

ASSOCIATION OF OFFICIAL SEED ANALYSTS
BYLAWS



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ASSOCIATION OF OFFICIAL SEED ANALYSTS BYLAWS**ARTICLE I – NAME**

The name of this organization shall be "The Association of Official Seed Analysts," hereafter referred to as the Association, a nonprofit corporation organized under the laws of the State of North Carolina.

ARTICLE II – HEADQUARTERS

The Headquarters of the Association shall be situated at the office of the Secretary- Treasurer or that of a contracted administrative management firm or employee approved by the Executive Board. (1996, 2005)

ARTICLE III – OBJECT

The object of this Association shall be to improve seed testing in all its branches and to make it more useful to agriculture and society. The object shall be obtained through cooperative effort by:

1. Promoting uniform laboratory methods and practices through seed research.
2. Conducting referee tests among seed analysts of the Association for the purpose of developing uniform techniques
3. Furthering the exchange of ideas among laboratories and among individual workers.
4. Fostering effective workable seed control legislation and regulation.

ARTICLE IV – MEMBERSHIP

1. All member laboratories in good standing on the date of adoption of the Articles of Incorporation of AOSA automatically became members of the Association. (1980)
 - a. A member laboratory in good standing is a laboratory that has paid their dues in the acceptable time frame as defined in Article XII and employs at least one certified seed analyst or equivalent. Revocation of this status, due to delinquent payment or a lack of a certified seed analyst or equivalent, shall be determined by the Executive Board per Article V - section 3.d.(2) (j). (2008)
2. Official laboratories shall be from the United States and Canada, provided however Laboratories from other countries shall be eligible for Allied Laboratory status. (1998) Laboratories from the United States and Canada, that do not have a certified seed analysts or equivalent under employment, are also eligible for Allied Laboratory status. (2022)
3. There shall be five categories of membership: Official Laboratories, Allied Laboratories, Affiliate Members, Associate Members, and Honorary Members.
4. Membership

- a. Official Laboratories - seed laboratories of government regulatory agencies and/or government institutions as defined in Article IV Section 2, engaged in seed testing and/or seed research shall be eligible for Official Laboratory status. Each Official Laboratory in good standing shall be entitled to one vote in the election of officers and other business of the Association. The vote of an Official Laboratory shall be cast by one of the Affiliate Members. Individuals employed in technical and/or professional positions in Official Laboratories shall automatically become Affiliate Members and shall be eligible for election to any office or appointment to any committee of the Association. (1998) Official laboratories must employ at minimum one certified seed analyst. A certified seed analyst's qualifications must include successful completion of an examination set by the Association or an examination deemed equivalent to the examination set by the Association.
- b. Allied Laboratories - laboratories of government agencies and government institutions, inside or outside the United States and Canada and as defined in Article IV Section 2, engaged in seed research, testing, training, and/or regulatory work shall be eligible for Allied Laboratory status. Allied laboratories are not required to have a certified seed analyst or equivalent under employment. (2002) Persons employed in technical and/or professional positions in Allied Laboratories shall automatically become Allied Members. Allied Members shall be eligible for appointment to but not serve as chair for any committees except subcommittees. They shall not be eligible for election as an officer or member of the Executive Board of the Association or entitled to vote in Association elections or other business of the Association.
- c. Affiliate Members – Individuals employed in technical and/or professional positions in Official laboratories shall automatically become Affiliate members and shall be eligible for appointment to any office or any committee of the Association. (2013)
- d. Associate Members - Persons not attached to the staffs of member laboratories, but are engaged in seed analysis, seed research, teaching, extension, crop improvement agencies, and related activities in universities, government agencies or government institutions. Associate Members shall be eligible for appointment to committees and committee chairs and may enter motions in meetings of the Association but shall not be eligible for election as an officer or member of the Executive Board of the Association or entitled to vote in Association elections or other business of the Association. (1996)
- e. Honorary Members - Any person who has rendered signal service in one or more of the fields of activity of the Association mentioned in Article III is eligible for Honorary Membership. Any Member of the Association may nominate a person for Honorary Membership. Such nominations shall be submitted to the Membership Committee. If approved by the Executive Board, the name will be presented to the members during the Annual Meeting. They shall be declared elected upon a two-thirds majority vote. Honorary Members shall be eligible for appointment to committees and committee chairs and may enter motions in meetings of the Association but shall not be eligible for election as an officer or member of the Executive Board of the Association or entitled to vote in

Association elections or other business of the Association. Honorary Members shall have a free limited registration at the Annual meeting that may or may not include meals, workshops, symposiums, etc., as determined by the AOSA Executive Board. (2008)

5. Application for Official, Allied, or Associate membership in the Association must be made to the Membership Committee. The Membership Committee will determine the membership category following the guidelines as set forth above. If approved by the Membership Committee, the names of applicants will be presented to the members during the Annual Meeting. They shall be declared accepted upon majority vote. (1998)

ARTICLE V – OFFICERS AND EXECUTIVE BOARD

1. The officers of the Association shall consist of:

- a. President
- b. Vice-President
- c. Secretary-Treasurer

2. The Executive Board shall consist of:

- a. President
- b. Vice-President
- c. Secretary-Treasurer
- d. Six members elected by the Association (2005)
- e. USDA seed official – ex officio member (2014)

3. Duties and Terms of Office:

- a. President and Vice-President

(1) President: It shall be the duty of the President to preside at meetings of the Association, to perform the usual duties of such office, and in addition:

- (a) Serve as chair of the Executive Board;
- (b) Appoint all committee chairs;
- (c) Approve appointment of committee members; Serve (d) as chair of the Merit Award Committee;

