CONSTITUTION OF
THE AMERICAN PHYTOPATHOLOGICAL SOCIETY


ARTICLE I
Name and Objective
This Society, founded in 1908, shall be named The American Phytopathological Society. Its objective is to promote the increase and diffusion of all aspects of knowledge relating to plant diseases and their control.

ARTICLE II
Membership
Section 1. Memberships: The Society consists of Regular Members, Early Career Members, Student Members, Emeritus Members, and Sustaining Associates. A membership period shall be 12 consecutive months.

A. Regular Members. Any person interested in the study and control of plant diseases is eligible for membership. Membership is activated upon receipt and acceptance of the applicant's dues.

B. Early Career Members. Any person working professionally, including those in a post doctorate position, and within 5 years of graduating with a bachelors, masters or doctorate degree is eligible for this membership. Early career membership status is available for 5 years total.

C. Student Members. Any person enrolled as a degree-seeking student in an accredited college or university is eligible for student membership. The student status must be certified annually by the major professor or department head. Membership is activated upon receipt of the applicant's dues.

D. Emeritus Members. Any retired person who has been a member of the Society for at least 20 years is eligible for Emeritus status. The applicant must submit a request for Emeritus Membership together with facts concerning qualifications for this status to the Executive Officer.

E. Sustaining Associates. Any institution or business making a contribution to the Society as prescribed in the Bylaws shall be designated a Sustaining Associate.

Section 2. Privileges of Members:
A. Voting rights. Only Regular, Early Career, Student, and Emeritus members of the Society shall be entitled to vote.

B. Eligibility for Society Offices. Only Regular Members shall be eligible for election or appointment as Society Officers or as other members of the Council.
C. **Floor and Committee Privileges.** All members shall have the privileges of the floor at Society meetings and are eligible to serve on Standing, Special, and Ad Hoc committees of the Society.

D. **Publications.**

1) Regular, Early Career, Student and Emeritus Members shall receive the Newsletter of the Society and be entitled to subscribe to the Society journals at the specified member rate. Members are also entitled to member prices on electronic services, separate journal articles, APS meeting registration rates, and APS Press products.

2) Sustaining Associates shall receive the Newsletter and, if requested, the journals of the Society.

**ARTICLE III**

**Officers, Council, and Executive Committee**

**Section 1.** The officers of the Society are the President, President Elect, Vice-President, Internal Communications Officer, Treasurer, and Executive Officer (nonvoting).

**Section 2.** Duties of the officers are those customarily pertaining to the offices, unless otherwise defined by the Council. The Treasurer may serve as Business Manager or the Council may delegate this authority.

**Section 3.** Governance of the Society and its corporate authority as defined in the Society's Articles of Incorporation are vested in a Council, members of which are the Society's contemporary officers, the Immediate Past President, three Councilors-at-Large, and two appointed positions representing Publications Board and Divisional Forum.

A. **Control.** Control of Society funds received from dues, subscriptions to publications, gifts, bequests, endowments, and investments is vested in the Council to administer through appropriate fiscal officers and committees, and as noted in Bylaw 7.

B. **Obligations.** The Council is authorized to enter into obligations and to pay obligations essential to proper conduct of the affairs of the Society and the editing and manufacturing of publications authorized by the Society.

C. **Audit.** Receipts and disbursements shall be audited annually by a certified public accountant. The reports of the Treasurer and the certified public accountant shall be published annually.

**Section 4.** The Council is authorized to employ an Executive Officer to administer the business affairs and offices of the Society. The Executive Officer shall be responsible to the Treasurer of the Society in fiscal matters. The title assigned to this officer shall be preceded by the adjective "Executive."

**Section 5.** The Council will meet as needed to conduct the business of the society. The President or, in the President's absence, the President Elect presides at meetings of the Council. In the absence of both, the Vice-President presides at meetings of the Council.

**Section 6.** A majority of the voting members of the Council constitutes a quorum for transaction of business.

**Section 7.** Between regular meetings of the Society, the Council, the Executive Committee, or the officers carry out the functions necessary to implement policies of the Society; this may be facilitated by electronic balloting. The Council is authorized to conduct a mail ballot of the Society membership between Annual Meetings on matters the Council deems necessary to put before the
entire membership for a vote or on matters petitioned by at least 10% of the Regular Members, provided that the ballot is accompanied by suitable explanatory information. Interim actions are reported to the membership at the Society’s next Annual Meeting.

**Section 8.** An Executive Committee of Council members is authorized.

A. The Executive Committee shall consist of the officers of the Society, the Immediate Past President, and the Senior Councilor-at-Large. The Executive Committee shall oversee the administration of policies established by the Council. It shall develop the agenda and prepare material for Council meetings. It shall meet when necessary to carry out functions delegated to it by the Council and such business that in the best interest of the Society should not be delayed until the next meeting of the Council. Action by the Executive Committee shall be reported fully to the Council, and the Council shall consider key actions for possible ratification. Four of the Executive Committee’s seven voting members shall be a quorum for conducting business, and four votes are necessary to carry an issue.

