BYLAWS

The Academy of Coastal, Ocean, Port & Navigation Engineers (ACOPNE)

of Civil Engineering Certification, Inc.

April 17, 2015

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**ACOPNE Bylaws**

*As Adopted by CEC*

*June 9, 2015*

*Last revised April 17, 2015*
Article 10. Committees

Section 10.1. Admissions Committee
Section 10.2. Executive Committee
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Article 11. Administration

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BYLAWS

Article 1. Name

The name of the academy shall be the Academy of Coastal, Ocean, Port & Navigation Engineers (ACOPNE, hereinafter called the Academy) of Civil Engineering Certification, Inc. (CEC), which is a separately incorporated and wholly-owned subsidiary of the American Society of Civil Engineers (ASCE).

Article 2. Definitions

COPNE-Profession. The COPNE-Profession comprises the individuals and professional organizations that are engaged in the sustainable development and protection of coastal, ocean, port, and navigation environments for the benefit of society. The Academy has in part been created to complement the Coasts, Oceans, Ports, and Rivers Institute (COPRI) and provides recognition to those individuals who have excelled in one or more of the disciplines embraced by COPRI. In this regard, the Academy has defined the following specialty fields of expertise consistent with the disciplines contained in COPRI.

Coastal Engineering. Coastal engineering involves the practice of civil engineering, as well as the sciences of oceanography, meteorology and coastal geology concerned with the interactions between water and land, including shorelines, bays, lakes, estuaries, inlets, river mouths, and harbors, and the structures within these environments.

Ocean Engineering. Ocean engineering involves the practice of civil engineering and the sciences of oceanography and meteorology concerned with the design, analysis, operation, and planning of systems that operate in the oceanic environment.

Port Engineering. Port engineering involves the practice of civil engineering, environmental engineering, and the science of advanced hydrodynamics concerned with the planning, design, construction, maintenance, operation, pollution control, and technical functioning of ports and harbors.

Navigation Engineering. Navigation engineering involves the practice of civil engineering, life-cycle planning, design, construction, operation, and maintenance of safe, secure, reliable, efficient, and environmentally sustainable navigable waterways, channels, structures, and support systems used to move people and goods by waterborne vessels.

Additional Fields. The Board of Trustees, in the name of and on behalf of the Academy, may in its sole discretion identify and define additional suitable specialty fields. Such identification and definition of the specialty fields shall include amendment in accordance with Article 12 and shall be approved by a three-quarters majority vote of the Board of Trustees.
Article 3. Objectives of the Academy

The objectives of the Academy shall be to improve the practice, elevate the standards, and advance the COPNE-Profession for the benefit of the public by:

- Identifying and granting board certification to individuals with specialized knowledge.
- Recognizing the ethical practice.
- Enhancing the technical practice.
- Supporting and promoting positions on professional issues important to the public health, safety, and welfare.
- Encouraging life-long learning and continued professional development.

Article 4. General Organization

The Academy is organized under the auspices of CEC. As such, the Academy is responsible directly to the Directors of CEC. All policies and activities of the Academy shall be consistent with and subject to:

- The Articles of Incorporation, Bylaws, and Rules of Policy and Procedure of CEC.
- All applicable federal, state, and local laws, regulations, and legal requirements.
- All requirements to maintain the status of CEC as a not-for-profit organization exempt from federal income tax under Section 501(c)(6) of the Internal Revenue Code of 1986, as amended, and the laws of the Commonwealth of Virginia.
- All requirements imposed by the relevant jurisdiction for maintenance by CEC of any license, permit, or authority it may hold to conduct activities and do business as a foreign, not-for-profit corporation within that jurisdiction.
- All other policies and procedures as are authorized under these documents.

Article 5. Certification

Section 5.1. Specialty Fields

The Academy shall grant certification to individuals who have achieved and maintain the requirements of Article 8 in the specialty fields listed below and defined in Article 2.

<table>
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Distinguished Diplomates shall add the prefix Dist. before the certification credential, e.g. Dist.D.PE. for Distinguished Diplomate in Port Engineering. All Diplomates shall hold and enjoy equal rights and privileges, except as may be otherwise set forth by these Bylaws.
Section 5.2. Certification Classes
The following certification classes are established:

- **Diplomate.** A professional engineer, who actively practices in one or more of the specialty fields defined in Article 2, satisfies all requirements for certification, holds a current license to practice professional engineering, adheres to the Academy’s Code of Ethics, and complies with the requirements for continuing professional development.

- **Diplomate Emeritus.** A professional engineer who has been a Diplomate in good standing for a minimum of two years, adheres to the Academy’s Code of Ethics, and has retired from active practice.

- **Distinguished Diplomate.** Any person who has been granted certification pursuant to Section 8.4.

Article 6. Board of Trustees

Section 6.1. Powers and Duties of the Board of Trustees
The Board of Trustees shall manage the affairs of the Academy in accordance with the laws under which the Academy is organized. The Board of Trustees shall have fiduciary and strategic responsibilities to:

- Focus on continuous strategic planning.
- Determine desired outcomes.
- Develop and approve appropriate policies, rules, and operating procedures.
- Guide operations.
- Monitor the Academy’s work toward meeting its objectives.
- Monitor and manage the financial transactions of the Academy.
- Adopt positions on issues on professional practice.

