Constitution & By-laws 
and 
Information on 
Standards of Conduct 
of the 
American Academy 
of Optometry

(As Amended December 1986)
CONSTITUTION

ARTICLE I. Name

The name of this organization shall be "The American Academy of Optometry."

ARTICLE II. Objectives

The objectives of the American Academy of Optometry shall be scientific, educational, and charitable: to promote the art, science and research of vision care by:

1. Initiating and supporting, in suitable centers and institutions, research and educational programs in optometry and related sciences.
2. Affording an opportunity for the presentation and discussion of the results of research in vision.
3. Encouraging the scientific observation and reporting of exceptional and instructive conditions encountered in the practices of individual Fellows.
5. Enhancing the commitment of the Academy members to the highest ethical and professional standards of practice.

ARTICLE III. Membership

The Academy shall consist of Fellows, Honorary Fellows, Emeritus Fellows. Candidates for Membership and Student Members.

Section 1. Fellowship shall be open to all optometrists who have been in professional practice, according to Academy standards, for at least three years, and to scientists, educators, librarians, and editors who have accredited themselves and optometry by their service. Fellows have the right to vote and hold any elective or appointive position in the Academy.

Section 2. Honorary Fellowship may be granted to individuals for distinguished contribution to the Academy or the science and art of optometry, by action of the Executive Council. Honorary Fellows have all the rights and privileges of Fellowship.

Section 3. Emeritus Fellowship may be granted to any Fellow by reason of age or retirement, upon recommendation of the Secretary-Treasurer and approval of the Executive Council. Emeritus Fellows have all the rights of Fellows.

Section 4. Life Fellowship may be granted to any Fellow, by reason of length of membership and service to the science and art of optometry, by action of the Executive Council.

Section 5. Candidate Status may be granted to persons who are in the process of applying for membership in the Academy. Candidates do not have the right to vote, hold elective office, or serve as an appointed chairperson; they may hold appointive positions in the Academy.

Section 6. Student membership may be granted to students who are in good academic standing after completion of the first year at an accredited school or college of optometry, to full time graduate students in the vision sciences and related sciences, and to residents in accredited optometric residency programs. Student members do not have the right to vote, hold elective office, or serve as an appointed chairperson.

Section 7. Expulsion: Membership in this Academy shall continue only so long as the member shall by act or conduct reflect no discredit upon this Academy. Any violation of the signed pledge to abide by the Standards of Conduct of this organization shall be deemed grounds for expulsion.

ARTICLE IV. Officers

The officers of the Academy shall be: President, President Elect, Immediate Past President, Secretary-Treasurer, and four (4) Executive Council members. These officers shall be elected every 2 years except the President and the Past President, who will assume these offices on completion of their terms as President Elect and President, respectively. The nominations and election of officers shall take place at the Annual Meeting, the 2-year terms of office to begin the following January 1. Any replacement of a member of this council due to resignation or death shall be made by a majority vote of the membership at the next Annual Meeting.

ARTICLE V. Executive Council

Section 1. The Executive Council shall be the administrative body of the Academy and shall consist of the President, who shall be the Chairman, the President Elect, the Immediate Past President, the Secretary-Treasurer, and the four Council Members.

Section 2. The Council shall manage the affairs and funds of the Academy, fix the dates and places of the annual meetings consistent with the wishes of the membership as specified in the By-Laws, approve the appointment of committees, supervise the activities and business affairs of the Academy, and transact all business not otherwise provided for that may pertain to the Academy. Six members of the Executive Council shall constitute a quorum for the transaction of business.

Section 3. Ex-officio members may be elected by the Executive Council to serve on the Council but shall not have Council voting privileges.

ARTICLE VI. Non-Profit

None of the net earnings of the Academy shall inure to the benefit of any members of the Academy, except
for reasonable compensation for services rendered as determined by the Executive Council.

ARTICLE VII. Dissolution

In the event of dissolution of this Academy, any assets of the Academy remaining after the payment of all liabilities shall be donated to charitable, educational, or scientific organizations, which qualify under the Internal Revenue Code of 1954, Section 501 (c) (3), as chosen by the Executive Council of the Academy.

ARTICLE VIII. Amendments

This Constitution may be amended at any annual meeting of the American Academy of Optometry by an affirmative vote of two-thirds of those present. Notice of the proposed changes in the Constitution must be given at least 60 days prior to the date of the meeting.

BY-LAWS

ARTICLE I. Duties of Officers and the Executive Council

Section 1. The President shall preside at all meetings of the Academy and shall chair the Executive Council. He shall appoint all committees subject to the approval of the Executive Council. He shall perform the duties usually incident to the office, and such other duties as may be directed by the Academy.