- (e) Serve as advisor to the Program Committee;
 - (f) Serve as chair of the Budget Committee during the first year of office and as advisor to the chair of the Budget Committee during the second year of office.
 - (g) Review reports on all committee activity during term of office.
- (2) Vice President: The Vice-President shall act as President upon the completion of the term of office as Vice-President, except that, in the case of ineligibility or resignation, the vacancy shall be filled as provided in Article V, Section 4.b. or c., of the Bylaws. The duties of the Vice-President shall include:
- (a) Serve as co-chair of the Joint Annual Meeting Committee. (Etc.) (2016)
 - (b) To solicit candidates for the AOSA Merit Award according to award guidelines. (2017)
 - (c) During the close of the second year of office as Vice-President in preparation for the first year of office as President, appoint all chairs for those committees whose chair positions must be filled annually and for those whose chair positions have been vacated by term expiration as specified in the Bylaws.
 - (d) Serve as member of the Budget Committee during the first year as Vice-President. During the second year of office, the Vice-President shall serve as chair of the Budget Committee in preparation for the first year of office as President.
 - (e) Serve as a member of the Membership Committee.
- (3) The terms of office of the President and Vice-President shall be for two years beginning at the close of the annual meeting presided over by the previous President or Acting President and ending at the close of the annual meeting concluding the second year of that term of office or until successors have been installed. The Vice-President shall automatically become President upon completion of the term as Vice-President or, at the close of the annual meeting which he/she served as Acting President. Serving as Acting President during the term as Vice-President shall not affect elevation to the Presidency. Serving as Acting Vice-President shall not affect one being elected to a two-year term as Vice-President.

b. Secretary-Treasurer:

- (1) The Secretary-Treasurer shall perform the duties common to that office in all

organizations, and, in addition, shall oversee and guide the contracted administrative management firm or employee approved by the Executive Board regarding: receipt of all moneys for dues or from other sources; deposit of receivables to the credit of the Association in a recognized bank, payment from such accounts for Association expenses; maintaining records of receipt and payment as approved by the Executive Board. The Executive Board shall take reasonable measures to prevent mismanagement of Association funds. (2015)

(2) The term of office of the Secretary-Treasurer shall be for three years and an incumbent may succeed him/herself if re-elected.

c. The Contracted Administrative Management Firm or Employee (also called the Executive Director): (2013)

(1) The Contacted administrative management firm or employee shall perform all duties necessary for the daily operation of the association, including, but not limited to: receiving and processing orders, depositing funds, sending out publications and subscription notices, and conducting phone, fax and email communications for the Association. The firm or individual shall be bonded; the amount to be decided by the Executive Board.

a. Executive Board

(2) The Executive Board shall have the following general responsibilities:

(a) Conduct the business of the Association when the Association is not in session.

(b) Consider matters of policy and make recommendations to the Association concerning such matters.

(c) Act upon matters referred to it for decision or recommendation by the Association membership at an annual meeting.

(3) The Executive Board shall have full responsibility at all times for the following specific duties

(a) Make financial arrangements for the publication and distribution of the journal, newsletter, Handbook on Seed Testing, and other publications of the Association. (2000)

(b) In consultation with appropriate officers of the Society of Commercial Seed Technologists, set the time and location of annual meeting.

(c) Approve special meetings of the Association or the Executive Board when the need for such has been determined to exist.

- (d) Decide elections in case of tie votes.
 - (e) Approve tentative rules for testing seeds
 - (f) Approve minutes of annual meeting prior to publication.
 - (g) Provide for the bonding of the Secretary-Treasurer.
 - (h) Approve disbursements from Association funds.
 - (i) Report all actions to the Association membership at each annual meeting.
 - (j) Make the final determination of the "in good standing" status of a laboratory if the laboratory is found in violation of Article IV Section 1.a. (2008)
- (4) The term of office of the elective Executive Board Members shall be for three years. A member may serve for two consecutive terms after which one year must elapse to establish eligibility for re-election.
4. Filling Office Vacancies: At the time of each annual election all existing vacancies in the elective offices will be filled by persons elected in the manner prescribed by Article VI Section 3. (1994)
- a. President - Should a vacancy occur in the Presidency, the Vice-President shall relinquish the office and become Acting President until the close of the next annual meeting whereupon he/she shall become President.
 - b. Vice-President - Should a vacancy occur in the Vice-Presidency; the Executive Board shall elect one of its members to serve as Vice-President until the next annual election at which time a Vice-President shall be elected.
 - c. Both President and Vice President - Should a vacancy occur in both the Presidency and Vice-Presidency, the Executive Board lead by the Secretary- Treasurer shall elect one of its members to serve as Acting President, and another to serve as Acting Vice-President until the next annual election at which time a President and Vice-President will be elected.
 - d. Secretary-Treasurer - A vacancy occurring in the office of Secretary-Treasurer may be filled until the next election by a person appointed by the President or Acting President. A new Secretary-Treasurer will be elected for a full three-year term at the next annual election.
 - e. Executive Board - At the first annual election after this provision takes effect, two members of the Executive Board shall be elected for three-year terms, two for two-year

terms and two for one-year terms. At each annual election thereafter, two members shall be elected for three-year terms. A vacancy occurring prior to the completion of a term of office may be filled until the next election by a person appointed by the President or Acting President. At the next annual election, the membership of the Association shall elect one of its Affiliate members to serve out the unexpired term.

ARTICLE VI – ELECTION OF OFFICERS AND EXECUTIVE BOARD MEMBERS

1. Eligible to vote:

- a. Official Laboratories of the Association in good standing as set forth in Article IV MEMBERSHIP Sections 1.a. and 4.a. of the Bylaws shall be eligible to cast one vote by an Affiliate Member of the laboratory staff. (2005)
- b. The President shall have the right to vote on all questions, but in case of a tie, the motion shall be declared lost.

