in a specialty of botanical medicine at a college or school of veterinary medicine approved by the AVMA.

Section 3: Diplomate

A Diplomate must meet the following requirements:

- 1) be a graduate of a college or school of veterinary medicine approved by the American Veterinary Medical Association (“AVMA”), or possess a certificate issued by the Educational Commission for Foreign Veterinary Graduated (“ECFVG”), or be legally qualified to practice veterinary medicine in any country, or any state or province of any country;
- 2) demonstrate unquestionable moral character and impeccable professional behavior, to the satisfaction of the Board; and
- 3) fulfill the requirements to sit for the Diplomate Certification Examination given by the College as set forth in Article VI, and sit for and pass such Diplomate Certification Examination.

Section 4: Charter Diplomate and Diplomate

In all of the following sections of these By-laws, the term “Diplomate” includes both Charter Diplomate and Diplomate.

Section 5: Honorary Diplomate

- a. Honorary Diplomate status may be conferred on a person who has distinguished themselves with respect to, or contributed materially to, veterinary botanical medicine as to be deserving of special recognition by the College, under the following provisions:
 - 1) a person must be nominated for Honorary Diplomate status by at least two Diplomates,

2) the nomination and supporting documentation must be in writing and submitted to the Board no later than ninety (90) days before the annual meeting of the Diplomates;

3) the name of the nominee and supporting documentation shall be distributed to voting Diplomates with a ballot no later than sixty (60) calendar days before the annual meeting;

4) appropriately identified ballots must be delivered to the Secretary/Treasurer before or at the annual meeting, and the Secretary/Treasurer shall tally the vote;

5) the status of Honorary Diplomate must be approved by a two-thirds vote of the entire voting membership of the College.

b. Honorary Diplomates as such shall be listed in the College Directory, and shall have no other rights or obligations of Diplomates.

Section 6: Emeritus Diplomate

a. A Diplomate may request Emeritus Diplomate status by submitting a written application therefor to the Board. Such application shall be granted provided the Diplomate meets the following requirements:

1) the Diplomate has been an active member of the ACVBM for at least 25 years or has reached the age of 65;

2) the Diplomate has retired from employment in which their ACVBM credentials are required for employment. Income generated from activities associated with their ACVBM credentials through activities such as part-time consulting, teaching, writing, or continuing education is acceptable and will not preclude Emeritus Diplomate status.

b. Emeritus Diplomates shall have all the rights and all the obligations of Members except they shall be exempt from the payment of annual dues and shall not have the right to vote or be elected as an officer or Trustee.

Section 7: Disability of Diplomate

a. A Diplomate may request permanent or temporary disabled status by submitting a request therefor to the Board, with a certification that such Diplomate is permanently or temporarily disable. Such request shall be approved if the Diplomate meets the definition of permanent or temporary disability set forth herein. A Diplomate who is approved for temporary disability status must submit an annual request to the Board to maintain such status.

b. For the purposes of these By-laws “permanent disability” means the permanent inability to engage in veterinary activity as a full-time occupation. For the purposes of these By-laws, “temporary disability” means the inability, due to a temporary medical disability, to currently engage in veterinary activity as a full-time occupation”

c. A Diplomat may who is permanently or temporarily disabled shall have all the rights and all the obligations of Diplomates except they shall be exempt from the payment of annual dues and shall not have the right to vote or be elected as an officer or Trustee. A Diplomat who is no longer disabled shall notify the Board and, as of the date of such notification and payment of a portion of the current year's dues attributable to the remaining portion of the year, shall be restored to Diplomat status.

Section 8: Inactive Diplomat

a. Diplomates who are in arrears on their annual dues will be Inactive Diplomates. Inactive Diplomates will lose the following privileges and benefits until active status is restored: (1) status as Supervising Diplomates of candidates in College programs, (2) right to vote, (3) right to hold office, (4) right to attend business meetings, (5) listing as a College Diplomat in the College Directory.

b. Active status will be automatically restored upon payment of all dues in arrears.

Section 9: Membership Dues

Annual dues shall be fixed by the Board. Annual dues for each year are due and payable by January 1st of such year. Persons who become Diplomates during a calendar year shall pay a pro rata portion of annual dues for such year, and such pro rata portion is due and payable within thirty (30) days after such person becomes a Diplomat.

