



# Building Inspection Engineers Certification Institute

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## BYLAWS of the BUILDING INSPECTION ENGINEERS CERTIFICATION INSTITUTE

### **ARTICLE I: CORPORATION**

#### **Section 1.1- Name.**

The name of this Corporation shall be the Building Inspection Engineers Certification Institute (the Institute). The approved abbreviation of the name shall be BIECI.

#### **Section 1.2 - Definition of Building Inspection Engineering.**

The professional discipline of building inspection engineering is defined as the application of engineering principles and judgment to the investigation, evaluation and analysis of building systems with the overall objective being the protection of the health, welfare and safety of the public.

#### **Section 1.3 - Offices.**

Consistent with the General Corporation Law of the Commonwealth of Virginia, and these Bylaws, the Corporation shall designate a registered agent and legal address for corporate purposes in the Commonwealth of Virginia and an office and location for the purposes of conducting the business of the Building Inspection Engineers Certification Institute.

#### **Section 1.4 - Objectives of the Institute.**

The objectives of the Institute shall be to: 1) establish the body of knowledge and standards for certification of professional building inspection engineers; 2) to promote the building inspection engineering discipline and the certification program; and 3) to develop, maintain, improve and administer the building inspection engineers certification program.

#### **Section 1.5 - References.**

All references herein to the Institute shall mean the Building Inspection Engineers Certification Institute and all references to the Board, or BOG, shall mean the Board of Governors of the Institute. All references to the Sponsoring Organization shall mean the National Academy of Building Inspection Engineers (NABIE).

### **ARTICLE II: BOARD OF GOVERNORS (BOG)**

#### **Section 2.1 - Powers.**

The BOG shall have full power to conduct, manage, and direct the business and affairs of the Corporation as provided in the Corporation charter and the General Corporation Law of the Commonwealth of Virginia. The BOG may delegate to an Executive Committee (EC) not specifically reserved for the BOG. Only those duties and powers so delegated may be exercised by the Executive Committee. Assignment of duties and powers shall be provided for in the Policies and Procedures Manual. Such assignments may only be done by the BOG.

#### **Section 2.2 Executive Committee (EC).**

##### **Section 2.2.1 - Authority.**

Consistent with direction from the BOG and the Policies and Procedures Manual, the EC shall be responsible for budget control, operations, and management of the Institute. The EC is authorized to act on all Institute activities and affairs, except for electing officers and directors, establishing budgets, fees, audits, establishing policies and procedures, amending these Bylaws, or exercising any power reserved exclusively for the BOG.

### **Section 2.2.2 Composition of the EC.**

The EC shall consist of the President, the At Large Governor and one Sponsoring Organization Governor. The Executive Director of the Sponsoring Organization shall be a member ex officio of the EC, but shall not have voting rights.

### **Section 2.3 Audit Committee.**

Annually, the BOG shall appoint an audit committee to overview the financial general operations of the Institute.

### **Section 2.4 Number, Terms, Qualifications, and Elections of Governors.**

#### **Section 2.4.1- Number.**

The BOG shall consist of the following seven (7) members:

- a. The President, President-Elect, Vice President/Treasurer, and the most recent Past-President. (The initial BOG shall have a second At-Large Governor to occupy the Past President Governor's seat).
- b. Two Governors representing the Sponsoring Organization (SO).
- c. Governor-at-Large.

#### **Section 2.4.2 Terms of Office.**

- a. The terms of office for President, and President-Elect, shall be two years. Additional two-year terms for each officer may be added upon nomination and election.
- b. The term of office for the Vice President/Treasurer shall be two years. An additional two-year term for the VP/Treasurer may be added upon nomination and election.
- c. The term of office of the At-Large and Sponsoring Organization Governors shall be two years. The terms shall be staggered with the At-Large Governor appointed for an initial term of one year and then to a full two-year appointment. The Sponsoring Organization (SO) Governors shall be appointed for the full two-year term from the initial appointment.
- d. The At-Large Governor and the SO Governors may serve one additional consecutive two-year term, provided he or she is nominated and elected.
- e. A Governor who has been appointed or elected to complete an unexpired term of another Governor shall, upon completion of such unexpired term, be

eligible for election or appointment for a succeeding full term. Each Governor shall serve until his or her successor is elected or appointed or until the office is declared vacant. The term of office of new Governors shall begin upon completion of their induction into office that shall take place during the Annual Meeting of the BOG at the time specified in the agenda.