2. Officers and the elective Executive Board Members shall be elected by ballot. The ballot shall be prepared by the Elections Committee and submitted to the Official Laboratories. The method of voting shall be as set forth in Section 3. (1998)

Set the following criteria for nominees to the Vice President position. This would ensure the nominees are knowledgeable about the AOSA organization and are prepared for the obligation/responsibilities of the position. The criteria are:

- a. The election committee will ensure that nominees meet the following criteria. Nominees not meeting all of these criteria will only be allowed to stand at the discretion of the Board.
 - i. Working at as AOSA member lab
 - ii. Participated in an AOSA/SCST Committee
 - iii. Attended an AOSA/SCST Annual Meeting in the last 3 years
- b. The Board may use the following criteria if ii and iii criteria above are not met.
 - i. Number of years participating is seed organizations e.g., AOSA, SCST, ISTA, CSAAC.
 - ii. Seed Analyst/Technologist certification and years of experience as an analyst.
 - iii. Years of service on the AOSA board.
 - iv. Years of service as an AOSA or SCST Committee Chair.
 - v. Other work relevant to leading an association.

The elections committee may request a biography of the Vice President nominees to assess the criteria above. All or part of the biographies may be posted to provide information about the nominees to AOSA members for voting purposes. (2013)

3. At least three months prior to the annual meeting, the Elections Committee Chair shall send nomination forms to Official Laboratories for use in nominating candidates to fill vacancies on the Executive Board. The nomination form for elective board members shall call for the nomination of as many candidates as there are vacancies. Nominations shall be submitted on these forms, at least two months before the annual meeting, to the chair of the Elections Committee who will determine the eligibility and availability for office of the nominees, then prepare ballots and forward them to the Official Laboratories. The ballots for the election of Vice-President and Secretary-Treasurer shall include no more than the three, top available candidates for each office, except in the case of a tie vote. If there is only one candidate for a position that candidate shall run against an open write-in slot. If a candidate is nominated for more than one position the Board can decide to either conduct the voting process in succession, either in groups (e.g., officers then board positions) or one position at a time to provide the candidate with more opportunities to win at least one of the positions they were nominated for. (2013) Ballots for the election of the elective Executive Board Members shall include, if possible, at least twice as many candidates as there are vacancies. A separate ballot shall be prepared for each term of office. Official Laboratories may cast one vote for a candidate to fill each vacancy. In successive process the candidate(s) that do not win the higher-level position then have the option to stand as a nominee for the lower-level position. (2013) All ballots will be submitted to the AOSA administrative office where they shall be counted and kept as record for at least three years. A plurality vote will elect, and, in the case of elective Executive Board Members, where two vacancies per term exist, the two highest will be elected. (1994, 1998, 2001)
4. The President shall announce the newly elected Officers and elective Executive Board Members at the close of the annual meeting.

ARTICLE VII – COMMITTEES

1. The class of Committees of the Association shall be Standing, Special, and Subcommittees.
2. The chair of each committee, unless otherwise specified in the Bylaws, shall be appointed each year by the President. Co-chairs are permissible provided both co-chairs meet the requirements for committee membership. The chair of each committee shall appoint the members of the committee with the approval of the President, except where otherwise provided. For the Referee, Research, Rules, and Program Committees see Section 4.g, h, i, and Section 5.g respectively. (2000)
3. Terms of office of committee members shall be as follows:
 - a. The tenure of office of each committee member, with the exception of members of the Referee, Research and Rules Committees shall begin at the end of one annual meeting and expire at the end of the next annual meeting unless the committee member is reappointed by the new chair of the committee with the approval of the President.

- b. The term of Special Committees shall be concurrent with that of the President and shall end with the term of office unless the committee is reappointed by the new President.
 - c. The chair, with the approval of the President, shall make an appointment to fill an unexpired term of any member of the committee.
 - d. Affiliate members shall comprise committee membership. SCST members may be committee members and co-chairs provided they meet specific committee membership guidelines in section 4, 5 and 7 of Article VII. SCST members shall not serve as the sole chairperson of any AOSA standing or special committee, but they may be appointed to chair sub-committees. (2013)
4. There shall be Standing Committees as follows (1998):
- a. Certification of Analysts:
 - (1) Shall establish and maintain examinations for Certified Seed Analyst in purity and germination analysis based on minimum uniform standards. The committee chair shall register qualified candidates and regional members shall administer the examination(s) as needed on a regional basis. (1998)
 - (a) The certification(s) available are:
 - CSA-P – Certified Seed Analyst in Purity only
 - CSA-G – Certified Seed Analyst Germination only
 - CSA – Certified Seed Analyst in Purity & Germination
 - (2) Shall have seven regular members, who are Certified Seed Analysts (see Article VII, section 4.a.(1)), representing the five US regions of the Association (see Article XV) and one Canadian region and the chair of the Teaching and Training Committee. If the chair of the Teaching and Training committee is not a certified seed analyst; the Teaching and Training committee shall select one of its members who is a certified seed analyst to be their representative. The Canadian member (Region VI) shall be a CFIA Purity and Germination accredited analyst (considered equivalent to a Certified Seed Analyst) and be appointed from the CFIA Saskatoon Laboratory, Seed Science and Technology Section, Saskatoon, Saskatchewan. The chair shall be appointed by the President. (2016)
 - (3) Develop and maintain continuing education standards for Certified Seed Analysts. These standards shall be approved by majority vote of the Official Laboratories. (1998)
 - (4) Continuing Education – Please Refer to Article XVI
 - b. Communications and Publications (2016):

(1) Shall:

- (a) edit and publish newsletter(s) – Refer to Article X, 2
- (b) edit and publish seed testing handbooks – Refer to Article X, 3
- (c) edit and publish the history of the association – Refer to Article X, 4
- (d) edit and publish the necrology of the association – Refer to Article X, 4
- (e) assist the Rules Committee chair in editing and publishing the Rules for Seed Testing – Refer to Article X, 10
- (f) assist AOSA Board or other committees with any technical or promotional publications as requested.