Section 6.2. Composition of the Board of Trustees
The affairs, activities, and business of the Academy shall be under the direction of the Board of Trustees. The Board of Trustees shall include the following:

- President
- President-Elect
- Immediate Past President
- Treasurer
- Four Trustees, one from each specialty discipline defined in Article 2
- Public Trustee
- International Trustee
- President of COPRI, ex-officio and non-voting
- Secretary, non-voting.

The Secretary shall be an employee of ASCE and as such shall be hired or terminated by ASCE’s Executive Director following consultation with the Board of Trustees. Certification shall not preclude employment as the Secretary, but the Secretary shall not be required to be a Diplomate. The Public Trustee shall be an individual who is neither a Diplomate of the Academy nor qualified to apply for any Academy certification. The Public Trustee shall represent the interests of the general public.
Section 6.3. Terms of Office
Trustees shall be elected to staggered three year terms. These terms will be abbreviated if elected to serve as President-Elect prior to completion of the three years of service as a Trustee. The President-Elect shall serve a term of one year; after which, shall serve as President for a term of one year, and then serve as Immediate Past President for a term of one year. The Secretary shall serve a term of one year, and may be reappointed. The Treasurer shall serve a term of one year, and may be reappointed. The Public Trustee shall serve a term of three years, and may be reappointed.

The terms of office for the initial Board of Trustees of the Academy shall remain fixed for three years. The staggered rotation of the Board of Trustees shall begin after the initial three year period.

Section 6.4. Nominations and Elections
No later than 60 days prior to end of the fiscal year or 30 days before the last meeting of the Board of Trustees in the fiscal year, the Nominations and Elections Committee shall identify the next President-Elect and at least one nominee for each pending trustee vacancy from among the current Diplomates of the Academy. Also at this time, in years when the Public Trustee’s term is about to expire, the President shall nominate one person for that position. The President-Elect shall nominate the Treasurer to serve during their presidential year. All nominations shall be ratified by the Board of Trustees by a majority vote.

Suitable background information shall be obtained for all nominees and shall be submitted to the Secretary for distribution to the Board of Trustees prior to the meeting of the Board of Trustees.

The Secretary shall publically announce the election results prior to the first day of October through the Academy publications and/or ASCE publications.

Section 6.5. Officers of the Academy
The Officers of the Academy shall be the President, President-Elect, Immediate Past President, Treasurer, and Secretary. Except for the Secretary, the Officers shall be Diplomates in good standing of the Academy.

The President shall have general supervision over all of the affairs and operations of the Academy and shall:

- Preside at all meetings of the Board of Trustees and the Executive Committee defined in Section 10.2.
- Represent the Academy in all official matters.
- Sign, execute, and acknowledge, in the name of the Academy, agreements and other instruments as authorized by the Board of Trustees.
- Appoint members and chairs to those committees deemed necessary for the effective operation of the Academy, subject to approval by the Board of Trustees.
- Perform other duties incident to the office, or that may be assigned by the Board of Trustees.

The President-Elect shall:

- Preside at all meetings of the Board of Trustees in the absence of the President.
- Represent the Academy in all official matters as designated by the President.
- Assist the President in performing the duties of that office.
- Perform other duties as assigned by the President or the Board of Trustees.
The Immediate Past President shall:

- Serve as Chair of the Nominations and Elections Committee.
- Perform other duties as assigned by the President or the Board of Trustees.

The Treasurer shall:

- Act as advisor to the Board of Trustees for the Academy’s fiscal matters.
- Perform other duties as assigned by the President or the Board of Trustees.

The Secretary shall:

- Be responsible for all correspondence of the Board of Trustees.
- Be responsible for all financial matters of the Academy.
- Give proper notice of, attend, and keep minutes of all meetings of the Board of Trustees, unless specifically excused by the Board of Trustees.
- Maintain custody of the official minutes and other documents of the Academy.
- Notify applicants who have been newly certified by the Academy.
- Maintain and publish annually a roster of the Diplomates in good standing. The form and format of the roster shall be approved by the Board of Trustees.
- Perform other duties as assigned by the President or the Board of Trustees.

Section 6.6. Meetings of the Board of Trustees
The Board of Trustees shall meet at least annually to conduct any business that may properly come before it. The President shall set the date, time, place, and agenda of the meeting. All members of the Board of Trustees shall be given at least thirty days prior notice of all meetings. Additional scheduled meetings of the Board of Trustees may be held each year, at times and locations designated by the President, including conference calls. Notice shall include an agenda.

A simple majority of Trustees shall constitute a quorum for the transaction of all business at any meeting of the Board of Trustees. An act of a simple majority of the Trustees present shall be the act of the Board of Trustees, except as may be otherwise specifically provided by the Bylaws or other applicable instrument or law. If at any meeting there is less than a quorum present, the President shall adjourn the meeting immediately after designating another time, no sooner than thirty days later, and the place of the next meeting. Proxy voting in any form shall not be permitted.

The agenda of the meetings shall include the confirming election of trustees and officers, approval of the annual financial statement, and any other business deemed necessary by the Board of Trustees.

Article 7. Fees
The Academy’s Board of Trustees shall establish all fees.

Article 8. Certification

Section 8.1. Application Procedure
Applications for certification within the specialty fields identified in Article 2 shall be made on forms provided by the Secretary and shall be wholly completed and fully documented as required therein.