### **Section 2.4.3 – Governor's Qualifications.**

- a. All Governors shall be registered professional engineers.
- b. Sponsoring Organization Governors shall be a member in good standing of the Sponsoring Organization.

### **Section 2.4.4 Election of BOG Members.**

The BOG shall accept as the Governor representing the Sponsoring Organization the designee of such organization. Designations by the Sponsoring Organization shall be submitted in writing to the President at least sixty (60) days prior to the date of the Annual Meeting of the BOG.

### **Section 2.5 Duties of Governors.**

Duties, roles and responsibilities of Governors shall be provided in the Policies and Procedures Manual.

### **Section 2.6 - Annual Meetings of the BOG.**

An Annual Meeting of the BOG shall be held in each calendar year at such time and place as the BOG shall determine for the purpose of transacting such business as may properly be brought before the BOG.

### **Section 2.7 - Special Meetings of the BOG.**

Special meetings of the BOG may be called at any time by the President with the concurrence of the Executive Committee, or by at least four (4) of the members of the BOG. Such meetings may require attendance of BOG members and/or may be conducted by electronic, or telephonic means.

### **Section 2.8 - Notice of BOG Meetings.**

Except as otherwise expressly required or hereinafter provided, notice of each BOG meeting shall be sent by US Postal Service and e-mail to each member of the BOG. Notice shall be addressed to his or her last known post office and e-mail address, not less than two weeks before the date of the meeting.

### **Section 2.9 - Quorum.**

At all meetings of the BOG, a number greater than or equal to four (4) of the members of the BOG, present in person, or by telephonic means, shall constitute a quorum for the transaction of business.

### **Section 2.10 Voting.**

The members present at any meeting of the BOG shall each be entitled to vote on any matter requiring a vote of the BOG. At all meetings of the BOG all matters, except those upon which the manner of deciding is otherwise expressly regulated by law or by the Certificate of Incorporation or by these Bylaws, shall be decided by a majority vote of the members of the BOG present and voting. Voting may also be conducted by mail ballot, in which case the matter in question shall be decided by a majority of the votes cast by the members of the BOG, provided that the total number of votes cast is not less than six (6) of the total seven (7) members of the BOG.

### **Section 2.11 - Vacancies.**

**Section 2.11.1** - The BOG may declare vacant the office of a Governor:

- a. If a newly-elected Governor does not accept such office in writing within thirty (30) days after notice of election, or does not attend the next regularly scheduled meeting of the BOG;
- b. If a Governor fails to attend two (2) successive annual meetings of the BOG; or
- c. For any other proper cause as determined by the BOG.

**Section 2.11.2** - Any vacancy in the position of Governor-at-Large shall be filled by majority vote of the BOG.

### **Section 2.12 - Resignations.**

Any Governor may resign at any time by giving written notice to the President. Such resignation shall take effect on the date of such notice, or at any later date specified.

### **Section 2.13 - Vacancies.**

If the President fails to complete a term, the succession in office shall be the President-Elect and the Vice President/Treasurer, each in such succession acting in his/her stead following failure of the successor to accept the office of President. If the President-Elect fails to complete a term, the Vice President/Treasurer shall succeed to the office of President-Elect. If the Vice President/Treasurer fails to complete a term, nominees for the position of Vice President/Treasurer shall be submitted by the Nominating Committee and elected by majority vote of the BOG, and the new Vice President/Treasurer shall assume office immediately upon such election. If the Past President fails to complete a term, the latest living Past President shall succeed to the office of Past President. In the event of a vacancy not provided for by this Section, such vacancy shall be filled as the BOG may prescribe.

### **2.14 Establishment of the Initial Board of Governors.**

The initial BOG shall be appointed by the Sponsoring Organization (NABIE) Board of Directors with staggered terms as needed to create an orderly election and/or appointment of future governors. The initial BOG will be created by the NABIE Board.

#### **2.14.1 Initial Meeting of the BOG.**

Following the organization of the Institute the BOG shall hold an initial meeting at which time it will officially approve these Bylaws of the Institute and the certification examination.

## **ARTICLE III. ELECTION OF OFFICERS AND GOVERNORS-AT-LARGE**

### **Section 3.1 - Date of Election.**

Elections shall be held as set forth in Section 3.2 and 3.3 of these Bylaws.