(2) Shall consist of the editors of the newsletter, editor of the Handbook on Seed Testing, the Historian, and associate editors as appointed by the editors. (2007)

c. Moved under 5. Special Committees September 20, 2022

- d. Joint Committee on Legislative: shall prepare a report of changes in seed laws and regulations of the U.S. Department of Agriculture, Canadian Food Inspection Agency, agricultural departments of the states in the United States and to cooperate with the Legislative Committee of the American Seed Trade Association on any actions that may be taken on legislative matters. This shall be a joint AOSA & SCST committee. There will be one (1) AOSA co-chair and one (1) SCST co-chair on this committee. No less than five (5) people shall be on this committee. (2015)
- e. Liaison: shall promote improved liaison between the Association and other organizations with mutual interests. It shall be the duty of the newly appointed or reappointed chair each year to notify the Presidents of the Society of Commercial Seed Technologists, the Commercial Seed Analysts Association of Canada, the American Seed Trade Association, the Canadian Seed Trade Association, the Association of American Seed Control Officials, the Association of State Departments of Agriculture, and the International Seed Testing Association that he/she is the chair of the committee and to offer services of the committee to those organizations. The services of the committee shall also be available to any other Association committee desiring to establish liaison with another organization. This shall not preclude direct liaison between Association committees and corresponding committees of other organizations.
- f. Membership: shall receive and make recommendations concerning applications for membership to the Association. The committee has the privilege of submitting names to the Executive Board for Honorary Membership for election at the annual meeting. This committee is to be a point of contact for any new members. This committee will

also aid in orientating new members at the annual meeting. Members of this committee will assist the Executive Director in maintaining a membership list and contacts. This committee shall consist of not less than three (3) members. (2015)

g. Referee:

- (1) Shall initiate, supervise, and conduct referee tests, either regionally or for the entire Association, for the purpose of promoting more uniform application of prescribed testing and analytical procedures. The results of referee tests shall be circulated to participating seed laboratories and copies of these results shall be deposited in a permanent committee file. The committee shall analyze referee test results and report pertinent findings to the membership.
- (2) Shall consist of seven regular members with the chairs of the Research and Rules committees serving as additional ex officio members. Six of the regular members shall represent the six regions of the Association (see Article XV). One regular member shall act as chair and represent no region. The chairs shall be appointed by the President. Each member representing a region shall serve for a term of two years and shall be eligible for one reappointment. Two members representing a region shall be appointed each year by the chair of the committee with the approval of the President, except in the year when only one vacancy exists.

h. Research:

- (1) Shall initiate, coordinate, supervise and conduct research that will lead to improved methods and practices in seed testing. The work may be conducted by members of the Research Committee or by subcommittees, in accordance with Article VII of the Bylaws. These subcommittees shall include but are not limited to; Germination and Dormancy, Seed Moisture, Nomenclature, Seed Pathology, Purity Testing, Conservation & Reclamation/Tree & Shrub, Flower, Statistics, Tetrazolium and Seed Vigor. Each of these subcommittees must have an AOSA Chairperson or co-chairperson. (2016) The committee shall promote and coordinate research in the field of seed testing in colleges, universities, private and endowed research institutions, and departments of agriculture. The Research Committee shall either publish or retain in a permanent committee file its research results. When research data are adequate, the Research Committee shall make recommendations to the Rules Committee for changes in the Rules for Testing Seeds.
- (2) Shall consist of five regular members with the chairs of the Referee and Rules committees serving as ex officio members. Each regular member shall serve for five years and shall not be eligible for reappointment to the committee for one year. The President shall appoint the committee chair, preferably one of the continuing members. One member shall be appointed each year by the incoming chair with the approval of the President.

i. Rules:

- (1) Shall receive and evaluate proposals and supporting data for changes in the Rules for Testing Seeds as specified in Bylaw XI. Shall publish approved proposals for changes in the Rules for Testing Seeds as specified in Bylaw XI, Section 2. The Rules Committee shall submit to the Executive Board Tentative Rules for testing seeds for approval as specified in Bylaw XI, Section 3. The Rules Committee shall also interpret the Rules for Testing Seeds where clarification and amplification are needed. The chair of the Editorial Committee shall assist the chair of the Rules Committee in arriving at the proper wording for revisions in the Rules for Testing Seeds. (1998)
- (2) Shall consist of five regular members with the chairs of the Editorial, Research and Referee committees, a Society of Commercial Seed Technologists representative, and the chair of the International Seed Testing Association Rules Committee serving as additional ex officio members. An ex-officio member shall be eligible to serve as co-chair of the Rules Committee provided the President appoints them as such. Each regular member shall serve for a period of five years and shall not be eligible for reappointment to the committee for one year. The President shall appoint the committee chair, preferably one of the continuing members. One member shall be appointed each year by the incoming chair with the approval of the President. Insofar as possible, the membership of the committee shall include representatives of the States, Canadian Food Inspection Agency, and the United States Department of Agriculture. (1996, 1998)

j. Joint AOSA/SCST Teaching and Training Committee (2000, 2015):