Section 8.2. Requirements for Certification
The Board of Trustees, upon the affirmative vote of three-quarters majority at a duly constituted meeting of the Board of Trustees, or by written or electronic vote, may certify an applicant, provided the applicant meets the qualifications for certification. Provided further, all certification approvals by written or electronic ballot shall be reviewed and approved by the Board of Trustees at its next meeting. To meet the requirements for certification, an applicant shall:

- Be of good moral character and of high ethical standing.
- Have attained the ACOPNE Body of Knowledge specific to the applicants area of practice.
- Be actively engaged in professional practice.
- Possess a baccalaureate degree or higher from an engineering program accredited by ABET, Inc. or equivalent, acceptable to the Board of Trustees. The applicant shall have successfully completed at least 30 semester credits, or equivalent, of acceptable graduate-level, or upper-level undergraduate courses, beyond the baccalaureate degree, acceptable to the Board of Trustees.
- Possess a valid license to practice professional engineering recognized by a State, District, or Territory of the United States or certificate of registration/charter from a foreign country acceptable to the Board of Trustees.
- Possess a minimum of twelve years of qualifying professional experience in one or more of the specialty fields identified in Article 2. Further, such work shall include active participation in responsible planning, design, analysis, operation, management, regulation, research, or teaching. In the case of teaching, the work experience shall be at a recognized engineering program acceptable to the Board of Trustees.
- Agree in writing to adhere to Academy’s Code of Ethics.
- Be required to defend their application by examination in a manner specified by the Board of Trustees. The requirement for an examination may be waived by the Admissions Committee only when the written application clearly demonstrates that the applicant meets all of the requirements specified in this Section, and has mastered the requisite body of knowledge at the expert level in a manner and form acceptable to the Board of Trustees.
- All candidates who received a P.E. license or foreign equivalent prior to December 31, 1985, with a Baccalaureate degree acceptable to the Board of Trustees, and meet all other requirements of the ACOPNE Body of Knowledge, satisfy the educational requirements for certification.

The Board of Trustees may certify an applicant and waive one or more of the certification requirements of this Section, provided that the applicant fulfills the appropriate Body of Knowledge. Additionally, applicants must be of good moral character/ethical standing and must agree in writing to adhere to the Academy’s Code of Ethics.

Section 8.3. Application Process
The applicant shall submit a complete application, together with all fees and supporting documentation as required, including written recommendations endorsing the application from three of their peers who possess a valid license to practice professional engineering recognized by a State, Territory, or District of the United States or certificate of registration/charter from a foreign country. Starting October 1, 2014, at least one of the recommendations shall be from a Diplomate of the Academy.
A candidate does not become a Diplomate of the Academy until that individual has been approved by the Academy’s Board of Trustees, and has been notified in writing by the Secretary, all as prescribed by the Board of Trustees.

**Section 8.4. Requirements for Distinguished Certification**

Upon affirmative vote of three-quarters majority of the Trustees at a duly constituted meeting of the Board of Trustees, distinguished certification may be granted for contributions to the profession to an outstanding individual who meets one or more of the criteria listed below.

- Attained a level of prominent recognition in one or more of the specialty fields identified in Article 2.
- Made noteworthy achievement or sustained noteworthy contributions to the advancement of the profession.
- Rendered outstanding service over a sustained period of time to the Academy.

An individual granted Distinguished Diplomate status will not be required to submit documentation of their professional experience or pass an examination, and will not be required to pay certification fees.

**Section 8.5. Denial of Certification**

When an applicant for certification is recommended for denial, because the applicant does not meet one or more of the requirements set forth in the Bylaws, the applicant will be informed in writing of the areas of deficiency in the application by the Secretary. If the applicant chooses to appeal and supplement their application within 60 days, the additional information will be considered by the Admissions Committee before making a recommendation to the Board of Trustees. Following review and consideration of the applicant's additional information, the Admissions Committee shall submit a recommendation to the Board of Trustees, who shall make the final determination. The Secretary shall inform the applicant in writing of the Board of Trustees' decision. Where the ruling is unfavorable to the applicant, reasons for the ruling will be given. The ruling of the Board of Trustees shall be final.

**Section 8.6. Issuance of Certificates**

Upon satisfactorily meeting all of the applicable requirements for certification, the Board of Trustees shall issue a suitable certificate of certification in the appropriate specialty field to the successful applicant. The certificate shall be signed by the appropriate Officers of the Academy and have the seal of the Academy affixed thereto. The effective date of the certificate shall be the date when the applicant was certified and shall be noted on the certificate when issued. The person to whom the certificate is issued is entitled to its possession unless and until it is revoked.

**Section 8.7. Certification Renewal**

All Diplomates, except Distinguished Diplomates, shall be required to renew their certification annually by paying a renewal fee as determined by the Board of Trustees. In addition, all Diplomates, except those in Distinguished or Emeritus status, shall be required to complete a minimum of 40 professional development hours in the previous two years, including ethics and sustainability, as specified by the Academy. Each Diplomate shall also provide satisfactory proof of current professional engineer license status.