Section 10: Meetings of Diplomates

a. Annual Meeting. The annual meeting of Diplomates for the election of Trustees and officers and for such other business as shall come before the meeting shall be held on the date and at the time and place set by the Board.

b. Special Meeting. Special meetings of Diplomates may be called by the Board in accordance with the procedures set for in the Delaware General Corporation Law ("GCL").

c. Professional Botanical Meeting. An professional botanical meeting of Diplomates shall be held on the date and at the time and place set by the Board. The professional botanical meeting shall be open to non-Diplomates and may be held in conjunction with the VBMA.

d. Notice of Meetings. Written notice of the annual and special meetings of Diplomates shall be given by the Board and shall state the place, date and hour of the meeting and, unless it is the annual meeting, shall indicate that it is being issued by or at the direction of the person or persons calling the meeting. Notice of a special meeting shall also state the purpose(s) for which the meeting is called. A copy of the notice shall be given, personally or by mail, to each Diplomat entitled to vote at the meeting. If the notice is given personally or by first class mail, it shall be given not less than ten (10) nor

more than sixty (60) days before the meeting. If mailed, notice is given when deposited in the U.S. mail, postage prepaid, directed to the Diplomate at his address as it appears on the records of the Diplomates. If a meeting is adjourned, notice of such adjourned meeting shall be given, if required, as provided in Section 22 of the GCL.

e. Notice by Electronic Transmission. Notice may be given to any Diplomate by a form of electronic transmission if such member consents in writing to such form of notice. Any such consent shall be revocable by written notice by the Diplomate to the College.

Section 11: Quorum at Meeting of Diplomates

- Diplomates entitled to cast one-third of the total number of votes entitled to be cast shall constitute a quorum at all meetings of Diplomates for the transaction of any business.

Section 12: Termination of Diplomate Status

a. The Board shall terminate a person's status as a Diplomate in any of the following circumstances:

- 1) the Diplomate has violated any provision of the Certificate of Incorporation or these By-laws, as determined by the Board;
- 2) the Diplomate fails to maintain an acceptable degree of competence in the practice of veterinary botanical medicine, as determined by the Board;
- 3) the Diplomate has brought discredit upon the College by unethical conduct, incompetence, fraud or any other reason, as determined by the Board.

b. Before the Board takes action under Section (a) above, the Board shall notify the Diplomate in writing by registered mail of its intended action and the reasons therefor. The Diplomate shall be entitled to present written evidence and to appear before the Board in person, at a date, time and place mutually acceptable to the Board and Diplomate. The Board shall consider all such evidence and shall notify the Diplomate of its decision in writing.

c. One year after termination of Diplomate status under this Section 12, a person shall be entitled to reapply for Diplomate status under Article II Section 3 of these By-laws.

ARTICLE III Board of Trustees

Section 1: Powers of the Board of Trustees

a. The College shall be managed by the Board of Trustees. The Board shall have the duties and powers necessary to manage the College, including without limitation, the development and administration of a program of certification for specialists in veterinary

botanical medicine and management of the Executive Director, if one is retained by the College.

b. The Board's powers and duties with respect to certification of veterinary botanical specialists shall include, without limitation, the following:

- 1) development and publication of requirements for certification;
- 2) review and approval of Certification Examinations prepared by the Examination Committee, and establishment of minimum passing standards of performance for such Certification Examinations;
- 3) determination of eligibility of candidates for Certification Examination, upon consideration of the recommendation of the Credentials Committee;
- 4) review and approval of Standard and Alternate Training Programs, upon consideration of the recommendation of the Training Program Evaluation Committee;
- 5) review of recommendations of the Examination Committee as to the candidates who passed the Certification Examination and formal acceptance of candidates and issuance of certificates.

c. Appointment of Executive Director. An Executive Director may be appointed by the Board. Job responsibilities will be defined through contractual agreement between the Board and the Executive Director. A performance review will be conducted annually by the Board.

Section 2: Number and Qualifications of Trustees

a. The number of Trustees constituting the entire Board shall be eight (8).

b. Each Trustee shall be at least eighteen (18) years of age. The members of the Board of Trustees shall be the following: the officers of the College, consisting of the Chair of the Board, President, President-Elect, Vice-President, Secretary/Treasurer; and three (3) at-large Trustees. The at-large Trustees shall be elected by the Diplomates. The Executive Director, if any, will serve as a non-voting ex-officio Trustee.