This shall be a joint committee between AOSA and SCST. There shall be one (1) AOSA co-chair and one (1) SCST co-chair represented on this committee. There shall be no less than (5) members on this committee. Duties of this committee include: (2015)

- (1) Shall develop and implement a system of seed schools or workshops throughout the United States and Canada for the purpose of standardization by:
 - (a) Promoting the use and proper interpretation of Association rules and appropriate handbooks.
 - (b) Providing basic seed schools for beginning analysts.
 - (c) Providing advanced instruction for experienced analysts.
 - (d) Providing special training on specific problems as they arise.
 - (e) Set up and put on at least three (3) webinars a year. (2015)

- (2) Shall assign continuing education points as outlined in Article XVI of the bylaws. (2017)
5. Special Committees: shall be those other than the Standing Committees and the Subcommittees. The committees shall include the following and other committees which may be appointed by the President. (1998)
- a. The Financial Committee shall ensure the preparation of the annual budget for membership approval and the audit of all financial accounts annually. Members of the Financial Committee shall be the AOSA Secretary-Treasurer and the AOSA Vice President. At a minimum, the audit of the financial accounts shall be conducted annually by AOSA Affiliate members that are independent of the AOSA Executive Board. (2016)
 - b. Deleted September 28, 2015.
 - c. Deleted September 28, 2015.
 - d. The Charter and Bylaws Committee shall receive amendments to the Charter and Bylaws and present them for approval as provided in Article XIII.
 - e. Deleted September 28, 2015
 - f. The Elections Committee shall include but not be limited to at least one past president or vice president. Their role is to help solicit nominations, encourage nominees to serve and explain the obligations of serving in various board positions to the nominees. (2013) The committee shall prepare ballots in accordance with Article VI, Section 3, and conduct the annual election. Election results shall be announced at the annual meeting. (1998, 2001)
 - g. The Program Committee shall prepare suitable programs for all meetings of the Association and include the Vice President as the chair. (2005)
 - h. Deleted September 23rd, 2016
 - i. Deleted September 28, 2015.
 - j. Annual Meeting Committees shall be a joint committee between AOSA and SCST. There shall be co-chairs, one (1) from AOSA and one (1) from SCST. This committee shall be responsible for; (2015)
 - (1) Setting up the program for the Annual Meeting.
 - (2) Preparing and delivering resolutions for the Annual Meeting.

- (3) As per the 2014 decision of the joint AOSA and SCST boards the plan will be for the Annual Meeting to rotate between three regions on an annual basis with every tenth (10) rotation meeting to be hosted by Canada. This committee along with the Executive Director shall evaluate options and recommend the specific location of each annual meeting for approval by the AOSA and SCST Executive Boards. The Executive Boards may decide to deviate from the planned rotation if deemed necessary.
 - (4) Administration – the AOSA Proficiency Testing (PT) Committee will administer the PT program. The committee will be composed of no less than four certified AOSA analysts.
- k. The purpose of the AOSA Proficiency Committee is to assist in promoting and ensuring uniformity of seed laboratory test results, as well as determining the competency of Official Laboratory members and participating Affiliate members, in applying the AOSA Rules for Testing Seeds. Participation in the proficiency test program is required for all Official Laboratory members, to remain in good standing. The participation by Certified Seed Analysts (CSA) and other Affiliate members as individual participants, is optional. CSAs and Affiliate members will earn Continuing Education (CE) points for participating in the AOSA written and/or practical proficiency tests. The PT committee duties also include the establishment of a three-year PT plan. (2022)
- (1) Administration – the AOSA Proficiency Testing (PT) Committee will administer the PT program. The committee will be composed of no less than four certified AOSA analysts.
 - (a) Subject Matter – Subject matter for exam will be determined by the PT committee during the annual meeting and announced to the membership in attendance and through email. PTs will not include subject matter that is related to the area of genetic testing. (2022)
 - (2) Procedures –
 - (a) The PT committee will issue an announcement to all AOSA labs and Affiliate members interested in participating in the PT being offered. Official Laboratory members are required to participate in all the PTs. (2022)
 - (b) All Official Laboratory members required to participate and Affiliate members desiring to participate will be assigned a test number. All test results will be represented by this test number. (2022)
 - (c) At least two PTs will be sent each year to all Official Laboratory members. All PTs that are sent to Official Laboratory members must be completed and results submitted to the PT committee. (2022)

- (d) Species used in PTs will be listed in the AOSA Rules for Testing Seeds. (2022)
 - (e) Acceptable formats for the PT shall be digital, written and hands on.
 - (f) A participant's PT results shall be considered out of tolerance if they are more than two standard deviations from the mean. Only pure seed and normal seedlings are taken into consideration for determining out of tolerance. the case of written or identification exercises, any results less than 80% correct will be considered out of tolerance. (2022)
- (3) Time Frame – Participants will be given at least 60 days to complete the PTs. The Executive Director will send a reminder 30 days before the deadline. (2022)
- (a) Extraordinary circumstances, illness or injury, issues must be brought to the attention of the PT committee as soon as possible for continuing education point or retest allowance determination by the committee.
- (4) Results – All results gathered from the PT will be calculated and shared with the participants via the assigned number. For individual analysts, the number of continuing education (CE) points possible is one (1) for satisfactory completion of the PT and ½ CE point will be given to a participant with an unsatisfactory test result. It is the responsibility of the analyst to convey to the CE point committee chair their CE points. (2022)
- (5) Corrective actions shall be completed by Official Laboratory members who perform outside two standard deviations from the mean for the practical portion exercises or less than 80% on written or identification exercises. Corrective actions taken to address nonconformities must be completed, documented, and submitted to the PT committee within three months after the conformity has been issued.