**Section 8.8. Suspension**

The failure of a Diplomate to pay the required renewal fee, to provide satisfactory proof of the required continuing professional development hours, or to provide satisfactory proof of current possession of a
professional engineer license by March 31st of the year for which the fee and proof are due may result in the suspension of the individual's certification, pending action of the Board of Trustees. A former Diplomate, whose certification was suspended for any of these three reasons, may be reinstated by the Secretary upon recommendation of the Admissions Committee, providing all of the following conditions are satisfied:

- All fees in arrears are paid in full.
- Satisfactory proof of all required continuing professional development hours is provided.
- Satisfactory proof of current professional engineer license status is provided.
- A reapplication fee, as determined by the Board of Trustees, is paid.

Section 8.9. Revocation of Certificates
A certificate may be revoked for the following reasons:

- Conduct in violation of the Academy’s Bylaws or the Academy’s Code of Ethics, conduct which results in disciplinary action by any professional engineer licensure board, or for conduct which, in the opinion of the Board of Trustees, is improper or prejudicial to the best interests of the Academy.
- Failure to maintain a valid license to practice professional engineering as required, except those in Distinguished or Emeritus status.
- Sufficient evidence of fraud or dishonesty, misrepresentation or concealment of facts on the application, or conviction of a crime involving moral turpitude.

The following procedure shall govern Board of Trustees actions for the revocation of certification:

1. A written complaint shall be filed first with the Board of Trustees.
2. The Secretary shall acknowledge receipt of the complaint in writing.
3. The Secretary shall review the complaint and request any further information that may be required.
4. The Secretary, at the direction of the Board of Trustees, shall do one or more of the following:
   a) Dismiss the complaint in writing.
   b) Refer the complaint to the appropriate professional engineer licensing board, and advise the complainant.
   c) Contact the subject of the complaint in writing, with a complete description of the complaint and a request for a response. If no response is received within thirty days, then a second notice shall be issued in writing. If no response is received within fifteen days, then a final notice shall be issued by certified or registered mail. Following receipt of the response or after fifteen days from the date of the final notice, the entire matter shall be referred to the Executive Committee for consideration.

5. After due consideration and review of the complaint and the response, if any, the Executive Committee shall take one or more of the following actions, as appropriate:

   a) Dismiss the complaint.
   b) Defer the decision with a request for more information.
   c) Refer the matter to the appropriate professional engineer licensing board.
d) Recommend revocation.

Upon recommendation from the Executive Committee to revoke, the Secretary shall inform all parties in writing by certified or registered mail of the decision and of the right of the Diplomate to appeal the decision to the Board of Trustees. If no response is received within 30 days, the decision shall be considered final. If the Diplomate appeals the decision, the Diplomate shall be given a fair hearing at an official meeting of the Board of Trustees. Revocation shall occur following the hearing, with an affirmative vote of a three-quarters majority of the voting members of the Board of Trustees. Decisions of the Board of Trustees following said hearing shall not be subject to further appeal. For all appeals, the President of COPRI shall preside at the meeting of the Board of Trustees, but have no vote.

Article 9. Finance

Section 9.1. Fiscal Year
The fiscal year of the Academy shall be the same as CEC.

Section 9.2. Assets
All assets held by or for the Academy are vested in CEC and shall be handled in accordance with its fiscal policies.

Section 9.3. Fiscal Responsibility
The Board of Trustees shall oversee the funds and assets of the Academy and shall direct their management by the Secretary. No Academy Officer, Trustee, Diplomate, or representative thereof shall have any authority, as such, to contract debts for, pledge the credit of, or in any way to financially bind CEC. The Board of Trustees shall provide annual financial statements to the CEC Board and administer the funds and assets in accordance with CEC direction.

Section 9.4. Academy Budget
A budget for the Academy shall be prepared annually by the Treasurer and submitted to the Board of Trustees for their approval.

Section 9.5. Records
The Secretary shall keep the financial books and accounts of the Academy.

Section 9.6. Reporting
Within ninety days after the close of each fiscal year, the Treasurer in conjunction with the Secretary shall provide a preliminary statement of the affairs of the Academy, including a balance sheet and fiscal statement of operations for the preceding year.

Section 9.7. Review of Books
The Secretary shall procure annually an external review of the books and records of the Academy. Such review may be performed in conjunction with the annual audit of CEC.

Article 10. Committees

The Board of Trustees may by resolution and at its discretion define, establish, and discharge organizational elements such as councils or committees as necessary or desirable to conduct the affairs of
the Academy. Unless otherwise provided by the Bylaws, committee members are nominated by the President with confirmation by the Board of Trustees to a term of three years and shall be eligible for reappointment. Unless otherwise provided by the Bylaws, committee chairs are nominated by the President of the Board of Trustees, with the confirmation of the Board of Trustees, to a term of three years and shall be eligible for reappointment.

All appointees serve at the pleasure of the Board of Trustees. The President, at any time and with the confirmation of the Board of Trustees, may replace a committee member for inadequate performance. The organization and operation of the committees shall conform to the policies and procedures established by the committees and approved by the Board of Trustees. All committee members and chairs shall be Diplomates in good standing of the Academy.

Section 10.1. Admissions Committee
The Admissions Committee shall consist of a chair and at least two other Diplomates of the Academy. The President-Elect shall serve as a member and as liaison to the Board of Trustees. The committee shall:

- Review all applications and determine the eligibility of each applicant for certification.
- Determine whether an examination may be waived in accordance with Article 8.2.
- Conduct and evaluate the results of the examination of each applicant.
- Make recommendations to the Board of Trustees to issue or not issue certifications.

