



American Council for Construction Education

BY-LAWS

ARTICLE ONE - NAME

1.1: The name of this organization is "American Council for Construction Education, Inc.", hereinafter referred to as ACCE.

ARTICLE TWO - PURPOSES

2.1: The purposes for which the corporation is formed are:

2.1.1 to promote and improve construction education and research at the postsecondary level;

2.1.2 to engage in accrediting construction education programs offered by colleges and universities;

2.1.3 to maintain procedures consistent with policies and procedures established by other accreditation agencies to which the corporation may belong;

2.1.4 to publish current information concerning criteria and procedures adopted by the corporation for accrediting;

2.1.5 to report the results of its activities;

2.1.6 to list the colleges and universities which have or are seeking accredited programs of study in construction;

2.1.7 to review at regular intervals the criteria which the corporation has adopted to evaluate programs in construction education; and

2.1.8 to do any and all things necessary to carry out the purposes and conduct the business of the corporation as authorized by law.

ARTICLE THREE - MEMBERSHIP

3.1: The members of ACCE are those organizations, corporations, foundations, institutions, accrediting agencies, and individuals that have been admitted as Association Members, Organization Members, Accrediting Agency Members, or Individual Members.

- 3.2: Association Members.** Any construction industry related professional association, society, institute, or foundation may be admitted as an Association Member. Admission will be on the affirmative vote of a majority of the ACCE Board of Trustees present at a regular or special meeting, or by mail or electronic ballot, and upon the execution of the written instrument accepting membership in ACCE and agreeing to pay the dues specified by the Board of Trustees. Each Association Member admitted to membership shall appoint, in writing, a person to serve as its Representative on the Board of Trustees who has authority to act for it in all matters relating to ACCE. Such Representative shall preferably be involved in practice as a practitioner or educator. Association Member representatives may be appointed to and serve on any ACCE committee for which they meet the qualifications.
- 3.3: Organization Members.** An organization, corporation or foundation having an interest in the construction industry or in construction education that desires to contribute knowledge or support to ACCE and is willing to forward the goals and objectives of ACCE, but does not qualify as an Association Member, may be admitted as an Organization Member. Any entity accepted for Organization membership shall notify the President of ACCE in writing of the name of the individual who will serve as its Representative. Admission will be upon the execution of the written instrument accepting membership in ACCE and agreeing to pay the dues specified by the Board of Trustees. Organization Member representatives may be appointed to and serve on any ACCE committee for which they meet the qualifications.
- 3.4: Individual Members.** Any individual having an interest in the construction industry or in construction education that desires to contribute knowledge or support to ACCE and is willing to forward the goals and objectives of ACCE may be admitted as an Individual Member. Admission will be upon the execution of the written instrument accepting membership in ACCE and agreeing to pay the dues specified by the Board of Trustees. Individual Members may be appointed to and serve on any ACCE committee for which they meet the qualifications.
- 3.5: Accrediting Agency Members.** Any construction industry related accrediting agency may be admitted as a member. Admission will be on the affirmative vote of a majority of the ACCE Board of Trustees present at a regular or special meeting, or by mail or electronic ballot, and upon the execution of the written instrument accepting membership in ACCE and agreeing to pay the dues specified by the Board of Trustees. Each Accrediting Agency Member admitted to membership shall appoint, in writing, a person to serve as its Representative on the Board of Trustees who has authority to act for it in all matters relating to ACCE. Accrediting Agency Member representatives may be appointed to and serve on any ACCE committee for which they meet the qualifications.
- 3.6: Accredited Program Representatives.** Each accredited program is eligible to name one Educator and one Practitioner as its ACCE representatives and shall notify the President of ACCE in writing of the names of these two individuals who will serve as its Representatives. An IAB or Educator Member from that program may delegate a substitute to represent that institution at any ACCE meeting. Accredited Program Representatives may be appointed to and serve on any ACCE committee for which they meet the qualifications. This Section does not preclude any other faculty or IAB members from participating in all ACCE activities.