### **Section 3.2 - Nominating Committee.**

The Nominating Committee shall be appointed by the President and shall consist of:

- a. the three most recent available Past Presidents;
  - b. one Governor-at-Large, who has served on the BOG for at least two years;
  - c. one Sponsoring Organization Governor who has served on the BOG for at least two years;
- and The Chair of this committee shall be the most recent available Past President. If there are fewer than three available Past Presidents, the President shall fill any vacancy on the Nominating Committee by appointment from the membership of the Institute.

### **Section 3.3 - Responsibilities of the Nominating Committee.**

**Section 3.3.1** - The Nominating Committee shall nominate candidates for the office of President-Elect, Vice President/Treasurer, and at least two (2) candidates for the Governor-at-Large vacancy. Due consideration shall be given to a balance among geographic distribution of nominees.

**Section 3.3.2** - The Nominating Committee shall submit its nominations to the President no later than December 1 of the year preceding any election year. The President shall inform the full Institute membership of these nominations no later than February 1 of an election year, either by mail notice, by notice in the Institute's newsletter, or by notice on the organization's website.

**Section 3.3.3** - In addition to the candidates selected by the Nominating Committee, the membership-at-large may nominate candidates for one or more of these offices by means of a petition signed by at least ten (10) Board-Certified Building Inspection Engineers. The petition must be submitted to the President no later than March 1 of an election year.

### **Section 3.4 - Balloting.**

Elections shall be held annually. Ballots shall be distributed to the entire membership no later than May 15 and shall be returned to the President no later than June 15 in order to be valid. If an election is not held by the time specified in these Bylaws, the BOG shall appoint temporary officers to serve until an election is held.

### **Section 3.5 - Tellers.**

The President shall appoint three (3) tellers who are Board-Certified Building Inspection Engineers to record the results of the mail ballot. The tellers shall report the results to the President. The results shall be announced to the membership as soon thereafter as may be convenient and shall be recorded in the minutes of the next Annual Meeting of the BOG.

### **Section 3.6 - Nominees Elected.**

Nominees receiving the highest number of votes of those voting shall be declared elected. In the event of a tie, the BOG shall choose one of the candidates receiving a tie vote.

## **ARTICLE IV: EXECUTIVE DIRECTOR**

The BOG may appoint an Executive Director to serve as Chief Operating Officer of the Corporation full or part time, with or without compensation. He/she shall not be required to be a Board Certified Building Inspection Engineer and shall not have voting rights on the BOG.

The Executive Director shall:

- a. Serve under the general direction of the President;
- b. Be responsible for administration of the Institute's offices, staff, and support functions;
- c. Be responsible for the payment of bills and other obligations which have been incurred in accordance with budgetary authorizations;
- d. Serve as Secretary of the Corporation;
- e. Serve as Secretary to the BOG and to the EC, and keep and prepare minutes of all meetings of these two bodies;
- f. See that notices of meetings, seminars, and other Institute events are distributed to the BOG and elsewhere on a timely basis;

- g. Prepare, publish, and distribute the official Institute newsletter or other publication on a regular basis;
- h. Serve as custodian of all contracts, deeds, documents, physical assets, corporate records, the Institute seal, and other properties;
- i. See that the Institute's seal is affixed to all certificates granted by the Institute;
- j. See that the Institute's seal is affixed to all documents for which the seal is authorized.
- k. He/she shall attest the seal by signature in all cases where such attestation is required;
- l. Maintain suitable files and storage of all reports, statements, certificates, records, and other documents dealing with or of interest to the Institute;
- m. Provide secretarial and other support services to the Institute's committees, as may be required;
- n. Hire, discharge, and set the compensation of all Institute employees, and consultants;
- o. Manage the creation and maintenance of the organization's website; and
- p. Perform other duties as may be assigned by the BOG.

**ARTICLE V: SPONSORING AND AFFILIATED ORGANIZATIONS**

The Institute shall support mutually beneficial relationships with professional and technical organizations whose goals and objectives are compatible with those of the Institute.

**Section 5.1 - Affiliated Organizations.**

**Section 5.1.1** - Affiliated organizations shall be professional and technical organizations that in the opinion of the BOG have goals and objectives compatible with the goals and objectives of the Institute.