Section 2. The President Elect shall assume the duties of the President in his absence or at his request, and shall assume such duties as may be assigned to him by the Executive Council or the President.

Section 3. The Secretary-Treasurer shall keep records of all proceedings and financial transactions of the Academy and the Executive Council, conduct correspondence, collect dues, notify members of the Academy about meetings a reasonable time in advance, and perform such other duties as pertain to the office, or as may be prescribed by the Executive Council or these Bylaws.

The Secretary-Treasurer shall keep a correct account of all financial transactions of the Academy, as verified by a Certified Public Accountant, disburse funds upon proper authorization, and make a full and detailed report of the financial affairs of the Academy at each annual meeting. He shall, at the expiration of his term of office, deliver to his successor all funds, papers and books relative thereto.

The Secretary-Treasurer shall furnish bond in such amount as may be required by the Executive Council, expenses of which shall be paid by the Academy.

Section 4. The Executive Council shall transact all business for the Academy between Annual Meetings and shall assume such other duties as may be delegated to it by the Academy.

The Executive Council shall have the books of the Secretary-Treasurer examined, audited, and certified. It shall have the final responsibility for determining membership in the Academy and for termination of such membership for cause.

It shall have full authority to act for the Academy in any crisis or emergency, provided the majority of its members are in agreement as to the necessity for immediate action and as to the course to pursue.

It shall have the authority to instruct the Secretary-Treasurer to pay the reasonable expenses it deems necessary to the success of the Annual Meeting or other necessary meetings.

It shall assume such other duties as are usual to an executive board.

ARTICLE II. Qualification for Membership

Section 1. Application for membership shall be made directly to the Secretary-Treasurer of the Academy. Applicant fees as determined by the Executive Council must accompany each application.

Section 2. Each applicant for membership in the Academy shall subscribe to the Academy Membership Pledge and Agreement, and return it properly signed to the Secretary-Treasurer of the Academy.

Section 3. Each applicant must fulfill all requirements established by the Academy for admittance prior to submission for approval by the Executive Council.

ARTICLE III. Standards of Conduct

Section 1. Members of the Academy shall be of good moral character and maintain the highest standards of the profession.

Section 2. Members of the American Academy of Optometry shall accept responsibility for the consequences of their acts, make every effort to insure that their services are used appropriately, and, when indicated, recommend alternate sources of care.

Section 3. Members of the American Academy of Optometry shall maintain the highest degree of professional competence by rendering services, using techniques, and providing opinions that meet the highest standards of practice.

Section 4. The moral, ethical, and legal standards of behavior of a member are a personal matter to the same degree as they are for any other citizen, except as they may compromise the fulfillment of a member’s professional responsibilities.

Section 5. The professional standards of members of the Academy require that public statements, announcements and promotional activities not be deceptive, fraudulent, or misleading.

ARTICLE IV. Dues

Section 1. The annual dues of Members shall be determined by a majority vote at an Annual Meeting, and are payable in advance before January 1 of each year. Members admitted after January 1 shall pay dues for the full year.

Section 2. Any members of the Academy whose dues and assessments remain unpaid on June 1, shall stand suspended. In event payment is not made by September 1 membership in the Academy may cease, and the member shall be notified by the Secretary-Treasurer. The member may be reinstated by action of
the Executive Council and upon payment of all amounts due at the time membership was forfeited.

ARTICLE V. Annual Meeting

Section 1: The annual meeting of the Academy shall convene each year at such time and place as has been decided by a majority vote of the membership present. This site shall be selected from among those sites recommended by the Executive Council as meeting the needs of the Academy. In the event the time and place is not decided upon at the annual meeting, or if circumstances make a previously decided site untenable, then the Executive Council shall decide upon the necessary changes.

Section 2: Educational meetings may be held during the year as directed by the membership or the Executive Council.

ARTICLE VI. Academy Chapters

Realizing that the objectives of the American Academy of Optometry are best served by a continuous exchange of ideas, members may form local chapters. Local chapters are limited to Academy members. The following are the requirements for obtaining and keeping a charter as a chapter of the American Academy of Optometry.

Section 1: Application for a local chapter of this Academy will be considered by the Executive Council when signed by ten members in good standing, residing in a local chapter zone.

Section 2: Upon Executive Council approval of the application, the Secretary-Treasurer will prepare a charter which will be fully signed and executed by the Executive Council. The Council will designate the territory to be covered by the local chapter.

Section 3: Local chapters of this Academy shall operate and be bound by a Chapter Constitution and By-laws consistent with the Constitution and By-laws of the Academy and approved by the Executive Council.