Section 3: Term of the Trustees

a. The Trustee who are officers of the College shall service as Trustees co-extensively with their service as officers.

b. Each at-large Trustee shall be elected by the Diplomates for a term of three (3) years, and shall serve until his successor has been elected and shall have qualified. The at large Trustees shall be divided into three (3) classes; the term of office of the member of the first class to expire at the first annual meeting of the Diplomates, of the second class 1 year thereafter, of the third class 2 years thereafter, and at each annual election Trustees shall be chosen for a full term, as the case may be, to succeed those whose terms expire.

Section 4: Quorum and Action by the Board

a. A majority of the entire Board shall constitute a quorum for the transaction of business, and, provided a quorum is present, the vote of a majority of the Trustees present shall be the vote of the Board.

b. Any action required or permitted to be taken by the Board or any committee thereof may be taken without a meeting if all the Members of the Board or the committee consent in writing or by electronic transmission to the adoption of a resolution authorizing the action. The resolution and the written consents or electronic transmissions shall be filed with the minutes of the proceedings of the Board or committee.

Section 5: Meetings of the Board

a. Meetings of the Board may be held at any place within or without the State of Delaware. The time and place for regular meetings of the Board shall be fixed by the Board. A special meeting of the Board may be called at any time by the President or Chair of the Board.

b. Any one or more Members of the Board or any committee thereof may participate in a meeting of the Board or committee by means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at the meeting.

c. Special meetings of the Board shall be held upon notice. Notice shall be sent by the Secretary of the College to each Trustee via email at least forty-eight (48) hours in advance of the meeting. The Secretary must receive notice that the email was received by the recipient in order for notice to be valid.

ARTICLE IV Officers

Section 1: Officers

Officers of the College shall consist of the Chair of the Board, President, President-Elect, Vice-President, and Secretary/ Treasurer. Any two or more offices may be held by the same person, except the offices of President (or President-Elect) and Secretary/Treasurer.

Section 2: Election of Officers

a. The officers shall be elected by the Diplomates.

b. A slate of candidates shall be prepared by the Nominating Committee and submitted to the Diplomates and the Board at least thirty (30) days before the annual

meeting. Members may submit recommendations for nominations (with nominee approval) to the Nomination Committee.

c. The candidate receiving a plurality of the votes will be elected to the office.

d. It is expected, but not required, that continuity of administration will be attained by the President moving up to Chair of the Board, the President-Elect to President, and the Vice-President to President-Elect.

Section 3: Vacancies

Vacancies in offices shall be filled for the unexpired term by the Board.

Section 4: Chair of the Board

The Chair shall preside over all meetings of the Board, call meetings of the Board, act as the spokesman for the Board, perform the usual duties of the Chair and serve as the development officer for the College.

Section 5: President

The President shall manage the day-to-day operations of the College, serve as Chair of the Nominating Committee, and perform the usual duties of a president. If an Executive Director has been retained, the President shall be responsible for day-to-day communications with the Executive Director.

Section 6: President-Elect

The President-Elect shall succeed to the office of the President should that office be vacated, serve as Chair for the Professional Botanical Program Committee, and shall perform such other duties as shall be assigned by the President.

Section 7: Vice-President

The Vice-President shall succeed to the office of President-Elect should that office be vacated, serve as Chair of the Credentials Committee, and perform such other duties as shall be assigned by the President.

Section 8: Secretary/Treasurer

The Secretary/Treasurer shall be responsible to keep the minutes of all meetings of the Board, conduct the correspondence of the College, arrange secure and safe keeping of all records of the College, and perform the usual duties of a secretary. He/she shall also oversee collection of dues, issue receipts, draw vouchers, and pay necessary expenses of the College; arrange the safekeeping of all funds; submit a financial statement at the annual meeting; and perform the usual duties of a treasurer. He/she shall

also ensure the preparation and submission of all documents required by state or federal authorities.

Section 9: Executive Director

- a. At the discretion of the Board, an Executive Director may be retained as a contracted employee of the College.
- b. If retained, the Executive Director shall facilitate the function of the College as directed by the Board.
- c. If retained, duties of the Executive Director shall include, but shall not necessarily be limited to:
 - 1) oversight of the day-to-day operations of the College;
 - 2) receipt of correspondence to the College and distribution to appropriate Diplomates;
 - 3) assistance to the Secretary/Treasurer in performance of their duties;
 - 4) assistance to the Chair in performance as development officer;
 - 5) attendance at all meetings of the Board and College;
 - 6) performance of other duties as directed by the Board.