Section 10.2. Executive Committee
The Executive Committee shall consist of the President, President-Elect, Treasurer, and Secretary. The President shall preside as chair and act as liaison to the Board of Trustees. The committee shall:

- Exercise the powers of the Board of Trustees between meetings of the Board of Trustees, in matters which, in the judgment of the Executive Committee, must be acted upon before the next regular meeting of the Board of Trustees. All actions taken by the Executive Committee shall be in accordance with the general policies of the Board of Trustees and shall be reported to the Board.
- Gather, evaluate, and pass judgment on information furnished by all parties when a complaint is made against a Diplomate. Render a decision on the action to be taken regarding a complaint.

Section 10.3. Nominations and Elections Committee
The Nominations and Elections Committee shall consist of the Immediate Past President, who shall preside as chair and act as liaison to the Board of Trustees, and two Diplomates of the Academy appointed by the President. The committee shall guide the nominations and elections of the Academy in accordance with Section 6.4 of these Bylaws.

All three members of the Nominations and Elections Committee must be Diplomates in good standing. The appointed members may not be sitting Trustees. No member of the Nominations and Elections Committee may be nominated for offices under consideration.

Section 10.4. Bylaws Committee
The Bylaws Committee shall consist of the Immediate Past President, who shall preside as chair and act as liaison to the Board of Trustees, and two past or present trustees appointed by the President. The committee shall consider and propose potential amendments to the bylaws, as directed by the Board of Trustees.
Article 11. Administration

Section 11.1. Parliamentary Authority
All meetings of the Academy shall be conducted in accordance with Robert's Rules of Order, newly revised, in all cases in which the rules are not inconsistent with applicable laws, rules, or procedures. The Secretary shall serve as Parliamentarian at all meetings of the Academy.

Section 11.2. Conflicts of Interest
A conflict of interest shall be defined as any activity, transaction, relationship, service, or consideration that is, or appears to be, contrary to the best interests of the Academy or in which the interests of an individual or another organization has the potential to be placed ahead of the interests of the Academy. Any interested party, Officer, Trustee, or Diplomate must disclose to the Academy the existence of any actual or potential conflict of interest with all material facts. Action to address the conflict of interest may be taken by the interested party, the Academy, or both.

Section 11.3. Indemnification
CEC shall indemnify the Academy’s Officers, Trustees, and employees against claims for liability arising from the individual's duly authorized duties for or on behalf of the Academy, and further provided that the performance by the party was not or is not illegal. The right accruing to any person under the foregoing provision shall not exclude any other right to which the individual may be entitled lawfully, nor shall anything herein contained restrict the right of the Academy to indemnify or reimburse such individual in any proper case to the extent permitted by law even though not specifically herein provided. The Academy, its Officers, Trustees, and employees, shall be protected fully in taking any action or making any payment under this Article or in refusing to do so.

Section 11.4. Resignations
Any Officer or Trustee may resign at any time by giving written notice to either the President or to the Secretary. Any such resignation shall become effective immediately upon the date of such notice, or at any later date specified therein. Specific Board of Trustees’ acceptance of such resignations shall not be necessary.

Section 11.5. Removal
Any Officer, Trustee, or committee member may be removed from office either with or without cause by a three-quarters majority vote of the Board of Trustees, whenever in the considered opinion of the Board of Trustees such removal is in the best interest of the Academy. In all cases, the decision of the Board of Trustees shall be final.

Section 11.6. Vacancies
If the Immediate Past President fails to complete a term, then the President shall perform the duties of the Immediate Past President for the remainder of the term. If the President fails to complete a term, the President-Elect shall perform the duties of the President for the remainder of the term. If the President-Elect fails to complete a term, the President and Immediate Past-President shall jointly submit a nomination for consideration and elevation of a new President-Elect, by a simple majority vote of the Board of Trustees. The new President-Elect shall assume office immediately upon such election. If a Trustee fails to complete a term, the Nominations and Elections Committee may submit a nomination for consideration and elevation of a new Trustee. Election would be by a simple majority vote of the Board of Trustees. The new Trustee shall assume office immediately upon such election.
Article 12. Amendments

The Bylaws may be amended at a duly constituted meeting of the Board of Trustees by an affirmative vote of a three-quarters majority of the Trustees; provided, however, that the amendment is initiated by the Bylaws Committee and the precise text of the proposed amendment or amendments has been included in the notice of the meeting at which the voting takes place. No change to the Bylaws becomes effective until the change is approved by CEC.

* * *

ACOPNE Bylaws
As Adopted by CEC
August 27, 2009

April 25, 2010
Rule No. 1

Board of Trustees: Initial Members, Terms of Office, and Rotation

Approved by the ACOPNE Board of Trustees March 18, 2010

Officers and Trustees are appointed to the Board as follows:

- President: Thomas Wakeman
- President-Elect: Edward Schmeltz
- Past President: Michael Ports
- Treasurer: Vacant (Staff)
- Trustees: Laurence Emsley, Paul Boulos, Andrew Cairns, James Dailey, Christian DeMeyer, Paul Work
- Public Trustee: Kelly Barnes

Each of the above ten voting trustees are appointed for a minimum of a three-year term and a maximum of a five-year term. The lengths of the terms for the four officers are three years. The lengths of the terms for the six non-officers shall be determined by the Board of Trustees at a regular meeting of the Board of Trustees. Two Trustees shall be appointed to three-year terms, two Trustees shall be appointed to four year terms, and two Trustees shall be appointed to five year terms. The Public Trustee shall be appointed for a three-year term.