ARTICLE FOUR - DUES, FEES AND CONTRIBUTIONS

- 4.1: Member Dues.** Members shall pay annual dues as specified by the Board of Trustees by the anniversary date of initial membership. No Member or Member Representative shall be entitled to exercise privileges of membership or exercise voting rights if such Member has failed to pay the specified dues.
- 4.2: Fees for Academic Programs.** Institutions with accredited programs shall pay the annual fees upon receipt of accreditation and by July 1 of subsequent years. Those institutions with programs in candidate status shall pay the annual fees by the anniversary date of their acceptance in candidate status by the Board.
- 4.3: Contributions.** ACCE may accept any donation, bequest, gift or other type of contribution offered by Members or others which will result in support of its purposes. Candidate or Accredited Programs may not make contributions to ACCE due to the potential of a conflict of interest in accrediting such programs.

ARTICLE FIVE - TERMINATION OF MEMBERSHIP

- 5.1 :** After due notice to the Member, membership in ACCE may be terminated due to non-payment of dues or other reasons by affirmative vote of two-thirds of the Board present at a regular or special meeting. Upon notification of termination of membership, all certificates designating membership in ACCE shall be returned to ACCE.

ARTICLE SIX - GOVERNING BODY

- 6.1 :** There shall be a governing body of ACCE known as the Board of Trustees or Board as a collective body, with the individuals comprising the ACCE Board of Trustees referred to as Trustees, or individually as Trustee. Service as a Trustee is considered a commitment to ACCE and its purposes, to regularly attend meetings, and to actively participate in meetings and other assignments. The Trustees will be elected at the Annual Meeting of the Board and their term of service as a Trustee is described below. There shall be a minimum of 15 Trustees, with the goal, but not a requirement, of an equal number of educators and practitioners (Article 10.1) and at least one Public Interest Trustee and at least one At-Large Trustee. The specific number of Trustees in each category shall be determined by the Board of Trustees in advance of the election at the Annual Meeting of the Board.

6.2: Board Composition

- 6.2.1. Association Trustees.** The Representative designated in writing by an Association Member shall represent it on the Board as an Association Trustee. This Trustee position is held by virtue of being an Association Member and being in good standing in terms of fees and participation. For purposes of attempting to establish balance on the Board between educators and practitioners, the Association's representative will be "classified" by the type of member firms, individuals, or organizations in that Association.

6.2.2. Educator Trustees. An Educator Trustee shall be a person who is a full-time faculty member and/or administrator at an institute, college, or university, which is accredited by one of the regional accrediting agencies and who is teaching in (or administers) an associate, baccalaureate, or post-baccalaureate program (or option) in construction, construction engineering, construction management, or similar construction education program. In addition, a nominee must be a qualified Active Visitor having successfully participated as a full member on at least one Visiting Team. All of the Educator Trustees shall be from institutions with an ACCE accredited program. No two Educator Trustees shall be from the same institution. The Educator Caucus, made up of all educators from ACCE accredited programs which are present or represented by proxy at the Mid-Year Meeting, will nominate the Educator Trustees from among the total number of accredited programs on a ratio of 1 person for every 12 accredited programs (no rounding up of the number). Each institution will have one vote regardless of the number of accredited programs at that institution. Each nominee needs a majority vote of all accredited institutions voting, whether present or by proxy. There shall be a minimum of two Educator Trustees from 2-year Programs. The term for Educator Trustees shall be three years with a two term limit. Re-election after 6 years of continuous service is possible after a 1 year hiatus. In the event of a vacancy in an Educator Trustee position, the vacancy will be filled, as specified in Article 6.4, only for the length of the unexpired term.

6.2.3. Public Interest Trustee(s). In order to give representation to the public and to consumers of construction industry services and to their viewpoints on matters concerning the education of the professional constructor, individual representatives of the public-at-large will be represented on the Board. There shall be a minimum of one (1) Trustee and a maximum of five (5) Trustees representing the public interest nominated by the Leadership Development Committee. The term shall be one year. Re-election is possible without term limits

6.2.4. Practitioner Trustees. A Practitioner Trustee shall be a practitioner who meets the definition in Article 10.1. In addition, a nominee must be a qualified Active Visitor having successfully participated as a full member on at least one Visiting Team. The number of Practitioner Trustees shall be limited to 1 person for every 12 accredited programs (no rounding up of the number). They shall be nominated by the Industry Caucus, made up of IAB members and other ACCE practitioner members. No two Practitioner Trustees shall be from the same institution. Each institution will have one vote regardless of the number of IAB's at that institution. Each nominee needs a majority vote of all practitioners present or represented by proxy at the Mid-Year Meeting. An attempt will be made to have at least 50% of Practitioner Trustees be IAB members. The term for Practitioner Trustees shall be three years with a two term limit. Re-election after 6 years of continuous service is possible after a 1 year hiatus. In the event of a vacancy in a Practitioner Trustee position, the vacancy will be filled, as specified in Article 6.3, only for the length of the unexpired term.