The Executive Director's job responsibilities shall be defined in detail in a contract that is mutually satisfactory and agreed to between the Executive Director and the Board of Trustees. In general, the Executive Director shall be the chief administrative officer of the College with the responsibility to manage the affairs of the College in keeping with the policies, programs and budget as established by the Board. The Executive Director shall recommend and participate in the formation of new policies and shall make decisions within the existing policies approved by the Board. The Executive Director may delegate responsibilities and authority necessary to effectively manage the College but may not relinquish accountability to the Board.

ARTICLE V
Committees

Section 1: Standing Committees

Standing committees of the College shall consist of the Nominating Committee, the Credentials Committee, the Examination Committee, the Appeals Committee, the Professional Botanical Program Committee, the Training Program Evaluation Committee, and such other committees as may be designated by the Board. Committee members shall each serve a term of three (3) years, unless otherwise provided by the Board or these By-Laws.

Section 2: Nominating Committee

a. The Nominating Committee shall consist of two (2) members: the President, who shall serve as committee Chair, and one member appointed by the Board. The President shall serve a one year term co-extensive with the term of President.

b. The Nominating Committee shall prepare a slate of at least one (1) candidate for each of the officers and each at-large Trustee to be elected.

Section 3: Credentials Committee

a. The Credentials Committee shall consist of between one (1) and three (3) members: the Vice-President, who shall serve as committee Chair, and between one (1) to two (2) members appointed by the Board. The Vice-President shall serve a one year term co-extensive with the term of Vice-President.

b. The Credentials Committee shall evaluate the documentation provided by applicants wishing to sit for the Diplomat Certification Examination in accordance with the requirements specified in these By-Laws, and shall recommend eligible candidates to the Board. The Board shall make the final decision in each case on eligibility to sit for the Diplomat Certification Examination.

Section 4: Examination Committee

a. The Examination Committee shall consist of between one (1) and three (3) members appointed by the Board.

b. The Examination Committee shall prepare, administer, and grade the Diplomat Certification Examination, and shall assure that such Examination is monitored. It shall make recommendations to the Board regarding competence of those candidates who have completed the Diplomat Certification Examination.

Section 5: Appeals Committee

a. The Appeals Committee shall consist of between one (1) and three (3) members appointed by the Board. The senior member of the committee will serve as Chair. The committee will elect the Chair when there are two (2) or more equally senior members. An Appeals Committee member may not be a member of the Credentials Committee or Examination Committee. If a member has a conflict of interest in a specific appeal, the Chair of the Board shall appoint a temporary member to consider that appeal.

b. The Appeals Committee shall consider whether correct administrative procedures have been followed in the decisions made by the Credentials Committee and Examination Committee. The Chair of this committee will call a meeting to review an appeal and notify the Chair of the Board and the Executive Director of the results of that review within thirty (30) days of notification of the appeal. The decision of the Appeals Committee shall be final and there shall be no appeals therefrom.

Section 6: Professional Botanical Program Committee

- a. The Professional Botanical Program Committee shall consist of at least one (1) and three (3) members: the President-Elect, who shall serve as Committee Chair, and at least one (1) to three (3) members appointed by the Board.
- b. The Professional Botanical Program Committee shall determine the content of, and make all necessary plans and arrangements for the annual Professional Botanical Conference

Section 7: Training Program Evaluation Committee

- a. The Training Program Evaluation Committee shall consist of between one (1) and three (3) members appointed by the Board. The members shall be recommended by the Nominating Committee and appointed by the Board. The Board shall not be obligated to follow the recommendation of the Nominating Committee.
- b. The Committee shall be responsible for:
 - 1) establishment of minimum criteria for Standard and Alternate Training Programs; and
 - 2) review of Standard and Alternative Training Program applications and recommendations to the Board regarding acceptability of programs.

Section 8: Changes in Standing Committees and Additional Committees

The membership of the standing committees may be increased and other committees may be appointed as the need arises.