**Section 5.1.2** – The Sponsoring Organization of the Institute shall be the National Academy of Building Inspection Engineers (NABIE). NABIE shall designate two members of their organization to serve as the Sponsoring Organizations' Governors on the BOG.

**Section 5.1.3** - The BOG may approve associations with organizations to be designated as Affiliated Organizations when such associations are consistent with the requirements of the Policies and Procedures Manual.

**Section 5.1.4** - The roles and responsibilities of Sponsoring and Affiliated Organizations shall be provided in the Policies and Procedures Manual.

**Section 5.1.5** - Whenever a sponsoring organization changes its name, such new name shall be substituted in this section in subsequent printings of the Bylaws. When a sponsoring organization is succeeded or replaced by a new organization whose goals and objectives are compatible with those of the Institute such new organization may, with the approval of the BOG, become a sponsor.

**Section 5.2 - New Sponsoring and Affiliated Organizations.**

A professional or technical organization with no formal ties with the Institute may become an Affiliated Organization as provided for in the Policies and Procedures Manual and upon approval by majority vote of the BOG if, in the opinion of the BOG, the goals and objectives of the organization are compatible with those of the Institute.

**Section 5.3 - Withdrawal of a Sponsoring or Affiliated Organization.**

Any Sponsoring or Affiliated Organization may withdraw from the Institute upon providing written notice thereof to the President of the Institute. Procedures for withdrawal shall be provided in the Policies and Procedures Manual.

**ARTICLE VI: CERTIFICATION**

**Section 6.1 - Definition of Building Inspection Engineering.**

For the purpose of evaluating the qualifications of candidates for certification as Board Certified Building Inspection Engineers, the professional discipline of building inspection engineering shall be as defined in Article I.

**Section 6.2 – Authority to Grant Certification Designation.**

The BOG, in the name of and on behalf of the Institute, may, at its discretion, grant and issue to any citizen of the United States or citizen of a Foreign Country, as provided in this Article and found to be entitled to receive the same, Certification as a Board-Certified Building Inspection Engineer.

**Section 6.3 - Procedure for Obtaining Certification as a Board-Certified Building Inspection Engineer.**

**Section 6.3.1 - Applications.**

Application for certification shall be made on the forms provided by the Executive Director, and must be wholly completed and fully documented by the applicant under Sec. 6.4.2, Sec. 6.4.3, and Sec. 6.4.5. Applications for certification pursuant to Sec. 6.4.4 shall be prepared and documented as prescribed by the BOG.

**Section 6.3.2 - Application and Examination Fees.**

The application, examination, and re-examination fees shall be as established by the BOG and must accompany the application.

**Section 6.3.3 - Additional Examinations.**

An applicant who, if for good cause, fails to appear at the initial examination shall, upon request, be given an examination at a later date without paying an additional fee, but an applicant who fails to pass the initial examination shall pay a fee, as established by the BOG for each additional examination.

**Section 6.4 - Requirements for Certification.**

The BOG, upon the affirmative vote of two-thirds of its members present and voting at a regular or special meeting or upon affirmative vote of two-thirds of those voting by letter ballot, may certify an applicant provided such applicant meets the qualifications as contained in Sections 6.4.1 and whichever of Sections 6.4.2, or 6.4.3 or 6.4.4 or 6.4.5 is applicable to the method of certification being requested. Provided further, that all admissions approved by letter ballot shall be reviewed by the BOG at its next meeting.

**Section 6.4.1 - General Requirements.**

- a. The applicant shall be of good moral character and of high ethical and professional standing, as determined by the BOG;
- b. The applicant shall possess a baccalaureate or higher degree in engineering or architecture from an ABET accredited college or university of recognized standing;
- c. The applicant must hold a valid license or a valid certificate of registration to practice engineering or architecture issued by the lawfully constituted registration board of any State, territory, possession or district of the United States, or from a foreign country, provided that said valid licenses or valid certificates of registration from foreign countries shall be evaluated by the BOG on a case-by-case basis to determine if they meet the minimum standards set by the BOG;
- d. Experience credit shall begin following the date of receipt of valid license or valid certification of registration granted by written examination, and as required by items "b." and "c." of this section;
- e. For educational studies and research, experience credit of up to one year shall be given for a Master's degree and a total of up to three years for a Doctoral degree. No additional credit shall be given for work experience gained during the one- and three-year periods. Where more than one and three years, respectively, are taken to obtain an advanced degree and the periods include some full- or part-time work experience, the BOG shall consider acceptability of such additional time on a case-by-case basis;
- f. The applicant shall submit a complete application on forms provided by the Institute and such other supporting documentation as may be required; and
- g. A person certified under any of the Sections herein, except as an Honorary Member, does not become a member of the Institute until he/she has paid the examination fees; the fee for purchase of a certificate upon notification of BOG approval of the applicant or nominee; and the annual certification renewal fee upon receipt of a statement from the office of the Executive Director, all as prescribed by the BOG.