The PT committee is responsible for verifying that appropriate corrective actions were taken. One nonconformity is recorded for each proficiency test, when the Official Laboratory member is out of tolerance. Official Laboratory members who fail to complete the appropriate corrective actions within three months will be moved to “member not in good standing” status until they successfully complete and document to the PT committee, that the necessary corrective actions have been completed. (2022)

- (a) First occurrence – Official Laboratory member must provide documentation of corrective actions taken to correct nonconformances. The plan may include a request for assistance from the committee but is not required. The Official Laboratory member staff must also retake the portion of the

proficiency test that did not receive a passing grade. (2022)

- (b) Second occurrence – Official Laboratory member must take actions to determine the root cause of the nonconformance and provide documentation of corrective actions taken to correct nonconformance and address the root cause. The plan may include a request for help from the committee but is not required. The Official Laboratory member staff must also retake the portion of the proficiency test that did not receive a passing grade. (2022)
 - (c) Third occurrence – Official Laboratory member must take actions to determine the root cause of the nonconformance and provide documentation of corrective actions taken to correct nonconformance and address the root cause. The corrective action plan may include a request for assistance from the PT committee but is not required. If the PT committee has been asked to assist, the Official Laboratory member must complete the corrective actions recommended by the PT committee, prior to retaking the portion of the PT that did not receive a passing grade. (2022)
 - (d) Fourth occurrence- Official Laboratory member will remain as a “member not in good standing” status until they successfully complete and document the necessary corrective actions to the PT committee. Official Laboratory membership will not be reinstated until 20 CE points are obtained by one or more of the laboratory staff that have received a satisfactorily score on completed PTs. (2022)
- (6) Official Laboratory members located in Canada are exempt from performing the AOSA PT if they participate in the applicable seed testing PT program for the testing methods required by regulation for seed sold in Canada e.g., CFIA’s Accredited Seed Laboratory proficiency testing program. (2022)
- (7) Equivalence of other PT programs will be decided by the AOSA PT committee. (2017)
- I. Joint committee for the Journal Seed Technology:
- (1) Shall engage the services of a qualified editor and support the editor by assisting with the solicitation of manuscripts and submissions for publication. Shall market the journal of Seed Technology nationally and internationally and administer the total program by:
 - (a) Manage all financial aspects of the committee.
 - (b) Make a financial accounting no less than annually to both the SCST and the AOSA.
 - (c) Provide an annual job performance evaluation of the Editor. (d) Determine compensation for the Editor. (e) Invoice for subscription renewals.
 - (d) Determine the most cost-effective production methods.

- (e) Determine the appropriate customer media choices.
 - (2) This committee shall consist of six members, three members appointed by AOSA, and three members appointed by SCST. The committee members will serve for a term of three years and are eligible to serve multiple terms. The chair of this committee shall be appointed from the committee members by mutual agreement of the Presidents of the AOSA and the SCST and shall serve for a term of two years. (2007, 2022)
6. Deleted June 20, 1996.
7. It shall be the duty of the chair of each committee to submit a written report at the annual meeting.
8. Subcommittees: A subcommittee may be appointed by the chair of any committee with approval of the President. The term of office of such a subcommittee shall be concurrent with that of the chair who made the appointment, and, unless the subcommittee has been previously dismissed, shall end with the chair's term of office. Any subcommittee, however, may be reappointed by the new chair of the committee.

ARTIFCLE VIII – GENERAL PROHIBITIONS

1. The Association shall not be organized or operated for profit.
2. No part of the net earnings of the Association shall or may under any circumstances inure to the benefit of any private shareholder or individual.
3. The Association shall not:
 - a. Lend any part of its income or corpus without the receipt of adequate security and a reasonable rate of interest to
 - b. Pay any compensation in excess of a reasonable allowance for salaries or other compensation for personal services actually rendered to
 - c. Make any part of its services available on a preferential basis to
 - d. Make any purchase of securities or any other property for more than adequate consideration in money or money's worth from
 - e. Sell any securities or other property for less than adequate consideration in money or money's worth to
 - f. Or engage in any other transactions which results in a substantial diversion of its income or corpus to any officer, member of the Executive Board or substantial contributor to the Association, or to any other association, corporation, partnership, or individual unless such authority be given or implied by other provisions of the Bylaws.

ARTICLE IX – DISTRIBUTION ON DISSOLUTION

Upon dissolution of the Association, the Executive Board shall distribute the assets and accrued income to one or more organizations as determined by the Executive Board, but which organization shall meet the limitation prescribed in subsections (a), (b), and (c) inclusive of Article VIII.

ARTICLE X – PUBLICATIONS

The official publications shall be the journal, Seed Technology, the newsletter, The Seed Technologists Newsletter, the Rules for Testing Seed, and such special publications as may be provided or ordered by the Executive Board. (2006)

1. The journal editor shall determine whether the prescribed conditions have been met before a paper is published in the journal. (2007)
2. The newsletter shall be compiled, edited, and published by the editor of the newsletter. Website access to the newsletter shall be available to member laboratories in good standing and to Associate Members not attached to member laboratories. Other copies of the newsletter shall be distributed as the Executive Board may direct. (2000, 2005)
3. All handbooks of the Association shall be compiled, edited, published, and distributed as the Executive Board may direct. (1996, 1998)
4. The history of the Association shall be compiled, edited, published, and distributed as the Executive Board may direct. (1996, 1998)
5. Special publications shall be compiled, edited, published, and distributed as the Executive Board may direct. (1996, 1998)
6. Copies of the journal of the Association shall be furnished to member laboratories in good standing and to Associate Members not attached to member laboratories. Other copies of the journal shall be distributed and sold as the Executive Board may direct. (2001)
7. Deleted June 16, 2000. See Article X, Section 2.
8. Abstracts of papers to be presented at the annual meeting shall be submitted to the Program Chair for approval for presentation not less than sixty days prior to the annual meeting and be published in the newsletter. (1996)
9. The Association shall publish the proceedings of the annual meeting. This shall consist of, but not be limited to, minutes of the Executive Board meetings, minutes of the general business meeting, committee reports and abstracts of referee papers. The Newsletter and Proceedings are compiled by the SCST editor, the AOSA editor, and edited by the SCST Executive Director. The SCST Executive