6.2.5. At-Large Trustee(s). An At-Large Trustee shall be a practitioner or educator as defined in Article 10.1. In addition, a nominee must be a qualified Active Visitor having successfully participated as a full member on at least one Visiting Team. This At-Large position will be used to help balance the number of Educators and Practitioners on the Board. These Trustees will be nominated by the Leadership Development Committee. The term shall be one year with term limit of 6 continuous years. More terms are possible after a one year hiatus.

6.2.6. Accrediting Agency Trustees. The representative designated in writing by the Accrediting Agency Member shall represent it on the Board as an Accrediting Agency Trustee. For purposes of determining a quorum of the Board, the number of Accrediting Agency Trustees will not be considered, though they may vote on any Board action, if present.

6.2.7. Trustee by Virtue of Serving as President of ACCE. Once selected, and while serving as President of ACCE, this individual shall be a non-voting member of the Board by virtue of the office held.

6.3: Duties of the ACCE Board of Trustees. The Board shall have general supervision of the affairs of ACCE and may make general rules and regulations for the governance of ACCE. The Board shall have full and final authority to act upon all recommendations of all Board and Special Committees and special panels. Should a Trustee miss three consecutive Trustee Meetings, that Board seat will be considered vacant and a replacement will be sought per Article 6.4.

6.4: Nomination and Election of Trustees. The Leadership Development Committee will report nominations for At-Large Trustees and Public Interest Trustees. The Industry Caucus will report nominations for Practitioner Trustees and the Educator Caucus will report nominations for Educator Trustees. All nominations will take place at the Mid-Year Meeting. The Board may also accept nominations for Trustees from other people at the Mid-Year meeting. The Board of Trustees shall elect all Trustees (except the President and Association and Accrediting Agency Trustees) at the Annual Meeting. In case a Trustee resigns, or is otherwise unable to serve, the Executive Committee may appoint a replacement to fulfill such unexpired term.

ARTICLE SEVEN - VOTING

7.1: Voting on ACCE Board of Trustees Business. Only the seated members of the Board may vote on Board matters. This may include in person, proxy, electronic or mail ballot votes. On accreditation matters, the Trustees must cast their vote in person at a properly called meeting.

7.2: Proxies. Trustees may vote or act by proxy in respect to all matters except accreditation actions as specified in the proxy. Proxies are to be in written form and shall be in the hands of the Secretary prior to the beginning of the meeting at which they are to be exercised. At the appropriate time, the Secretary shall identify the proxy votes which are cast. For purposes of constituting a quorum, a proxy will be considered as a Trustee present only for matters specified in such proxy.

7.3: Voting by Mail. The Board, during a properly called meeting, may choose to vote by telephone, mail, email, or facsimile on a specific Board matter.

ARTICLE EIGHT - OFFICERS AND THEIR TERM OF OFFICE

- 8.1: Officers.** The officers of the Board of Trustees shall be a Chair, Vice Chair, Secretary, and Treasurer. The officers shall be nominated from the members of the Board of Trustees by the Leadership Development Committee at the Mid-Year Meeting and shall be elected by the Board of Trustees at the Annual Meeting. The President shall be nominated by the ACCE Executive Committee and the appointment must be confirmed by vote of the Board.
- 8.2: Terms of Office.** The Chair and Vice Chair shall serve two-year terms and shall not be eligible for re-election to that same office for two years. The Secretary and Treasurer shall serve two-year terms and the length of service as Secretary or Treasurer shall be restricted to two consecutive terms. The President shall continue in that office if confirmed by the Board at each ACCE Annual Meeting or such later time as specified in an employment contract with the President.
- 8.3: Powers and Duties of Officers.** Subject to such limitations as prescribed herein and to such limitations as the Board may from time to time prescribe, the officers shall each have such responsibilities and perform such duties as generally pertain to their respective offices and such further responsibilities and duties as may be conferred from time to time by the Board through changes to the Policy Manual (ACCE Document 100), or by the Chair. The Chair will preside over meetings of the Board, and the Executive Committee. The Chair, the Vice Chair and the President shall be ex-officio non-voting members of all Committees, unless otherwise specified in the By-Laws.
- 8.4: Office Vacancy.** In the event of a vacancy in the position of Chair, the Vice Chair shall become Acting Chair until the next regular or special meeting at which time the Board of Trustees will elect a replacement. In the event of a vacancy in other positions, the Executive Committee shall appoint an acting replacement until the next regular or special meeting at which time the Board of Trustees will elect a replacement for the unexpired term.