ARTICLE VI Examination, Appeals

Section 1: Eligibility for Diplomate Certification Examination

- a. The Diplomate Certification Examination may be taken three (3) or more years after an applicant has received (i) a diploma from a college or school of veterinary medicine approved by the American Veterinary Medical Association (“AVMA”), (ii) a certificate issued by the Educational Commission for Foreign Veterinary Graduated (“ECFVG”), or (iii) legal qualification to practice veterinary medicine in any country, or any state or province of any country, and after satisfaction of the requirements listed in subsection e of this Article VI, Section 1.
- b. Applicants shall procure, by written request to the Secretary/Treasurer, a copy of the application procedures, and shall submit the completed application, along with all other required documents and fees to the Secretary/Treasurer by the deadline designated in the application procedures.

c. Applicants shall sign and submit the following agreement as part of their application:

I HEREBY APPLY to the American College of Veterinary Botanical Medicine (the “College”) to sit for the Diplomate Certification Examination in accordance with the rules and guidelines of the College as set forth in its By-Laws and/or the General Information Guide (GIG) of the College. I HEREBY AGREE that prior to or subsequent to my examination, the Board of Trustees of the College and/or a committee thereof may investigate my standing as a veterinarian, including my reputation for complying with the ethical standards of the profession.

d. The supervising Diplomat of any applicant shall sign and submit the following statement:

I HEREBY CERTIFY that I am personally supervising the clinical training program of this applicant and that the training program meets the standards established by the American College of Veterinary Botanical Medicine.

e. To be eligible to sit for the Diplomate Certification Examination, an applicant must satisfy the requirements listed below.

1) The applicant must complete one (1) year of general clinical experience (e.g., internship, residency, or practice) or equivalent.

2) The applicant must complete either:

a) a minimum of two (2) years of training in a graduate level botanical training program previously reviewed and recommended as a Standard Training Program by the Training Program Evaluation Committee and approved by the Board.

The botanical training program must include clinical and research activities in both traditional uses and current research and at least twelve (12) months of practice time in veterinary botanical medicine under the supervision (may be long distance) of a Diplomate of the College. The trainee must register with the Secretary no later than ninety (90) days after beginning the training program using forms available from the Secretary/Treasurer; or

b) a minimum of two (2) years of training in an Alternate Training Program, reviewed and recommended by the Training Program Evaluation Committee and approved by the Board as equivalent in training and experience to a Standard Training Program. The program must include clinical, teaching and research activities, and at least twelve (12) months of on-clinic time in veterinary botanical medicine under the supervision (may be long distance) of a Diplomate of the College. Application for program approval must be submitted no later than ninety (90) days after starting the program, but it is highly recommended that it be submitted before the program starts. A response to the application for an Alternate Training Program shall be issued no later than one hundred twenty (120) days after the application is submitted. A response may be approval, disapproval, request for further information or clarification, or indication of program changes required for approval. After an Alternate Training Program is approved

by the Board, the program shall not be subject to any future additional requirements that may be imposed with respect to such program by the College.

3) The applicant must submit to the Credentials Committee three (3) case reports in which botanical medicine was the primary medicinal treatment used. In these case reports, the applicant must demonstrate proper diagnosis and use of at least one (1) type of botanical tradition and must include follow-up reports. Each report shall pass acceptability criteria as determined by the Credentials Committee.

4) The applicant must submit to the Credentials Committee a written, professional, fully referenced report in the area of veterinary botanical medicine that is suitable for publication in a veterinary or botanical journal. The acceptability of the report will be determined by the Credentials Committee.

Section 2: Diplomate Certification Examination

a. The Diplomate Certification Examination will be offered once annually, usually in conjunction with the annual meeting of the College. Applicants who sit for the Examination are referred to as “candidates.” The candidate must pass all sections of the examination no later than six (6) years after his or her eligibility to sit for the examination was determined.

b. Applicants deemed eligible by the Board to sit the Diplomate Certification Examination shall be notified of the date and format of the examination no later than on hundred twenty (120) calendar days before the date of the examination.

c. The Diplomate Certification Examination shall be divided into three parts:

1) a comprehensive part dealing with general botanical medical principles common to all species;

2) a species specific part (either (i) small animal, (ii) equine or (iii) production animal and botanical tradition specific part (either (i) Traditional, (ii) Western or (iii) Chinese). The candidate may choose the species specific and botanical tradition parts. Other traditional exams will be expanded if the need arises.