Section 4: Local chapters may make additional rules for the conduct of their affairs provided they are not in conflict with the basic principles of the Academy.

Section 5: Local chapters will make an effort to encourage eligible persons to make an application for membership in the Academy.

Section 6: A chapter will be considered active when at least one meeting is held each year, and a report of the meeting(s) is sent to the Secretary-Treasurer of the Academy.

Section 7: The charter of a local chapter may be revoked for cause by a majority vote of the Executive Council.

ARTICLE VII. Amendments

These By-laws may be amended at any Annual Meeting of the American Academy of Optometry by an affirmative vote of two-thirds of those present. Notice of any proposed changes in By-laws must be given at least 60 days prior to the date of the meeting.

ARTICLE VIII. Parliamentary Authority

The rules contained in “Robert’s Rules of Order Revised” shall govern the Academy in all cases to which they are applicable and in which they are not inconsistent with these By-laws.

ARTICLE IX. Procedures, Policies, and Administration

Procedures and policies necessary for the operation and function of the Academy shall be adopted by the Executive Council of the American Academy of Optometry and may be altered by the Executive Council.

ARTICLE X. Non-discrimination

No person shall, on the ground of race, color, sex, or national origin, be excluded from participation in, be denied membership in, or otherwise subjected to discrimination under any program of the American Academy of Optometry.

INTERPRETATION OF THE STANDARDS OF CONDUCT, ARTICLE III, OF THE BY-LAWS OF THE AMERICAN ACADEMY OF OPTOMETRY

INTRODUCTION

The following Interpretative Statements are based on the Standards of Conduct contained in Article III of the By-Laws of the American Academy of Optometry. These have been designed to assist Academy members in promoting and protecting the public good by establishing criteria by which each member may determine the propriety of relationships with patients, with colleagues, with members of allied professions and with the public.

Requirements of the Academy may often exceed state and national laws and regulations. While violations of the law may subject the optometrist to civil or criminal liability, the American Academy of Optometry may reprimand, censure, suspend, or expel a member, after due process hearings, or deny membership to an applicant, on the basis of violations of the Standards of Conduct.

ACCCEPTANCE OF MEMBERSHIP COMMITTS THE INDIVIDUAL TO ADHERENCE TO THESE STANDARDS.

BY-LAWS: ARTICLE III

SECTION 1. MEMBERS OF THE ACADEMY SHALL BE OF GOOD MORAL CHARACTER AND MAINTAIN THE HIGHEST STANDARDS OF THE PROFESSION.

Members of the American Academy of Optometry:

1.1 Shall be known in their respective communities for integrity, honesty, competence,
Members of the American Academy of Optometry:  
2.1 Will not participate in, condone, or be associated with dishonesty, fraud, deceit, dissimulation, or misrepresentation of professional qualifications, education, experience or affiliation.  
2.2 Will protect patients from unwarranted physical or mental discomfort, distress, harm, danger, deprivation, and unnecessary procedures, and will not exploit patients for pecuniary gain.  
2.3 Will keep the confidence of patients and their records inviolate and will discuss patients with consultants only after securing the informed consent of the patient, except where required by law.  
2.4 Will not promote, condone or participate in conditions which tend to limit, impair or interfere with free and complete exercise of professional judgement and skill since such conditions cause a deterioration in the quality of patient care.  
2.5 Will accept complete responsibility and accountability for their professional judgement and action and those of staff assistants.  
2.6 Will seek consultation from appropriate sources when needs of the patient are beyond their own qualifications and competencies, or if the patient requests such.  
2.7 Will collaborate with other members of the health care community in resolving health needs of patients.  
2.8 Will practice in such a manner that neither patients nor the public will be misled as to the nature of the services rendered or the person or persons responsible.  

2.9 Involved in research shall take responsibility to weigh the scientific and human values of their research. Compromise of any human principle should be only with informed consent and with stringent safeguards to protect the rights of human participants.  
2.10 Involved in animal research shall take the responsibility to insure that acquisition, care, use and disposal of animals is in compliance with current laws and regulations. These notwithstanding, the animals’ immediate protection depends upon the scientist's own conscience.  
2.11 Who publish or report will do so responsibly, honestly, and completely. Acknowledgement through specific citations shall be made for unpublished as well as published material that has contributed directly or indirectly to the writing or the reporting.  

SECTION 3. MEMBERS OF THE AMERICAN ACADEMY OF OPTOMETRY SHALL MAINTAIN THE HIGHEST DEGREE OF PROFESSIONAL COMPETENCE BY RENDERING SERVICES, USING TECHNIQUES AND PROVIDING THE OPINIONS THAT MEET THE HIGHEST STANDARDS OF PRACTICE.  