B. The Executive Committee shall meet at the call of the President. The presiding officer of the Executive Committee is the President or, in the President’s absence, the President Elect.

**ARTICLE IV**

**Selection of Officers and Councilors**

**Section 1.** The Vice-President and Councilors-at-Large shall be elected by ballot. Nominations for these offices shall come from members of the Society. A call for nominations shall be sent to all members eligible to vote, with a specified return date not later than three months before the first day of the Annual Meeting of the Society.

The Nominating Committee shall select candidates from the nominees by the procedures described in the APS Manual of Operations. At least one month before the first day of the Annual Meeting, the final ballot shall be sent to all Society members eligible to vote with instructions to return marked ballots to the Executive Officer for receipt at least one week before the first day of the Annual Meeting. The Council shall declare the officers elected based on a plurality vote.

**Section 2.** The Council appoints the Internal Communications Officer and the Treasurer, ordinarily for non-concurrent terms of three years. The term or the date of assuming office may be adjusted to avoid concurrently expiring terms. The Council also appoints the Editors-in-Chief for three-year terms. These appointed individuals shall not serve more than two terms consecutively.

**Section 3.** At the close of the annual meeting following the election, the newly elected Vice-President assumes office, the current Vice-President becomes President Elect, the current President Elect becomes President, and all assume their respective duties of office. The Immediate Past President is not eligible for immediate reelection to the office of Vice-President.

**Section 4.** Each Councilor-at-Large is elected for a three-year term. One Councilor-at-Large is elected each year so that the three-year terms, designated by the year in which the term expires, do not run concurrently. The newly elected Councilor-at-Large assumes office at the close of the Annual Meeting following the election. Councilors-at-Large are not eligible for nomination for another office/position within the Society during the duration of their term.

**Section 5.** The Council fills by appointment any vacancy occurring within a prescribed term, such appointment to continue for the unexpired balance.

**Section 6.** The President may appoint an alternate for any Councilor who is unable to attend official Council meetings.
ARTICLE V
Meetings

Section 1. Unless prevented by a national emergency, or other overriding reasons, an Annual Meeting of the Society is to be held each year, at such place and time as the Council may direct.

Section 2. An annual Business Meeting of the Society shall be held at each Annual Meeting of the Society. Except where specified to the contrary, a majority vote of the voting members present constitutes approval by the Society for actions requiring such approval.

ARTICLE VI
The American Phytopathological Society Foundation

Section 1. A Foundation of the Society is authorized.

Section 2. The purpose of the Foundation is to support special programs that meet Society objectives but which are outside the normal operating budget of the Society.

Section 3. The Foundation is administered by a Board of Directors composed of nine (9) voting members and two (2) nonvoting members.

Section 4. Four (4) voting members of the Board of Directors are selected by APS Council, typically from nominees submitted by the Nominations Committee and Foundation Board. Three (3) voting members of the Board are appointed by the Foundation Board. Voting Board members are appointed for three (3) year terms on a staggered basis and may serve two consecutive terms. The graduate student representative (chair of the Graduate Student Committee, serves as a voting member).

Vacancies on the Board among members appointed by the Council shall be filled by the Council. Vacancies on the Board among members appointed by the Board shall be filled by the Board. The Board shall elect the chair from among its voting members to serve a term of three years. The chair may serve two (2) consecutive terms. The chair of the Board shall present an annual report to the Council.

Section 5. The Treasurer of the Society and the Executive Officer of the Society or their designee from among the headquarters staff shall serve as the two (2) nonvoting members of the Board.

Section 6. The funds accruing to the Foundation shall be derived from gifts, grants, and bequests.

Section 7. The solicitation, investment, and distribution of the Foundation funds shall be a function of the Board of Directors of the Foundation. Funds shall be maintained separately from the normal operating budget of the Society.

ARTICLE VII
Code of Professional Conduct

Preamble

The American Phytopathological Society (APS) is a professional organization with a code of professional conduct which encompasses the values important to the profession and expresses the profession’s responsibilities to the public, clients, and colleagues.

Membership in APS assumes an obligation of self-discipline with compliance to these professional standards.
The APS Code of Professional Conduct is intended to guide members in the performance of their professional responsibilities and conduct.

**Principles**

1. Members accept the obligation to serve the public interest, honor the public trust, enhance the welfare of humanity, encourage environmental stewardship, and demonstrate a commitment to professionalism.