**Section 6.4.2 - Certification by Written Examination.**

a. In addition to meeting the general requirements under Section 6.4.1, the applicant must have had at least eight (8) years of building inspection engineering experience acceptable to the BOG. Four (4) of the eight (8) years of experience shall be in responsible charge of work acceptable to the BOG, which work must include active participation in inspection, evaluation, deficiency repair design, research related to building condition assessment or inspection, or teaching. In the case of teaching experience, responsibility shall be primarily in one or more fields of engineering or architecture related to building systems and evaluation in an ABET accredited educational institution of recognized standing;

b. Written examination shall be held in such places as are indicated by the number and location of applicants and as determined by the BOG. Geographical locations may be selected so as to minimize travel on the part of the applicants and the examining boards. The examination will be designed to test the knowledge and ability of the applicant in the field of building inspection engineering. Where possible, re-examinations will be scheduled to coincide with normally planned examinations, and procedures will be similar in all cases;

c. The candidate must be qualified as defined by the criteria established by the BOG.

**Section 6.4.3 - Certification ‘Grandfathering’ Provision.**

The Institute recognizes that certain building inspection engineers should be granted certification on a “grandfathered” basis due to their standing in the field of building inspection engineering at the time of the Institute’s founding. “Grandfathering” will be conducted by the Institute for twelve (12) months after the incorporation date of the Institute.

a. Applicants being considered for certification under this Section shall not be required to take the written examination required under Section 6.4.2, but may be required to undergo an oral examination at the discretion of the BOG;

b. In addition to meeting the general requirements under 6.4.1 the applicant shall have had at least eight

(8) years of engineering experience acceptable to the BOG. Eight (8) of the eight (8) years of experience shall be in responsible charge of work acceptable to the BOG in building inspection engineering or a related design specialty, which work must include active participation in responsible inspection, evaluation, deficiency repair design, management, building system research, or teaching. The teaching experience must demonstrate responsibility primarily in one or more fields of engineering or architecture relevant to building inspection engineering at an ABET accredited educational institution of recognized standing; and

c. The candidate must be qualified as defined by the criteria established by the BOG.

**Section 6.4.4 - Denial of Initial Certification**

a. When certification is not recommended because the applicant does not meet one or more of the requirements set forth in these Bylaws he/she shall be so informed by the BOG and shall be provided with specific details as to why certification was not recommended.

b. The applicant may request that the BOG review and further consider the requirements not satisfied. The applicant's request shall include specific reasons for reconsideration, along with any new supporting information which the applicant considers pertinent.

c. Following review and consideration of the applicant's appeal, including any additional information, the BOG will make the final determination on the appeal. At its discretion, the BOG may request further information from the applicant before reaching a final decision on the appeal.

d. The BOG shall inform the applicant of the final action on the appeal. Where the ruling is unfavorable, the applicant shall be given specific reasons for such ruling.

e. The BOG's ruling on the appeal shall be final.

**Section 6.5 - Issuance of Certificates.**

Upon satisfactory completion of the applicable examinations, and approval of supporting documentation filed by the applicant that he/she meets the prescribed standards, the BOG shall issue a suitable certificate. This certificate, which shall be signed by an appropriate officer(s) of the Institute

and shall have the seal of the Institute affixed, remains the property of the Institute, but the person to whom it is issued is entitled to its possession unless and until it is revoked. The effective date of the certificate shall be the date when the applicant was certified and such date shall be noted on the certificate when issued. As a condition precedent to the issuance of a certificate, applicants shall pay to the Institute the annual certification renewal fee or one-half of the fee if effective date of certification is on or after June 1st.