Director creates the PDF file and master CD for duplication. The Newsletter and Proceedings are made available to all member laboratories on the Members Only Link of our website. Other copies of the proceedings shall be distributed as the Executive Board may direct. (2006)

10. The Rules for Testing Seeds shall be compiled and edited by the Rules Committee and shall be published by the Association. One complimentary copy of the Rules for Testing Seeds and/or annual updates shall be furnished to Official Laboratories, Allied laboratories, and Associate Members, in good standing. Other copies of the Rules for Testing Seeds shall be distributed and sold as the Executive Board may direct. (1998)

ARTICLE XI – RULES FOR TESTING SEEDS

1. All proposed changes and additions to the Rules must be sponsored or cosponsored by either an Association laboratory, committee or subcommittee, or Society of Commercial Seed Technologists registered member in good standing. Proposed changes and additions to the rules shall be presented to the Rules Committee and must be accompanied by a summary of data or citation sufficiently adequate for proposed changes. Final determination of the adequacy of data shall be the responsibility of the Rules Committee. Inadequate rule proposals may be rejected by the Rules Committee or returned to the submitter with the option for revision, clarification, and re-submission. The deadline for submitting rule proposals shall be set by the Rules Committee and approved by the Executive Board.
2. Proposed changes and additions shall be approved for consideration by the Rules Committee and published in the newsletter or otherwise submitted to the joint membership of the Association and the Society of Commercial Seed Technologists at least 90 days prior to an annual meeting at which such proposed changes and additions shall be adopted or rejected. Proposed changes and additions are voted on by one affiliate member from each Official Laboratory of the Association in attendance at the annual business meeting and reported as a percentage. In addition, the Association shall request that the Society of Commercial Seed Technologists report the percentage of in-favor votes for the said proposed changes and additions, of the votes cast by their individual members in attendance at their annual business meeting provided that their annual business meeting is the day of, or within one week after the Association's annual business meeting. The proposed changes and additions shall be considered for adoption by the following method: The percentage designations, of in-favor votes from the Association and the Society of Commercial Seed Technologists, are dismissed and the tally from each organization is added together for a cumulative total. Based on 200 potential votes, a two-thirds majority of the cumulative tally is required to adopt proposed changes and additions. To pass with a two-thirds majority vote, a cumulative tally of 134.00 or more is required. Exceptions to the method: Any proposed changes and additions receiving 50.00% or less in-favor votes from either the Association or the Society of Commercial Seed Technologists, regardless of the cumulative tally, shall not be adopted; In any case in which the Society of Commercial Seed Technologists does not report a percentage of in-favor votes for the said proposed changes and additions cast at their annual business meeting, the adoption of the proposed changes and additions shall be considered based on two-thirds (67.00%) in-favor votes from the affiliate members from Official Laboratories of the Association. Proposed changes and additions adopted at the annual meeting shall have an effective date of October 1

in the year they are approved adopted, unless otherwise specified. The Rules Committee is responsible for preparing the final version of the adopted changes and additions for publication. (1998, 2005, 2022)

3. Tentative Rules are accepted for publication as an addendum to the Rules for Testing Seeds upon review by the Rules Committee and the approval by a majority of the Executive Board but shall have no official status. The Rules Committee will recommend to the Executive Board the acceptance or rejection of a tentative rule. This committee will provide a written rationale for their recommendation. The final decision for accepting or rejecting a tentative rule rests with the Executive Board. The purpose of a tentative rule shall be to give the membership of the Association an opportunity to apply and evaluate a new method of testing seed before the method is submitted as a proposed rule. For a tentative rule to become a part of the Rules for Testing Seeds of the Association, it must be submitted as a rule proposal to the Rules Committee, along with supporting evidence, and be adopted by the Association in accordance with Section 1 and 2 above. (1998, 2002)
4. Special Vote of Affiliated Organizations – Upon request from the Association of American Seed Control Officials, or the National Association of State Departments of Agriculture, or the United States Department of Agriculture to review the regulatory efficacy of any portion of the rules, the officers and Executive Board of the Association may call a Special Session of affiliated organizations to review any portion of the existing Rules for Testing Seeds, and to submit recommendation(s), determined by Special Vote, to change or repeal said Rules. Affiliated Organizations include:
 1. Association of American Seed Control Officials
 2. Association of Official Seed Analyst
 3. Association of Official Seed Certifying Agencies
 4. American Seed Trade Association
 5. Canadian Food Inspection Agency
 6. International Seed Testing Association
 7. National Association of State Departments of Agriculture
 8. Society of Commercial Seed Technologists
 9. United States Department of Agriculture.