2. Members perform all professional responsibilities with the highest sense of integrity, and maintain objectivity and freedom from conflicts of interest in discharging their professional responsibilities.

3. Members strive continually to improve their competence and the quality of services, and discharge all professional responsibilities to the best of their ability.

**Canons**

1. Members have the duty to observe all laws and regulations of the land pertaining to the profession, uphold the dignity and honor of the profession, and expose illegal or unethical conduct in the profession.

2. Members will act in such a manner as to protect the resources of the natural and agricultural environments in which they work and will strive to avoid direct or indirect adverse effects on people or the environment that might result from their presence, activities, or equipment.

3. Members will not allow the use of their names, reports, or other technical materials by any enterprise known to be illegal, fraudulent, of questionable character, or contrary to the welfare of the public or the environment.

4. Members will neither seek employment, grants, or personal gain, nor attempt to injure the reputation or opportunities for employment of other scientists by false or undocumented claims or accusations, or by offers of gifts or favors.

5. Members will strive for accuracy in reporting observations made by themselves and others and will recognize contributions of others whenever appropriate.

6. Members will work and act in a strict spirit of truth and fairness with employers, clients, contractors, and employees, and in a spirit of personal helpfulness and collegiality toward other members of the profession.

7. Members will endeavor to recognize conflicts of interest and to avoid the abuse of privileged positions or circumstances. Such include, but are not limited to, (i) review and evaluation of manuscripts and grant applications, (ii) establishment of program directions and responsibilities, (iii) evaluation of candidates for employment or promotion, (iv) service in APS or other leadership positions, (v) service in consulting activities, (vi) student guidance, (vii) simultaneous service in profit-making and not-for-profit organizations, and (viii) use of any position or resources to compete unethically or unfairly with colleagues.

8. Members recognize responsibilities to students, technicians, and other associates working under their supervision and will treat them with dignity, respect and consideration, provide them with training where required, and by direction and example teach them to adhere to the professional standards herein.

**ARTICLE VIII**

**Sexual Harassment Policy**
It is the policy of the APS to comply strictly with all laws applicable to APS activities. United States Federal, and most State, laws strictly prohibit sexual harassment. APS policy specifically prohibits sexual harassment by or against any employee, member, officer, or other volunteer, vendor, or customer.

The policy covers sexual harassment complaints that fall within the scope of official APS activities, such as but not limited to, day-to-day operations, meetings, educational programs, committee activities, etc. The Society believes that mutually respectful, pleasant, non-coercive interactions between individuals will best serve the well-being of each individual employee as well as that of the Society. Sexual harassment of anyone will not be tolerated.

Sexual harassment is defined as follows:
Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment.

2. Submissions to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual (Some examples of employment decisions are hiring, promotions, performance ratings, salary increases, or preferred work assignments.)

3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment. (Physical or verbal advances, remarks, jokes, teasing or posting of sexually explicit pictures are a few examples.)

Sexual harassment may occur in situations where one person has power over another, but it can also occur between equals. Both men and women can be sexually harassed, though women are most often victimized. Sexual harassment need not involve physical conduct. Spoken words and non-favorable gestures of a sexual nature may constitute sexual harassment.

If you believe that you have been sexually harassed, or have witnessed any type of sexual harassment or inappropriate behavior you should:

   a) Advise the person causing the sexual harassment that such behavior is inappropriate and that you would like it to stop.

   b) If you prefer not to discuss the matter with that person, or that person fails to respect your request, you should promptly report such sexual harassment and inappropriate behavior to your supervisor or department head.

   c) If your supervisor or department head cannot resolve the complaint or is the subject of your complaint, you should report such conduct to the Human Resource Department or senior management. You may also contact an officer of APS (current officers are listed on the letterhead).

Upon such report, APS will investigate your complaint and attempt to resolve it, giving careful consideration to protecting the rights and dignity of all people involved to the extent that circumstances will permit.

No adverse or retaliatory action whatever will be taken against an employee for filing a sexual harassment complaint with APS.

Any employee found to have engaged in sexual harassment or retaliation will be subject to appropriate disciplinary action depending on the individual circumstances, including change of
work assignment, suspension with or without pay and possible termination of employment. Any member or volunteer found to have engaged in sexual harassment will be subject to suspension and/or termination of membership. Any vendor or customer found to have engaged in sexual harassment shall temporarily or permanently be suspended from doing business with APS.

ARTICLE IX

Amendments

Section 1. This Constitution may be amended at any Annual Meeting of the Society or by mail and/or electronic ballot with the following provisions: any proposed amendment must be approved by the Council or be petitioned by at least 10% of the Regular Members; must be communicated in writing to all members eligible to vote at least one month before the Annual Meeting or one month before the date for tallying the ballots; and must receive the affirmative votes of three-fourths of the members voting for approval.