



BYLAWS OF THE NEW MEXICO ARCHEOLOGICAL COUNCIL

Revised January, 1992

Chapter I: Name

The name of the organization shall be the "New Mexico Archeological Council," herein referred to as "the Council."

Chapter II: Purpose and Goals

Section 1. Purpose

The New Mexico Archeological Council is a not-for-profit organization that exists for the purpose of maintaining and promoting the goals of professional archeology in the State of New Mexico.

Section 2. Goals

Goals of the Council include, but are not limited to,

- a. promoting scholarly research regarding the cultural resources of New Mexico and encouraging the dissemination of the resultant information by and among the anthropological community;
- b. promoting public and corporate awareness of New Mexico's prehistoric and historic heritage and the need to protect our cultural resources;
- c. cooperating with local, state and federal government agencies and private organizations in attaining the above goals;
- d. encouraging a professional standard of ethics that is appropriate for the management of cultural resources;
- e. providing support for the legal protection of cultural resources; and
- f. promoting the education of archeologists in cultural resource management.

Chapter III: Management

Section 1. Classes of Membership

Membership will be open to all persons regardless of race, sex, religion or ethnic origin and will consist of the following categories:

- a. **Individual or sponsor member-** persons subscribing to the purpose and goals of the New Mexico Archeological

Council and who have paid individual or sponsor membership dues.

- b. **Institutional member-** governmental or private agencies and foundations, or branches thereof, whose principal programs or activities are in support of the fields of professional archeology and/or cultural resource management and who subscribe to the purpose and goals of the New Mexico Archeological Council and who have paid institutional membership fees.

Section 2. Meetings

- a. **Regular meetings-** regularly scheduled meetings will be held in order to conduct business. Regular meetings will be announced and held at least once in each quarter of the calendar year (January to March, April to June, July to September, October to December).

- b. **Special meetings-** special meetings may be called at any time at the discretion of the President and the Executive Committee or at least ten percent (10%) of the membership may submit a formal written and signed petition requesting a special meeting. Only business specified in the call for the special meeting may be transacted at such meetings.

Section 3. Executive Committee

- a. **Officers-** this committee will consist of the following positions: President, immediate Past President, President-Elect, Vice President, Secretary, Treasurer.

- b. **Duties and responsibilities of the Executive Committee-** the President and the Executive Committee will appoint standing and ad hoc committee Chairpersons and committee members, schedule and conduct all regular meetings, special meetings, workshops, elections, etc. and administer other business of the Council.

- c. **Duties and responsibilities of individual officers-** duties and responsibilities of the elected officers are as follows:

President: The President is the chief executive officer for both the Council and the Executive Committee. The President will during a one (1) year term preside over meetings of the Council and the Executive Committee, appoint members to and coordinate the activities of all committees, and represent the Council to the public and

other organizations.

Past President: The elected President from the prior year will serve on the Executive Committee for one (1) year after his/her term of office in order to provide continuity in the conduct of Council business.

President-Elect: The President-Elect will serve for one (1) year on the Executive Committee prior to becoming President in order to become familiar with the business of the Council prior to taking office as President.

Vice President: The Vice President will perform the duties of the office of President in the absence of the President and other duties as requested by the President or the Executive Committee.

Secretary: The Secretary will keep the records of the organization and will conduct correspondence as needed for the Council. The Secretary will ensure that mail is picked up weekly and immediately forwarded with its original envelope to the proper Executive Committee officer or committee Chairperson.

Treasurer: The Treasurer will receive and disburse funds collected by the Council and will render an account of all funds at each regular meeting. The Treasurer will assist the Finance Committee in the execution of the duties of the Finance Committee.

Section 4. Standing and Ad Hoc Committees

Standing committees will consist of the Publications Committee, the Finance Committee, the Education Committee, and the Legislative Committee. Ad hoc committees such as a Nominating Committee, a Professional Standards Committee, a Research Committee, and others may be established as needed by the President with the concurrence of the other members of the Executive Committee.

a. Committee appointments, removals and resignations- the Chairpersons and members of all standing committees and ad hoc committees will be appointed by the President with the concurrence of the other members of the Executive Committee. Additional committee members may be added at the request of the committee Chairperson with the approval of the President. Committee Chairpersons and committee members may be removed from the committee at the discretion of the President and the Executive Committee. Committee Chairpersons who wish to resign should inform the President in writing.

b. Committee recommendations- the President and the Executive Committee will decide whether Council actions proposed by the various committees may be implemented solely with the concurrence of the Executive Committee, require a vote at the next regular meeting, or require a special meeting or mail ballot. The President will inform the Council of actions taken in the name of the Council and based solely on Executive Committee concurrence at the next regular meeting or through the newsletter.

Section 5. Publications Committee

a. Committee members- this committee will consist of a Chairperson and at least two (2) other members.

b. Duties and responsibilities- the committee will prepare and disseminate a quarterly newsletter, announcements of upcoming Council activities, and special publications that result from activities of the Council. All publications will be approved by the Executive Committee and identified as being funded by the Council. The committee may contract for editing, typesetting, and printing services with the approval of the Executive Committee.