3) a plant identification part.

d. Candidates taking the examination for the first time shall take all parts in the same year.

e. Candidates for the examination shall be required to submit questions for future examinations as instructed prior to the examination.

f. The minimum score as recommended by the Examination Committee and approved by the Board must be achieved on each section in order to pass the examination.

g. Candidates shall be sent written notification of the results of the examination no later than forty-five (45) calendar days after the examination. All candidates shall be sent such notification on the same day.

Section 3: Requirements for candidates failing one or more sections of the examination

a. A candidate taking the full examination but failing to pass only one section may re-take that section at the next scheduled examination without fulfilling other prerequisites. The candidate must submit a letter of intent to the Secretary/Treasurer and pay the examination fee for only that one section of the examination. Provided, however, that if it has been more than six (6) years since the candidate was first deemed eligible to take the examination, he or she must submit a new application with all required documentation and fees, including new case reports, to the Secretary/Treasurer for review by the Credentials Committee and approval by the Board, and if deemed eligible, must re-take the entire Diplomate Certification Examination.

b. A candidate taking the full examination but failing to pass more than one section, or a candidate taking only one section of the examination but failing it a second time must re-take the entire examination. The candidate must submit a letter of intent, updated curriculum vitae, and examination fee to the Secretary/Treasurer. Provided, however, that if it has been more than six (6) years since the candidate was first deemed eligible to take the examination, he or she must submit a new application with all required documentation and fees, including new case reports, to the Secretary/Treasurer, for review by the Credentials Committee and approval by the Board, and if deemed eligible, must re-take the entire Diplomate Certification Examination.

Section 4: Certification

a. Qualifications of each candidate passing all sections of the Diplomate Certification Examination shall be reviewed by the Examination Committee and a recommendation shall be made by such committee to the Board. Upon consideration of the recommendation by the Examination Committee the Board shall determine whether to grant Diplomate status to the candidate. Such determination shall be made by the Board no more than sixty (60) calendar days after a candidate sits for the examination.

b. Diplomate certificates shall be issued to successful candidates by the Board no later than ninety (90) calendar days after Diplomate status is granted.

Section 5: Appeals

a. An institution whose Standard Training Program was denied may appeal this decision within thirty (30) calendar days of the postmarked date of the notification.

1) The appeal must be made in writing to the Secretary/Treasurer and shall include a statement of the grounds for reconsideration and appropriate documentation.

2) Upon receipt of an appeal, the Secretary/Treasurer shall notify the Chair of the Board, the Chair of the Training Program Evaluation Committee, and the Chair of the Appeals Committee.

3) The Chair of the Board shall submit to the Appeals Committee documentation indicating the reasons for denial of the Standard Training Program, including, but not limited to, the complete application package of the institution and all available documentation pertaining to the Training Program Evaluation Committee's review of the application and recommendations to the Board.

4) The Appeals Committee shall review the appeal and provide a recommendation to the Board no later than thirty (30) calendar days after receiving all the documentation from the Chair of the Board.

5) The Board shall render a decision on the appeal after receiving the recommendation of the Appeals Committee and shall notify the appellant of the decision no later than fifteen (15) calendar days after receipt of the recommendation of the Appeals Committee.

b. An applicant whose Alternate Training Program was denied may appeal this decision within thirty (30) calendar days of the postmarked date of the notification.

1) The appeal must be made in writing to the Secretary/Treasurer and shall include a statement of the grounds for reconsideration and appropriate documentation.

2) Upon receipt of an appeal, the Secretary/Treasurer shall notify the Chair of the Board, the Chair of the Training Program Evaluation Committee, and the Appeals Committee.

3) The Chair of the Board shall submit to the Appeals Committee documentation indicating the reasons for denial of the Alternate Training Program, including, but not limited to, the complete application package of the applicant and all available documentation pertaining to the Training Program Evaluation Committee's review of the application and recommendations to the Board, except that such documentation shall be redacted to preserve anonymity of the appellant.

4) The Appeals Committee shall review the appeal and provide a recommendation to the Board no later than thirty (30) calendar days after being appointed and receiving necessary documentation.

5) The Board shall render a decision on the appeal after receiving the recommendation of the Appeals Committee and shall notify the appellant of the decision no later than fifteen (15) calendar days after receipt of the recommendation of the Appeals Committee.

c. An applicant denied eligibility to sit for the Diplomate Certification Examination may appeal this decision within thirty (30) calendar days of the postmarked date of the notification.