## **Section 6.6 - Certification Renewal.**

### **Section 6.6.1 - Certification Renewal Requirements**

a. In order to maintain certification, all Board-Certified Building Inspection Engineers (except those in the Emeritus, Retired, Inactive, and Honorary categories) shall, in addition to other requirements set forth in these Bylaws, have:

1. Completed forty (40) Professional Development Hours (PDH) during the preceding two-year period. PDH's may be earned through technical, education, or other professional activities as defined in the policies and procedures manual and approved by the BOG; or

2. Received a waiver from this requirement due to hardship or other causes acceptable to the BOG. Such waivers shall be granted on a case-by-case basis – only in rare and extreme cases.

b. While the professional development requirement must be completed every two (2) years the Board Certified Building Inspection Engineer shall report annually on the credits earned during the preceding twelve-month period. Credits shall be reported when submitting annual fee payments on forms to be provided by the Institute.

c. If more than forty (40) Professional Development Hours (PDH) are earned in any two-year reporting period, up to twenty (20) of the excess hours may be carried over into the next succeeding two-year period.

### **Section 6.6.2 - Certification Renewal Fees.**

a. The annual certification renewal fee for the Board-Certified Building Inspection Engineer (ACTIVE) shall be fixed by the BOG.

b. The annual certification fee for the Board-Certified Building Inspection Engineer (INACTIVE) shall be fixed by the BOG.

c. There shall be no annual certification renewal fee required for the Board-Certified Building Inspection Engineer (LIFE), Board-Certified Building Inspection Engineer (LIFE-INACTIVE), and Board-Certified Building Inspection Engineer (HONORARY), respectively.

d. A former Board-Certified Building Inspection Engineer whose certificate has been revoked for nonpayment of the renewal fee may, subject to the recommendation of the Admissions Committee, be reinstated by the BOG, by supplying proof (on forms to be furnished by the Institute) that he/she has completed the requirements given in Section 6.6.1 and, in addition, by paying the renewal fees for the current year and the preceding one (1) year. On a case-by-case basis, the Executive Committee may waive or modify the penalty under extenuating circumstances such as extended illness or unemployment, or for other acceptable reasons. Where the former Board-Certified Building Inspection Engineer is in arrears for three (3) or more years in the payment of renewal fees, then the individual shall submit a new application and be considered for certification in accordance with the applicable requirements set forth in these Bylaws.

f. Failure of a Board-Certified Building Inspection Engineer to pay the annual renewal fee by February 28th of the year for which the fee is due shall result in the automatic revocation of such Board-Certified Building Inspection Engineer's certification and membership in the Institute.

g. To be included in any Institute publication, listing, or promotion, a Board-Certified Building Inspection Engineer must be available to the public for consulting and related technical assignments; must pay the full annual renewal fee and the annual fee fixed by the BOG for such publication or listing, if any.

## **Section 6.7 - Revocation of Certificates.**

### **Section 6.7.1 - Lapse of Registration.**

A Board-Certified Building Inspection Engineer, other than an Honorary Member, who fails to maintain a valid license or certificate of registration to practice engineering shall not be entitled to retain



the privileges of a Board-Certified Building Inspection Engineer.

**Section 6.7.2 - Revocation by BOG Action.**

A certificate may be revoked by a two-thirds vote of the members of the BOG present and voting at a regular or special meeting of the BOG. The basis for such action shall be the receipt of sufficient evidence of fraud or dishonesty; misrepresentation or concealment of facts in the application; revocation of an engineering registration issued; conviction of a crime involving moral turpitude; or for any other reason considered good and sufficient by the BOG. Procedures for revocation of a certificate by BOG action are given in Section 6.7.3.

**Section 6.7.3 - Revocation Procedures**

The following procedures shall be followed in BOG actions for the revocation of a certificate:

**Step 1**

- a. A written complaint is received by the BOG;
- b. The BOG sends an acknowledgment letter to the complainant;
- c. The complaint is reviewed by the BOG, who contacts the complainant if more information is required; and
- d. The BOG, makes a decision to:
  - (1) Dismiss the complaint and advise the complainant of his/her right to send the complaint to the State Licensing Board; or
  - (2) Refer the Complaint to the State Licensing Board for initial disposition. Further action is deferred pending State Licensing Board resolution; or

**Step 2**

The subject of the complaint is contacted and requested to supply the BOG with a response to the complaint. If no response is received within thirty (30) days, a second notice is sent and, if no response is received after five (5) days, a final notice is sent by certified mail.