ARTICLE NINE - MEETINGS

- 9.1:** The Operating Procedures in the Policy Manual shall govern the conduct of all meetings of the Board and Committees. A majority of the Board shall constitute a quorum for any Board Meeting. A quorum for any Committee or Task Force is the number of Members of that committee or task force present at any meeting.
- 9.2: Annual Meeting of the ACCE Board of Trustees.** An Annual Meeting of the Board shall be held at a location and time set by the Executive Committee. Such meeting will normally be held in the third quarter of the calendar year. The outgoing Board shall meet to consider accreditation actions recommended by the Accreditation Committee, to consider matters of policy and procedures, to receive reports of the Board Committees, to elect Trustees to the new Board, to elect Officers, to elect or confirm the President, and conduct other business as appropriate.

9.3: Mid-Year Meeting of the ACCE Board of Trustees. A Mid-Year Meeting of the Board shall be held at a location and time set by the ACCE Executive Committee. Such meeting will normally be held during the first quarter of the calendar year. The primary purposes for this meeting will be to consider accreditation actions recommended by the Accreditation Committee, to receive nominations for Trustees and Officers, to consider matters of policy and procedures, to receive reports of the Board Committees, and to conduct other business as appropriate.

9.4: Special Meetings of the Board of Trustees. Special meetings of the Board may be called at any time by the Chair, the Executive Committee, or by written request of five Trustees. The times and locations of such meetings will be determined by the Executive Committee.

9.5: Notice of Board Meetings. Notice of meetings shall be given either by U.S. Mail, e-mail, by facsimile or in person to each Trustee or other person entitled thereto at least thirty (30) days prior to the date of such meeting. The notice shall state the purpose of such meeting.

9.6: Meetings of Committees. Committees shall meet at such times and places as may be determined by the committee chairs according to the workload of each committee, provided, however, that each Board Committee shall normally meet and present a report to the Board at the ACCE Annual and Mid-Year Meeting. To the extent possible and reasonable, other business of the committees may be accomplished by correspondence.

ARTICLE TEN - COMMITTEE STRUCTURE

10.1: Definitions. For the purpose of these By-Laws: a practitioner is a person who is, or was, involved in the practice of construction or who represents a construction industry related organization; and an educator is, or was, a full-time faculty member and/or administrator at an institute, college, or university, or who represents a construction education related organization.

10.2: Committee Appointments. Chairs and members of Board Committees and Special Committees are recommended by the Board Chair and both are confirmed by the Board of Trustees at each Annual Meeting. A minimum of twenty five percent (25%) of each committee should be composed of ACCE members. Each Committee shall consist of no less than eight members (an equal number of practitioners and educators) unless stated otherwise in the paragraphs below. If the formation of these committees deviates from equal representation of educators and practitioners, the Chair is required to bring this to the attention of the Board of Trustees.

10.3: Responsibilities. The Chair or Board may assign additional responsibilities to any Committee beyond those specifically listed in these By-Laws. Minutes of each Committee's meeting shall be promptly prepared, given to the Secretary for ACCE's permanent records, and reviewed by the Executive Committee which will then make recommendations to the Board. Duly appointed members of committees shall be entitled to vote on committee action.

10.4: Board Committees. These Committees report directly to the Board. In general Board Committees must get Board approval only for changes to Policy, ACCE Documents, expenditures beyond the approved Budget and those actions specifically listed in the paragraphs below. Each Board Committee shall have a minimum of 25% of its members also be Trustees. Members may not serve concurrently on both the Accreditation and Standards Committees.