1) The appeal must be made in writing to the Secretary/Treasurer and shall include a statement of the grounds for reconsideration and appropriate documentation.

2) Upon receipt of an appeal, the Secretary/Treasurer shall notify the Chair of the Board, the Chair of the Credentials Committee and the Chair of the Appeals Committee.

3) The Chair of the Board shall submit to the Appeals Committee documentation indicating the reasons for denial of eligibility to sit for the examination, including, but not limited to, the complete application package of the applicant and all available documentation pertaining to the Credential Committee's review of the application and recommendations to the Board, except that such documentation shall be redacted to preserve anonymity of the appellant.

4) The Appeals Committee shall review the appeal and provide a recommendation to the Board no later than thirty (30) calendar days after receiving all necessary documentation.

5) The Board shall render a decision on the appeal upon the recommendation of the Appeals Committee and notify the appellant of the decision no later than fifteen (15) calendar days after receipt of the recommendation of the Appeals Committee.

d. A candidate failing to pass the Diplomate Certification Examination may appeal this decision within thirty (30) calendar days of the postmarked date of notification.

1) The request for appeal must be made in writing to the Secretary/Treasurer and shall include a statement of the grounds for reconsideration and appropriate documentation.

2) The Secretary/Treasurer shall notify the Chair of the Board, the Chair of the Examination Committee, and the Chair of the Appeals Committee.

3) The Chair of the Board shall submit to the Appeals Committee a written statement of the reasons for the failure of the candidate. The Chair 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, except that such documentation shall be redacted to preserve anonymity of both the appellant and the other candidates.

4) The Appeals Committee shall review the appeal and render a recommendation to the Board no later than thirty (30) calendar days after being appointed.

5) The Board shall render a decision on the appeal upon consideration of the recommendation of the Appeals Committee and notify the appellant of the decision no later than fifteen (15) calendar days after receipt of the recommendation of the Appeals Committee.

6) If an appeal is unsuccessful and the appellant wishes to reapply to sit for the Diplomat Certification Examination, the deadline for application shall be extended three months from its designated date. .

ARTICLE VII Fees and Fiscal Matters

Section 1: Applicants shall pay the prescribed fee to the College to sit for the Diplomat Certification Examination. This fee is non-refundable and payable each time the examination is repeated.

Section 2: Annual dues for Diplomats are due and payable January 1 of each year.

Section 3: The annual operating budget for the College will be prepared by the Secretary/Treasurer under the direction of the President and with the assistance of the Executive Director. The budget shall be approved by the Board of Trustees.

Section 4: The fiscal year of the College shall be the calendar year.

Section 5: All funds of the College shall be deposited from time to time in such bank or banks as the Board of Trustees may select.

ARTICLE VIII Indemnification

In accordance with and to the maximum extent permitted under the GCL, in the event any person is made a party to or threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the College) by reason of the fact that he is or was a Trustee, officer, employee or agent of the College, such person shall be indemnified against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by the person if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the College, and with respect to any criminal action or proceeding, had not reasonable cause to believe the person's conduct was unlawful.

ARTICLE IX
Amendments

Section 1: Amendments to the Certificate of Incorporation

The Board of Trustees shall adopt a resolution setting forth a proposed amendment to the Certificate of Incorporation and declaring its advisability. If a majority of all the Trustees vote in favor of such amendment a certificate thereof shall be executed, acknowledged and filed and shall become effective in accordance with the GCL.

ARTICLE X
American Board of Veterinary Specialties (ABVS) Representative

Section 1: Duties of the ABVS Representative

The duties of the ABVS Representative shall be determined by the Board of Trustees and shall include, but are not limited to, the following:

- 1) attend all regular and special meetings of the ABVS as the official representative of the College;
- 2) inform the Board and membership of all actions of the ABVS, especially those having a direct impact on the College;
- 3) assist as needed in the preparation of annual and other reports of the College to the ABVS; and
- 4) provide a summary of all ABVS meetings in a timely fashion to the Secretary/Treasurer.

Section 2: Alternate Representative

If the ABVS Representative is unable to attend an ABVS meeting, a representative designated by the Board shall serve as the Alternate Representative to the ABVS.