Beginning in the fourth year of the Academy (October 2012) and continuing every year thereafter, the Past President shall leave the Board of Trustees, the President shall become the Past President, the President-Elect shall become the President, the Treasurer and two Trustees shall leave the Board of Trustees, the new President shall appoint a new Treasurer, and a new President-Elect and two new Trustees will begin their terms. Thereafter all voting members of the Board of Trustees shall be appointed to three year terms, except the Treasurer who is appointed to a one-year term.

In addition to the voting members, the President of COPRI and the Secretary of ACOPNE (staff) are ex officio members of the Board of Trustees.
Rule No. 2

Continuing Professional Development
Requirements and Procedures

Adopted by the ACOPNE Board of Trustees March 18, 2010

As part of the certification renewal process, each Diplomate is required to earn a minimum of twenty professional development hours in coastal, ocean, port, or navigation engineering, including two professional development hours in ethics and one professional development hour in sustainability, every year.

A professional development hour (PDH) is a contact hour of instruction, presentation, or self study. It is the common denominator for other units of credit. A continuing education unit (CEU) is a unit of credit customarily used for formal continuing education courses. One CEU consisting of ten contact hours of instruction, presentation, and testing equals 10 PDHs in a qualifying continuing education course as defined by criteria of the International Association for Continuing Education and Training.

If one participates in any of the Items 1 thru 4 as an instructor, one earns double the number of PDHs the first time it is presented. That allows credit for developing the material and for presenting the material. For example, if one prepares and presents a two-hour seminar, one earns 4 PDHs. Attending the two-hour seminar entitles a participant to 2 PDHs. Any course or activity with a clear technical, professional, or ethical purpose and objective that maintains, improves, or expands professional skills and knowledge relevant to the individual's particular field of practice will qualify for professional development hours. PDHs may be earned as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Activity</th>
<th>PDHs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Successful completion of continuing education courses that grant CEUs</td>
<td>1 CEU = 10 PDHs</td>
</tr>
<tr>
<td>2</td>
<td>Attending professional or technical seminars, in-house courses, workshops, professional or technical conventions and conferences</td>
<td>1 Contact hour = 1PDH</td>
</tr>
<tr>
<td>3</td>
<td>Completing long distance seminars or courses</td>
<td>1 Contact hour = 1PDH</td>
</tr>
<tr>
<td></td>
<td>Successful completion of college courses:</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>a. 1 quarter credit for audit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. 1 quarter credit for grade</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. 1 semester credit for audit</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d. 1 semester credit for grade</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>10 PDH</td>
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<tr>
<td></td>
<td></td>
<td>30 PDH</td>
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<tr>
<td></td>
<td></td>
<td>15 PDH</td>
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<tr>
<td></td>
<td></td>
<td>45 PDH</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>Each published professional or technical paper, article, chapter or report:</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>a. non-peer reviewed</td>
</tr>
<tr>
<td></td>
<td>b. peer reviewed*</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Each professional or technical book or manual.</th>
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<tbody>
<tr>
<td>6</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>Active participation in a relevant professional or technical non-governmental organization.</th>
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<tbody>
<tr>
<td>7</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Self-study of professional or technical literature.</th>
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</thead>
<tbody>
<tr>
<td>8</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Each patent (during year patent is issued).</th>
</tr>
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<tbody>
<tr>
<td>9</td>
<td></td>
</tr>
</tbody>
</table>

*Peer reviewed means having undergone the process by which manuscripts submitted to professional or technical engineering-related journals and other publications are evaluated by experts in appropriate fields (usually anonymous to the authors) to determine if the manuscripts are of adequate quality for publication. If reviewing a paper or article, one hour spent on reviewing should be considered as one PDH with a maximum of 2 PDHs per review.

Typical activities that do not qualify include personal self-improvement courses, service club meetings or activities, teaching or presenting as a regular part of employment, business meetings of any organization, equipment demonstrations, trade shows, and topics not relevant to coastal, ocean, port, or navigation engineering or professional ethics.

Diplomates in Distinguished or Retired status are exempt from completing the continuing education professional development requirements. Also exempt are those Diplomates who were on active military duty for a minimum of six months during the calendar year, who were in foreign employment a minimum of six months during the calendar year, or who suffered serious illness or injury to themselves or an immediate family member. Those individuals will be provided additional years to complete the requirement commensurate with the years of exception.