10.4.1. Leadership Development Committee. The Leadership Development Committee shall be composed of a Past Chair of the Board who shall act as chair of the Committee, plus at least four other ACCE members. Current Trustees will comprise no more than 50% of the Committee's membership. The purpose of this Committee is to develop future leaders of ACCE to become committee chairs and vice chairs, officers and Trustees. This Committee shall nominate potential At-large and Public Interest Trustees to the Board and a recommended list of officers and may make recommendations for committee chairs to the Chair and President. These nominations will be presented to the Board at the Mid-Year Meeting for election at the Annual Meeting. The recommended list of officers shall not include any member of this Committee, unless that person recuses himself or herself from that portion of the process.

10.4.2. Finance Committee. Chaired by the Treasurer, the Finance Committee shall be responsible for the review, recommendation to the Board, and oversight of the annual budget developed and executed by the President.

10.4.3. Strategic Planning Committee. The Strategic Planning Committee shall consist of the current Board Vice Chair, who shall serve as the Committee Chair; the Treasurer who shall serve as Vice Chair; The Board Chair; the immediate past Board Chair; 2-Educator Trustees; 2-Association Trustees; 1-Public Member Trustee; the President; a member of the Marketing & Communication Committee and 3 members appointed by the Board Chair. This Committee is the long range or strategic planning group within ACCE. While the actual Strategic Plan is developed by the full Board at a Special Meeting held once every 5 years, this Committee provides the maintenance and modifications associated with the evolving nature of the on-going Strategic Plan.

10.4.4. Standards Committee. The Standards Committee shall be responsible for the preparation of the criteria and standards upon which all programs in construction education seeking accreditation or reaccreditation by ACCE will be evaluated. The Committee may receive suggestions from other Committees or the Board, which the Committee will evaluate and about which make recommendations to the Board. The Committee shall review all criteria and standards and, where appropriate, shall recommend to the Board such changes as may be needed to improve upon the quality of the construction education programs, and the promulgation of standards and criteria appropriate to the education of the professional constructor.

10.4.5. Accreditation Committee. The Accreditation Committee shall consist of a minimum of 12 members and shall consider the accreditation reports and other pertinent materials submitted in connection with the accreditation of an academic program. The academic program may be an Associate, Baccalaureate or Master's degree program. After due deliberation, it shall recommend to the Board accreditation, renewal, or reinstatement of accreditation for those academic programs which have applied for and have been reviewed and which, in the opinion of the Accreditation Committee, have materially achieved the standards and criteria

for accreditation. The Committee shall also recommend to the Board the denying, revoking, or suspension of accreditation when, in the opinion of the Accreditation Committee, the program does not or has ceased to materially comply with the standards and criteria for accreditation established by ACCE. The Committee is also responsible for evaluating and making recommendations to the Board on the accreditation process. A recommendation for accreditation requires a two-thirds affirmative vote of the full Committee. The Committee will review and take whatever appropriate action it deems necessary in reviewing and approving interim Progress Reports from the academic programs without Board approval.

10.4.6. Council of Chairs. The Council of Chairs is the principal participant in the ACCE Self-Assessment process. The Council shall consist of at least 5 people and is composed exclusively of experienced Visiting Team Chairs who collect information on each site visit to determine best practices and areas that need improvement. Such areas may include the accreditation process, the content and interpretation of ACCE documents, and the scope of training programs. Membership includes at least one member from the Accreditation Committee, the Standards Committee, the Guidance Committee, and the Training Committee, chosen by the respective committee chair. Membership is for three years, and members may be reappointed. Membership terms will be staggered such that the terms of one-third of the members expire each year. Members must have chaired at least two visiting team site visits. The Council of Chairs Chair shall be appointed by the Board Chair.

10.4.7. Executive Committee. The Executive Committee shall consist of the officers, the Immediate Past Chair, the Chairs of all Board and Special committees and such other appointed members as the Board Chair may determine. The Executive Committee shall be responsible for conducting routine business on behalf of the Board during the period of time between the meetings of the Board and any other matters the Board may delegate to the Executive Committee during any regular or special meeting of the Board. This Committee specifically oversees the roles and actions of all Special Committees and is not required to bring any actions from those committees to the Board for approval other than for changes in the budget, policies or accreditation standards. Meetings of the Executive Committee shall be called by the Board Chair, who also chairs the Executive Committee. Minutes of each Executive Committee meeting shall be prepared promptly by the Secretary and forwarded to the Committee and Board.