Members of the American Academy of Optometry:  
3.1 Will act to safeguard patients and the public from the incompetent, unethical or illegal practice of optometry.  
3.2 Will maintain competence by attending lectures, professional meetings, study courses, Academy meetings, and by planned home study, research, and reading.  
3.3 Should promote and/or participate in research and activities which contribute to the development and dissemination of knowledge concerning all aspects of visual science and optometric care.  
3.4 Should participate in optometry’s efforts to protect the public from misinformation and misrepresentation concerning health care, with particular emphasis on vision care and optometric services.  
3.5 Will perform any teaching duties only after careful preparation so that presentations are accurate, current and scholarly.  

SECTION 4. THE MORAL, ETHICAL, AND LEGAL STANDARDS OF BEHAVIOR OF A MEMBER ARE A PERSONAL MATTER TO THE SAME DEGREE AS THEY ARE FOR ANY OTHER CITIZEN, EXCEPT AS THEY MAY COMPROMISE THE FULFILLMENT OF A MEMBER’S PROFESSIONAL RESPONSIBILITIES.  

Members of the American Academy of Optometry:  
4.1 Will set their standards of behavior in harmony with Academy objectives and will not allow their behavior to cause a reduction in public trust and confidence that would impair the ability of colleagues to provide care.
4.2 Will avoid any action that violates or diminishes the legal and civil rights of patients.

4.3 Will refrain from initiating uninvited direct solicitations of patients who, because of their particular circumstances are vulnerable to undue influence.

SECTION 5. THE PROFESSIONAL STANDARDS OF MEMBERS OF THE ACADEMY REQUIRE THAT PUBLIC STATEMENTS AND ANNOUNCEMENTS, AND PROMOTIONAL ACTIVITIES NOT BE DECEPTIVE, FRAUDULENT, OR MISLEADING.

Since individual patients want to know, and have a right to know, more about vision care (including optometry and visual science) their best interests are served by the proper dissemination of information within specific guidelines. Members of the American Academy of Optometry, when participating in public education efforts:

5.1 Are enjoined to function with the patient's best interest in mind and to stress optometry's goal to provide excellence in vision care to all patients.

5.2 Will ensure that public information statements are based on scientific knowledge.

5.3 Will not indicate Academy membership in a way to imply specialized competence or Academy endorsement of services offered.

5.4 Must ensure that, when applicable, statements regarding eye care should follow the usual application of informed consent, noting alternative therapy, complications and efficacy of proposed treatment.

5.5 Shall not compensate nor give anything of value, including services, to a representative of the press, radio, television, or other communications media in anticipation of, or return for, professional publicity in a news item.

5.6 Should understand that the Academy is concerned that some optometrists may unintentionally mislead the public by using statements which can be misconstrued and that there may be a few who might attempt to attract patients through statements which are false and misleading. The Academy asserts that such statements are not in the public interest and constitute conduct unworthy of Academy members.

3 GUIDELINES FOR PUBLIC STATEMENTS AND INFORMATION

By order of the Executive Council, the Admittance Committee and Judicial Committee of the Academy will consider public statements or announcements, whether paid for or not, to be false, fraudulent, deceptive, or misleading whenever they:

a. Contain a misrepresentation of fact or omit a material fact necessary to prevent deception or misrepresentation.

b. Contain a picture or facsimile of a person for the purpose of promising relief or recovery unobtainable by the average patient by the methods publicized.

c. Contain a testimonial pertaining to a quality or efficacy of optometric care of services that does not represent typical experience of other patients.

d. Are intended or are likely to create false or unjustified expectations of favorable results.

e. Contain a claim that the optometrist possesses skills, provides services or uses procedures superior to those of other optometrists with similar training, unless such claims can be factually substantiated by scientific and accepted evidence.

f. Take improper advantage of a person's fears, vanity, anxiety, or similar emotions.

g. Contain a claim that is likely to deceive or mislead the average member of the public to whom it is directed.

h. Contain a false or misleading prediction or implication that a satisfactory result or cure will result from performance of professional services.

i. Contain a claim that the optometrist uses or provides products which are superior unless claims can be factually substantiated, by scientific and accepted evidence.

j. Describe availability of products, procedures or services which are not permitted by law.

k. Are likely to attract patients by use of exaggerated claims.

l. Contain an uninvited direct solicitation of patients who, because of their particular circumstances, are vulnerable to undue influences.

m. Are not identified as a paid announcement or solicitation even when it is apparent from the context that it is a paid announcement or solicitation.

n. Contain a statement of fees charged for specific professional services but fail to indicate whether additional fees may be incurred for related services which may also be required.