The responsibility for maintaining records and documentation to support the PDHs claimed is solely the burden of the Diplomate. That documentation should include a
description of the activity, sponsoring organization, location, dates, duration, instructor name, appropriate certificates, paid receipts, and number of PDHs earned. The Annual Summary of PDHs Earned form provides a convenient format to record and keep track of the claimed continuing professional development. A sampling of certification renewal applications will be selected for detailed audits. Those selected for audits will be asked to provide detailed verification for all PDHs claimed.
Rule No. 3
Fees

Approved by the ACOPNE Board of Trustees – _________________

ANNUAL FEES

Effective January 1, 2010, the annual fees payable by Diplomates shall be as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diplomate (ASCE or Institute Member)</td>
<td>$125</td>
</tr>
<tr>
<td>Diplomate (Non-Member)</td>
<td>$160</td>
</tr>
<tr>
<td>Diplomate (Retired)</td>
<td>$25</td>
</tr>
<tr>
<td>Distinguished Diplomate</td>
<td>$0</td>
</tr>
</tbody>
</table>

Fees shall be payable annually in advance of the first day of January. A person who earns the Diplomate credential after the last day of June in any year shall pay only one half of the annual fee for that year. All fees shall be paid in United States dollars by credit card, check, or money order drawn on a United States bank.

All Diplomates who desire to transfer to the Diplomate (Retired) class must first notify the Academy Secretary in writing of their eligibility for such class and request a transfer. Such requests, after approval by the Secretary, shall become effective on the first day of January following the approval.

APPLICATION FEES

For initial certification, a one-time application fee of $300 ($400 for non-members) is required at the time of submission. The fee shall be refunded to unsuccessful applicants as follows:

- Applicant is denied certification after application review, refund = $100
- Applicant is denied certification after interview, refund = $50

Applicants who are approved to be interviewed, but do not appear at the scheduled time shall be charged a rescheduling fee of $200 fee. Applicants who are denied certification and wish to reapply to the Academy must reinitiate the application process, including full payment of the application fee. No application fee is required for initial certification by
eminence. However, certification by eminence shall not become effective until the annual fee has been paid. No fees are required for certification as a Distinguished Diplomate.
Rule No. 4

Body of Knowledge for Coastal, Ocean, Port, and Navigation Engineering

Approved by the ACOPNE Board of Trustees March 18, 2010

The Academy specialty certification program shall rely on the Coastal, Ocean, Port, and Navigation Engineering Body of Knowledge as its foundation.

That Body of Knowledge is based upon and is consistent with the ASCE Body of Knowledge for Civil Engineers in the 21st Century (ASCE BOK). However, the ASCE BOK shall be interpreted to include the levels of competency and outcomes that demonstrate advanced qualifications in the specialty areas of coastal, ocean, port, and navigation engineering.

All applicants shall demonstrate that they have acquired the knowledge, skills, and attitudes specified in the ASCE BOK.

All Academy applicant evaluation processes shall be focused on evaluating whether applicants, through any combination of education and experience, have mastered the requirements of the ASCE BOK.

The ACOPNE BOK will be reviewed/updated (if needed) every five years.
Rule No. 5

Election of Diplomates by Eminence

Approved by the ACOPNE Board of Trustees March 18, 2010

The Eminence Committee shall conduct an outreach program to identify and recruit candidate engineers who may qualify for certification through eminence. The candidate engineer shall meet all of the requirements of a Diplomate and have a minimum of twenty-five years of professional experience in coastal, ocean, port, or navigation engineering. No examination shall be required of an eminent engineer.

The Eminence Committee may nominate candidates who are deemed qualified for certification through eminence. For each nominee, the Eminence Committee shall prepare a nominations memorandum and provide sufficient documentation to support an affirmative vote by the Board of Trustees. The nomination memorandum shall summarize the professional ethics, education, and experience of the nominee and document their justification for consideration through eminence. The nomination memorandum, together with any additional documentation, shall be provided to the members of the Board of Trustees with the official notice prior to their meeting in accordance with the bylaws of the Academy.

The Eminence Committee shall present each nominee to the Board of Trustees for consideration. All members of the Board of Trustees may ask questions or provide comment on the nominee’s qualifications. The Board of Trustees shall vote on each nominee and the results of that vote shall be recorded in the official minutes. Upon an affirmative vote of a majority of the Board members eligible to vote at a duly constituted meeting of the Board of Trustees, the Secretary shall grant a Certificate of Special Knowledge to the nominee in accordance with the rules of the Academy.
Rule No. 6

Election of Distinguished Diplomates

Approved by the ACOPNE Board of Trustees March 18, 2010

The Eminence Committee shall identify engineers who may qualify for certification as Distinguished Diplomates. Distinguished Certificates of Special Knowledge may be granted to outstanding individuals who meet one or more of the following criteria:

- Has attained a position of eminence in the coastal, ocean, port, or navigation engineering profession.
- Has made a singular noteworthy achievement or sustained noteworthy contributions to the advancement of the engineering profession.
- Has rendered outstanding service over a sustained period of time to the work of the Academy.

The Eminence Committee may nominate candidates who are deemed qualified for consideration by the Board of Trustees for certification as a Distinguished Diplomate. For each nominee, the Eminence Committee shall prepare a nomination memorandum that provides sufficient documentation to support an affirmative vote by the Board of Trustees. The nomination memorandum shall summarize the professional ethics, education, and experience of the nominee and document their justification for consideration as a Distinguished Diplomate. The nomination memorandum, together with any additional documentation, shall be provided to the Board of Trustees with the official notice prior to their meeting in accordance with the bylaws of the Academy.