10.5: Special Committees. These Committees report to the Executive Committee.

10.5.1. Guidance Committee. The Guidance Committee shall have responsibility for providing a system of advisory services for construction education programs, including those programs seeking accreditation by ACCE and those already accredited. The Guidance Committee shall be responsible for the preparation of guidelines and documents which a program will use to develop a self-evaluation study that will be an integral part of the ACCE accreditation process, and shall recommend to the Executive Committee such changes as may be needed to improve these materials. All proposed changes to the materials shall be presented to the Executive Committee for consideration and approval prior to being incorporated in the official materials used in the accreditation process. The Guidance Committee shall also be responsible to the Executive Committee for identifying programs that are potential candidates for ACCE accreditation, and assigning and monitoring mentors to new candidate programs or existing accredited programs, in compliance with Board policy.

10.5.2. Marketing & Communications Committee. The Marketing and Communications Committee provides the maintenance of the Marketing Plan and update every three (3) years and revises the ACCE website every two (3) years. It will also develop and maintain a schedule of events and marketing opportunities for potential ACCE presentations annually.

10.5.3. Dupree Education Fund Committee The Dupree Education Fund Committee shall be responsible for all ACCE fundraising activities, exclusive of the normal income realized from membership dues of all categories, accreditation fees, attendance fees, and investment income. This committee shall also administer the scholarship grants as directed by the Board. Fundraising activities will be in accordance with the Policy Manual (ACCE Document 100).

10.5.4. Training Committee. The Training Committee shall be responsible for structuring appropriate training in the accreditation process for Members-in-Training, Registered Visitors, Advanced Visiting Team Member Training, and Visiting Team Chairs. The Committee shall have at least two qualified Team Chairs as members.

10.5.5. Recognition Committee. The Recognition Committee is responsible for guiding the Council's interests in providing recognition for non-degree, career-related education programs. This effort is to recognize the providers and programs which have a quality process and content aimed at providing education other than skills training; it is not aimed at degree-granting programs. The committee will develop the requirements for non-degree recognition (not accreditation), for evaluating any applications and for making recommendations to the Executive Committee for recognition acceptance. The committee will be made up of a committee chair and practitioner and educator professionals who have a specific interest in post-secondary professional development.

ARTICLE ELEVEN - CAUCUSES

11.1 : Educator Caucus. The primary purpose of the Educator Caucus is to nominate potential Educator Trustees. The Caucus may also discuss and propose other issues that it feels are important for ACCE. The Caucus is comprised of all educators from accredited programs, whether the individual is active or retired, as defined in Article 10.1. To nominate an Educator Trustee, each accredited institution is permitted one vote, regardless of how many programs are housed in the institution or how many educators from that program are present. Each nominee must receive a majority of those voting, whether in person or by proxy.

11.2 : Industry Caucus. The primary purpose of the Industry Caucus is to nominate potential Practitioner Trustees. The Caucus may also discuss and propose other issues that it feels are important for ACCE. The Caucus is comprised of all practitioners from accredited program IAB's and other practitioners, whether the individual is active or retired, as defined in Article 10.1. To nominate a Practitioner Trustee, each accredited institution IAB is permitted one vote, regardless of how many programs are housed in the institution or how many practitioners affiliated with that program are present. Each practitioner not affiliated with an institution's IAB also is permitted one vote. Each nominee must receive a majority of those voting, whether in person or by proxy.

ARTICLE TWELVE - NEW COMMITTEES AND TASK FORCES

12.1: The Board may create any Committee or Task Force, which shall have a specific charge and shall appropriately report progress to the Board or Executive Committee.

12.2: The Chair or Executive Committee may create any Special Committee or Task Force which would report to the Executive Committee. These Committees or Task Forces may have fewer than the eight members required in Article 10.2. The Chair shall establish the membership and tenure of such Special Committees or Task Forces as may be required to implement the stated goals and purposes of ACCE.

12.3: Committee Chairs may also appoint Task Forces to investigate and report on specific issues and recommendations within the Committee's purview.

ARTICLE THIRTEEN - SPECIAL PANELS

13.1: The Board shall establish special panels to hear appeals from educational institutions on the status of accreditation. These Panels will operate under the provisions of the Accreditation Manual (ACCE Document 101).