**Step 3**

- a. The BOG reviews the complaint after responses are received from all parties or after the subject of the complaint fails to respond to the final notice.
- b. The BOG takes appropriate action, which could consist of (but need not necessarily be limited to) dismissing the complaint, requesting more information, suspending and revoking certification,

referring the matter to the State Licensing Board and deferring action pending that agency's resolution of the matter, or conducting a hearing.

**Step 4**

The BOG informs all parties of the Committee's decision and of the right of all parties to appeal the decision.

**Step 5**

The BOG will consider any appeals of the decision and take appropriate action. The BOG's rulings on such appeals shall be final.

**Section 6.8 - Roster.**

The Institute shall maintain and publish annually a ROSTER of those Board-Certified Building Inspection Engineers in good standing as of January 31 each year. Publication of this ROSTER shall be in a form as determined by the BOG, and may be on the Institute's website. Affiliates may not be listed in the ROSTER.

**ARTICLE VII: COMMITTEES, WORKING GROUPS AND STATE REPRESENTATIVES**

**Section 7.1 - Establishment of Committees, Working Groups and State Representatives.**

The Institute may have Management Committees, Committees, and Working Groups as needed to carry out the objectives of the Institute. In addition, the Institute may establish a state/regional program to address local, regional and state issues of interest to the Institute.

**Section 7.2 - Policies and Procedures.**

Formation, processes, and operations of Management Committees, Committees, Working Groups and State Representatives shall be provided for in the Policies and Procedures Manual.

**Section 7.3 - Appointment of Chairs, Members and State Representatives.**

Unless otherwise provided, Committee Chairs and Members and State Representatives shall be appointed by the President.

**Section 7.4 - Management Committees.**

The Management Committees may include: Admissions Committee, Audit Committee, Bylaws, Policies, and Procedures Committee, Finance Committee, Membership Committee, Nominating Committee, Planning Committee, and Recertification Committee.

**ARTICLE VIII: AWARDS PROGRAM**

**Section 8.1 - Establishment of Awards Programs.**

The Institute shall have an Awards Program to recognize individuals and organizations for their contributions to the building inspection engineering profession. Nominees will be considered annually. The BOG shall establish new awards programs or terminate existing awards as circumstances dictate by a vote of the BOG.

**Section 8.2 - Awards Policies and Procedures.**

The policies and procedures for all awards shall be established and approved by the BOG.

**ARTICLE IX: ADMINISTRATION AND MANAGEMENT OF THE INSTITUTE**

**Section 9.1 - Policies and Procedures Manual**

A Policies and Procedures Manual shall exist to incorporate the policies and procedures deemed necessary by the BOG for the operation and management of the Institute. These policies and procedures shall be consistent with the Articles of Incorporation and Bylaws and established as specified in this Manual. All members and staff shall be bound by the properly established policies and procedures.

**Section 9.2 - Fiscal Year.**

The fiscal year of the Institute shall begin on January 1 and close on December 31 of each year.

**Section 9.3 - Institute Seal.**

The seal of the Institute shall be of such design as designated and approved by the BOG and such seal shall be used only for official business purposes. The Institute emblem may not be used on the letterhead or other stationery of members, but he/she may be identified on such stationery through the use of the name of the member followed by "Board-Certified Building Inspection Engineer".

**Section 9.4 - Consultants.**

The BOG may utilize or employ such consultants, as it shall deem necessary for such purposes as may be determined and approved by the BOG.

**Section 9.5 - Compensation.**

Compensation of the Executive Director of the Institute shall be fixed by the BOG. No elective officer or Governor of the Institute shall receive any salary or other compensation for services as such officer or Governor.

**Section 9.6 - Reimbursements.**

Officers, Governors, and other authorized members of the Institute may be allowed travel expenses and other out-of-pocket disbursements and expenses actually paid or incurred, in connection with attendance at meetings of the BOG, or of committees or otherwise in connection with the activities and affairs of the Institute and pursuant to such policies as may be adopted by the BOG.

**Section 9.7 - Contracts.**

The BOG or the Executive Committee may authorize any officer or officers or agents of the Institute to enter into any contract or execute or deliver any instruments in the name and in behalf of the Institute, which authorization may be general or limited to specific instances. Unless so authorized by the BOG, no officer, agent, or employee shall have any power or authority to bind the Institute by any contract or engagement or to pledge its credit or to render it financially liable for any purpose or to any amount.