A Special Vote of the Affiliated Organizations shall ratify any recommendation(s) based on a majority affirmative vote of at least seven (7) of the Affiliated Organizations. The officers and the Executive Board of the Association shall implement the change(s) or repeal(s) specified in the ratified recommendation. All changes or repeals shall have an effective date of October 1 in the year the recommendation is ratified, unless otherwise specified. The officers and Executive Board are responsible for preparing the final version of the approved change(s) or repeal(s) for publication. (2022)

ARTICLE XII – DUES

The amount of annual dues of the Association's members shall be determined according to the needs of the Association and as may be decided at any Association meeting as described in Article XIV, and shall be due and payable on or before the first day of August each fiscal year (June 1 through May 31). The dues will be billed on June 1 but must be paid no later than August 1. (2021)

ARTICLE XIII – AMENDMENTS TO THE CHARTER AND BYLAWS

Proposals for changes in the Bylaws must be submitted in writing to the chair of the Charter and Bylaws Committee. Proposals approved by the committee for action by the membership shall be published in the newsletter or otherwise submitted to the Official Laboratories by the Charter and Bylaws Committee at least 30 days prior to the annual meeting and shall be presented at annual meeting during the business meeting. Voting shall be by electronic message, facsimile or mail ballot and held within sixty (60) days of the annual meeting at which the proposal was presented. Forty percent of the Official Laboratories must participate in the vote, and an affirmative vote by two-thirds of the Official Laboratories voting shall be required for adoption of proposed changes. The Charter may be amended in accordance with the laws of the State of North Carolina. (1998) (2013)

ARTICLE XIV – MEETINGS

1. The annual meeting of the Association shall be held at such time and location as shall be determined by the Executive Board. The time and location of the annual meeting shall be announced through the medium in the newsletter, electronically, or in writing by the President to the membership of the Association at least six months before the meeting. Six months' notice is not needed in cases where a national emergency or act of war has been declared.
2. Special meetings of the Association and of the Executive Board shall be called by the Executive Board or the President for the purpose of handling immediate and or special issues facing the Association. This may include, but is not limited to changes in board makeup, tentative rule proposals, Association finances and membership dues. Special meetings need not be in person meetings and may utilize media to allow participation of all Association members who are available and want to participate and vote on business of the association.
3. The Executive Board shall meet sometime during the three days preceding the opening date of the annual meeting of the Association.
4. The suggested order of business at all regular meetings of the Association is as follows (1998):
 - a. Call to Order;
 - b. Roll-call by Laboratories;
 - c. Consideration and Motion for Acceptance of Reports of the Executive Board and Standing Committees;
 - d. Consideration and Motion for Acceptance of Reports of Special Committees;
 - e. Unfinished Business;
 - f. New Business;
 - g. Installing of Newly Elected Officers;

h. Adjournment.

5. A quorum at an annual or special meeting of the Association shall consist of representatives present from no less than 40 percent of the Official Laboratories in good standing. (1998)
6. The official procedural manual for conducting all business of the Association shall be Robert's Rules of Order Newly Revised.

ARTICLE XV – REFEREE REGIONS

The Official Laboratories of the Association shall be divided into the following six regions composed of the following states and provinces:

1. NORTHWEST - REGION I: Alaska, Idaho, Montana, Oregon, Washington, and Wyoming
2. MIDWEST - REGION II: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin
3. NORTHEAST - REGION III: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia
4. SOUTHWEST - REGION IV: Arizona, California, Colorado, Hawaii, Nevada, New Mexico, Oklahoma, Texas and Utah (1995)
5. SOUTHERN - REGION V: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Virginia (1995) (2013)
6. CANADA - REGION VI: Provinces of Alberta, British Columbia, Manitoba, Saskatchewan, New Brunswick, Ontario, Quebec, Nova Scotia, Newfoundland, and Prince Edward Island

ARTICLE XVI – CONTINUING EDUCATION

1. Continuing Education: To maintain Certified Seed Analyst status, each analyst shall **accumulate a minimum of five points every three years from the following continuing education categories:**
 - a. A maximum of three points from verified attendance at qualified meetings:
 - (1) Attendance at the annual meeting of the Association. One point is obtained for each day of attendance, one of which shall include attendance at the business meeting.
 - (2) Attendance at a national, regional or local seed trade meeting. One half (1/2) point is obtained for each meeting attended.
 - b. One point for individual participation in a referee. An eligible referee shall consist of five or more participants from three or more laboratories and provide comparative results to the participant.

- c. College credits for satisfactory completion of seed related courses, including distance learning courses, which have been approved by the Teaching and Training Committee based on three points for each college credit. Evidence of attendance must be submitted to the Continuing Education chair or his/her designee to receive proper point credit. (2017)
 - d. One point for participation in a refereed proficiency test SCST, ISTA, etc.) including satisfaction of any remedial measures.
 - e. One point for each half day (3 hours) attendance at a workshop or seed school directly related to seed testing that comprises at least a 50%"hands- on" type program and has been approved prior to attendance by the Teaching and Training Committee. (2017)
 - f. Individualized seed technology training from a CSA, an SCST Registered, Certified, or Research member, or a Canadian Accredited Seed Analyst that receives prior approval by the Teaching and Training Committee. Points are credited on the basis of one (1) point for every three (3) hours with a maximum of two (2) points per day. A certificate of attendance must be submitted to the Continuing Education chair to receive proper point credits. (2017)
 - g. One point annually for participation on the executive board as an officer or member.
 - h. One point annually for acting as chairperson of any recognized AOSA committee.
 - i. One point for participation in each AOSA/SCST Teaching and Training Committee approved webinar, workshop, college course as an attendee, instructor, speaker or trainer. (2021)
2. It is the responsibility of the member to present proof of earned points to the Continuing Education chair of the Association. (2017)
 3. Any Certified Seed Analyst failing to meet these requirements within two (2) years will receive written notice from the Teaching and Training Committee that continuing education requirements must be met within the next 12 months. Failure to meet these requirements shall result in the loss of Certified Seed Analyst certification. Reinstatement of Certified Seed Analyst may be accomplished by bringing the continuing education points up to date. (2007) (2017)

As amended through 09/2017

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