ARTICLE FOURTEEN - FISCAL AND BUDGET YEAR

14.1: The fiscal and budget year of ACCE is July 1 through June 30.

ARTICLE FIFTEEN - OUTSIDE INTERESTS

15.1: The Board of Trustees shall, from time to time, adopt rules and regulations governing the conduct of officers, trustees, members, or employees with respect to matters in which they have any interest in, or conflict with the interests of ACCE. Such rules and regulations shall forbid officers, trustees, members or employees from personally participating in ACCE action with respect to any contract, transaction, accreditation or other matter in which, to the knowledge of any such officer, trustee, member, or employee, he or she has any interest, financial or otherwise, unless said officer, trustee, member, or employee makes full disclosure of the circumstances to the ACCE Board of Trustees and said Board determines that (a) the interest is not so substantial as to affect the integrity of ACCE and the services being rendered by said officer, trustee, member, or employee; or (b) on the basis of standards to be established in such rules and regulations, the interest of said officer, trustee, member, or employee is too remote or too inconsequential to affect the integrity of ACCE and the services being rendered.

ARTICLE SIXTEEN - INDEMNIFICATION

16.1 : ACCE, to the extent permitted by law, shall indemnify all officers and trustees and may, by resolution by the Board of Trustees, indemnify any employee and individual serving as a designated representative of ACCE, against any and all expenses and liabilities actually and reasonably incurred by or imposed upon said person in connection with any claim, action, suit, or proceeding, (whether actual or threatened), to which said person may be or is made a part by reason of said person being or having been an officer, trustee,

employee, or designated representative of ACCE; provided, however, that there shall be no indemnification in relation to matters as to which said person shall be adjudged in such claim, action, suit, or proceeding, and any related appeal there from, to be (1) guilty of a criminal offense; (2) liable for intentional and wanton tortuous acts; or (3) liable to ACCE for damages arising out of said person's intentional tort or wanton negligence in the performance of a duty to ACCE. ACCE may, by resolution of the Board of Trustees, indemnify any officer, trustee, employee, or designated representative of ACCE, for any expenses or liabilities not otherwise indemnified by this Article.

16.2 : If such officer, trustee, employee, or designated representative of ACCE is or has been extended the right to indemnification by ACCE, then ACCE shall offer a defense to said person from the very onset of the event giving rise to the indemnification, provided ACCE shall have been given written notice. If the final decision, including all applicable appeals, finds liability against said person totally on the basis for which indemnification would not apply, then the person shall be obligated to repay to ACCE all sums previously advanced and/or paid by ACCE for legal fees and costs arising out of this indemnification provision.

16.3 : Amounts paid pursuant to this indemnification shall include any expenses and liabilities incurred by said indemnitee, including reasonable counsel fees, judgments, fines, penalties, and amounts paid in settlement by said indemnitee.

16.4: The provisions of this Article shall be applicable to all claims, actions, suits, or proceedings made or commenced after the adoption hereof, whether arising from acts or omission occurring prior to the adoption hereof, provided that no formal proceedings have been commenced and served on the indemnitee.

16.5 : The indemnification rights provided for in this Article shall not be deemed exclusive of any other rights to which said officer, trustee, employee, or designated representative of ACCE may be entitled, under any law, By-Law, agreement, ruling of the Board of Trustees or otherwise, and shall not restrict the power of ACCE to make any indemnification permitted by law. Indemnification as provided in this Article shall inure to the benefit of the heirs, executors, administrators, or other legal representatives of said indemnitee. If any part of this indemnification provision shall be found in any action, suit, or proceeding to be invalid, or ineffective, the validity and effectiveness of the remaining parts shall not be affected. The indemnification obligation is strictly limited to ACCE and shall not create any duty of indemnification on the part of any Member.

ARTICLE SEVENTEEN - AMENDMENTS

17.1: These By-Laws may be amended or replaced by a two-thirds vote of the Trustees voting at any Annual Meeting or at any special meeting called for such purpose. Thirty (30) days prior notice of such approaching amendments shall be given to the Trustees by U.S. Mail or e-mail.

ARTICLE EIGHTEEN - SEAL

18.1: ACCE may adopt a seal, and if one is adopted, it shall be in the custody of the President.