**ARTICLE X: MEETINGS OF BOARD-CERTIFIED BUILDING INSPECTION ENGINEERS**

**Section 9.8 - Loans.**

No loan shall be contracted on behalf of the Institute nor shall negotiable paper be issued in its name unless authorized by the BOG or the Executive Committee.

**Section 9.9 - Checks, Drafts, Etc.**

All checks, drafts, and other orders for the payment of money shall be signed only by such officers or agents as shall be designated by the BOG or the Executive Committee.

**Section 9.10 - Deposits.**

All funds of the Institute, not otherwise employed, shall be deposited to the credit of the Institute in such banks and other depositories as the Vice President/Treasurer shall designate or select.

**Section - 9.11 Startup Expense Reimbursement.**

It is the intent of the Institute to reimburse the Sponsoring Organization for all startup expenses incurred in the formation of the Institute.

**Section 9.12 - Indemnification and Insurance.**

Any person who is or was an officer, Governor, employee or agent of the Institute shall be indemnified by the Institute in accordance with the provisions of the General Corporation Law of the Commonwealth of Virginia and the Certificate of Incorporation. In addition, the Institute shall have power to purchase and maintain insurance on behalf of any person who is or was a director, officer, employee or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise. Such insurance shall cover him/her against any liability asserted against that person and incurred by him/her in any such capacity, or arising out of that person's status as such, whether or not the Corporation would have the power to indemnify that person against such liability under the provisions of this section.

**Section 10.1 - Meetings of Board-Certified Building Inspection Engineers.**

Board-Certified Building Inspection Engineers may hold meetings at such time, place, and such intervals as may be determined by the Executive Committee or the BOG. The Executive Committee may cooperate with Sponsoring and Affiliated Organizations or other organizations in the programming of special meetings concerned with the interests of the Institute.

**Section 10.2 - Policies and Procedures.**

Meetings shall be held in compliance with provisions of these By-laws and the Policies and Procedures Manual.

**ARTICLE XI: PARLIAMENTARY PROCEDURE**

At all meetings of the members of the Institute, its BOG, and any Committees thereof, the latest edition of Roberts Rules of Order shall govern as to parliamentary procedures if not in conflict with procedures provided in the General Incorporation Law of the Commonwealth of Virginia, in the Certificate of Incorporation, and these Bylaws

**ARTICLE XII: AMENDMENTS TO THE BYLAWS**

**Section 12.1 - Amendments.**

The Bylaws of the Institute may be altered, amended, or repealed in any particular manner, and new Bylaws may be adopted in each case, provided proposed amendments are not inconsistent with any provision of law or the Certificate of Incorporation.

### **Section 12.2 - Approval of Amendments.**

The Bylaws of the Institute may be altered, amended, or repealed, and new Bylaws may be adopted in each case, not inconsistent with any provision of law or the Certificate of Incorporation, by affirmative vote of two-thirds of the members of the BOG who are present and voting at a regular meeting or at a special meeting, the notice of which shall include the form of the proposed alteration, amendment, or repeal of the Bylaws or a summary thereof. Such action may also be taken by written unanimous approval of the members of the BOG voting by mail ballot.

### **ARTICLE XIII: DISSOLUTION OF THE INSTITUTE**

If upon dissolution of the Institute there shall remain any property or other assets after satisfaction of all indebtedness, such property and assets shall not be distributed among the members of the Institute, but shall be given or transferred to one or more non-profit corporations, associations, or institutions having objectives generally similar to those of the Institute. Such recipients shall be selected by an affirmative vote of a majority of the members of the BOG present and voting, a quorum being present, at an annual or special meeting. Such dissolution of the Institute shall be in accordance with laws of the Commonwealth of Virginia.

**Adopted September 23, 2006.**

### **ARTICLE XIV: AMENDMENTS TO BYLAWS** **Amendment 1**

While recognizing the contributions and efforts of the National Academy of Building Inspection Engineers (NABIE) in founding and organizing the Building Inspection Engineers Certification Institute (BIECI) and the rights of NABIE to appoint two Governors as per Article II Section 2.4.1, of these Bylaws; BIECI shall be a fully autonomous entity and will govern itself independently of any control or undue influence from NABIE.

**END OF BYLAWS DOCUMENT**