The Eminence Committee shall present each nominee to the Board of Trustees for consideration. All members of the Board of Trustees may ask questions or provide comment on the nominee’s qualifications. The Board of Trustees shall vote on each nominee separately and the results of that vote shall be recorded in the official minutes. Upon an affirmative vote of a majority of the Trustees eligible to vote at a duly constituted meeting of the Board of Trustees, the Secretary shall grant a Distinguished Certificate of Special Knowledge to the nominee in accordance with the rules of the Academy.
Rule No. 7

Evaluation of Professional Experience

Approved by the ACOPNE Board of Trustees March 18, 2010

Applicants for the Diplomate credential shall possess the minimum number of years specified in the By-Laws of professional experience after completion of the first engineering degree. Such work experience shall be in one or more of the specialty areas established by the Board of Trustees. Further, such work shall include active participation in responsible charge of planning, design, analysis, construction, operation, management, regulation, research, or teaching. Experience must be progressively responsible over time. Applicants must demonstrate their level of competency.

Experience should be gained either as a licensed engineer or under the supervision of a licensed engineer. If not, an explanation should be made showing why the experience should be considered acceptable. Experience must not be obtained in violation of any licensure act or regulation. Experience may not be anticipated and must have been gained by the time of the application.

Credit for Education:

Two years of professional experience will be granted for earning a second baccalaureate, a masters, or a doctorate degree in coastal, ocean, port, or navigation engineering or a related field from a college or university with a recognized program. The application must include a description of how the degree relates to the practice of coastal, ocean, port, or navigation engineering. **No more than two years of experience towards the required years of experience may be granted through earned graduate degrees.**

Credit for Teaching:

A year of credit will be granted for each year that the applicant is employed as a fulltime faculty member at a college or university with an ABET recognized engineering program. In order to qualify for a year of professional experience, applicants must have been engaged in the teaching of a graduate or undergraduate engineering course, and also engaged in research related to advancing the science and art of coastal, ocean, port, or navigation engineering.

Credit for Research:

A year of credit will be granted for each year of research performed at a local, state, or federal government sponsored laboratory or institute, or at a privately sponsored institute or company.
engaged in performing research that is directly applicable to the practice of coastal, ocean, port, or navigation engineering. This may include, but is not limited to, the construction and testing of physical models, mathematical simulation models, computer programs for analyzing systems, etc.

**Credit for Private and Public Practice:**

A year of credit will be granted for each year the applicant is actively engaged in the professional practice of coastal, ocean, port, or navigation engineering. Experience gained in the armed services, to be creditable, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it is expected that the applicant, while in the armed services, served in an engineering or engineering-related group.

Experience gained in construction, to be creditable, must demonstrate the application of relevant engineering principles were required and used in gaining the experience.

Experience gained in technical engineering sales, to be creditable, must demonstrate that engineering principles were required and used in gaining the experience.

**Description of Experience:**

Applicants must provide a year-by-year description of the nature and extent of their professional experience. The applicant should describe the level of independent judgment they were authorized to use in applying engineering principles. The applicant should describe how their level of leadership and supervision of others progressed during their professional career.

In order to be given full credit for professional experience, applicants shall demonstrate that he or she was granted increasing levels of independent judgment and leadership during their professional careers. In order to be given credit for a year of experience, applicants also must demonstrate that in addition to applying engineering principles to the planning, design, analysis, operation, construction, management, or regulation of projects or programs, they were involved in communicating their work both orally and in writing, in budget development and administration, in interaction with supervisors, clients, public administrators, public, and other stakeholders.

In addition, applicants must show that they are actively engaged in their profession through interaction with their peers, including such activities as membership and active participation in professional societies, interaction with other professionals from various government or other public agencies, continuing education, etc.

For experience gained in teaching or by conducting research, the applicant must include a general description of the results of the research and the publications prepared to communicate the results of that research to the engineering profession. At least one such publication must have been peer reviewed. Or, applicants must include a description of the product produced by his or her research and provide at least one example of the application of their research to the solution of a real-life engineering problem.
Rule No. 8

Waiver of Oral Examination

Approved by the Board of ACOPNE Trustees March 18, 2010

The Admissions Committee evaluates each application to verify that each applicant meets the requirements for Certification. Applicants are required to participate in an Oral Examination to demonstrate their expertise in the specialty areas of coastal, ocean, port, or navigation engineering.

Waiver of Oral Examination

The Admissions Committee has authority to waive the requirement for an oral examination for any applicant that demonstrates above sufficient education, experience, mastery of the BOK, and contributions to the profession, provided that the applicant possesses more than fifteen years of acceptable professional experience as defined in the rules. If the information submitted by the applicant does not clearly demonstrate that they meet the criteria, the Admissions Committee may not waive an oral examination and may defer the applicant to the Board of Trustees for further review and final decision.

Oral Examination

Applicants shall be notified in writing that an Oral Examination will take place and sufficient time will be provided for the applicant to confirm the date and location of the meeting. The location shall be selected to best accommodate the applicant as well as the Academy. Applicants shall be provided written instructions for the Oral Examination.

The Oral Examination shall be conducted by a panel of no less than three Diplomates. One of the three Diplomates shall be designated the chair and shall supervise the examination process. The other Diplomates on the panel should possess the knowledge and experience related to the professional experience of the particular applicant.
Rule No. 9

Board Attendance

Approved by the Board of ACOPNE Trustees September 30, 2011

Rule 9: Board Attendance

If any officer or trustee fails to attend two consecutive face-to-face meetings or three consecutive conference call meetings of the Board of Trustees, the Board may remove the officer or trustee from office.