Section 6. Education Committee

a. Committee members- this committee will consist of a Chairperson and at least two (2) other members.

b. Duties and responsibilities- the committee will propose and implement programs to educate the general public about the methods and goals of archeology and about the nonrenewable nature of archeological and historical resources.

Section 7. Finance Committee

a. Committee members- this committee will consist of a Chairperson and at least two (2) other members.

b. Duties and responsibilities- the committee will cooperate with the Treasurer in overseeing the fiscal business of the Council, undertake audits of the financial records as directed by the Executive Committee, prepare a proposed budget for each year, recommend dues changes, and conduct business affairs with the State Corporation Commission, the Federal Internal Revenue Service, the State Taxation and Revenue Department, and other entities involving fiscal matters and reports.

Section 8. Legislative Committee

a. Committee members- this committee will consist of a Chairperson and at least two (2) other members.

b. Duties and responsibilities- the committee will identify and evaluate pending legislation that may be of interest to the Council, informing the Council about these legislative initiatives at regular meetings and through other means. The committee may suggest political actions for consideration and approval of the Council at regular meetings and through other means. The committee will inform the Executive Committee about urgent matters requiring immediate action.

Section 9. Nominating Committee

a. Committee members- this committee will consist of a Chairperson and at least two (2) other members.

b. Duties and responsibilities- this committee will be established in the third quarter of each year by the President and the Executive Committee to propose a slate of nominees for the annual election for Executive Committee officers or as needed to recommend individuals

to the Executive Committee to fill any vacancies in offices that may occur. [See also: Chapter IV: Elections]

Section 10. Professional Standards Committee

a. Committee members- this committee will consist of a Chairperson and at least four (4) other members.

b. Duties and responsibilities- the committee will be established as needed by the President and Executive Committee to consider matters relating to professional archeological standards in the State of New Mexico. Any formal adoption of professional standards endorsed by the Council will require a three-fourths (3/4) majority of ballots cast in a special election conducted by mail for approval. The committee may retain the services of legal counsel with the approval of the Executive Council.

Section 11. Research Committee

a. Committee members- this committee will consist of a Chairperson and at least two (2) other members.

b. Duties and responsibilities- the committee will be established as needed by the President and Executive Committee to consider matters relating to archeological research in the State of New Mexico.

Chapter IV: Elections and Office Vacancies

Section 1. Membership Voting Privileges

a. individual or sponsor members- will have full voting privileges at any regular or special meeting and by mail ballot.

b. Institutional members- do not have any voting privileges.

Section 2. Nominees for Executive Committee Offices

All nominees must consent to run for the designated office after being apprised of the duties of that office. In addition to the slate of nominees proposed by the Nominating Committee nominations will be solicited through the newsletter and at a regular meeting prior to preparation of the ballot. At least two (2) nominees for each office are preferable, but a slate with only one (1) nominee is acceptable as provided below. The Nominating Committee may propose a member of that committee to run for office, provided that a second nominee for the office appears on the ballot.

Section 3. Election of Officers

a. Ballots- mail ballots will be mailed to all members of the Council for the election of Executive Committee officers. Ballots must be returned by the due date or they will not be counted.

b. Ballot counters- two (2) members not serving on the Nominating Committee will be appointed by the

President to count ballots.

c. Election results- persons running for office will be elected by a simple majority of ballots cast. The result of a tie vote will be determined by the toss of a coin. Results of the election will be announced at the next regular meeting and through the newsletter.

Section 4. Resignation

Any Executive Committee officer or committee Chairperson may resign at any time by giving written notice to the President. Such resignation shall take effect at the time it is received unless otherwise specified therein.

Section 5. Removal of Officer

a. Initiation of removal proceedings- a member of the Executive Committee may by written request initiate removal proceedings of another Executive Committee officer or at least ten percent (10%) of the membership may submit a formal written and signed petition requesting initiation of removal proceedings. The officer for whom removal proceedings are pending will be relieved from his/her duties until the issue is resolved. The other members of the Executive Committee will assume those duties in the interim.

b. Removal proceedings- the President and Executive Committee will establish an ad hoc Investigating Committee of at least three (3) members within one (1) week of receipt of the request to initiate removal proceedings. The Investigating Committee has two (2) weeks from its formation to investigate and submit its findings and recommendations to the Executive Committee. If the initial results of the investigation resolve the issue satisfactorily for all concerned parties then the matter will be resolved by the Executive Committee. If no resolution is forthcoming, the Executive Committee will consult all concerned parties and determine whether a special meeting of the Council may be called to address the removal issue. Such a special meeting would be held within two (2) weeks and both sides of the removal issue would be presented. Whether or not a special meeting is held a ballot containing both positions will be sent to the membership as soon as possible with a two (2) week return deadline from mailing date. Resolution of the removal issue will be made by a simple majority.

Section 6. Vacancies

The President and Executive Committee will appoint members to fill vacancies on the Executive Committee from nominations submitted by the Nominating Committee. Such appointees will serve the unexpired term of office.

Chapter V: Operations

Section 1. Place of Business

The Council's place and conduct of business will be at announced locations selected for regular or special meetings of the Council. The permanent address is P. O. Box 1023, Albuquerque, New Mexico 87103.

Section 2. Bylaws

a. Replacement of Bylaws- replacement of the bylaws may be initiated by the President and the Executive Committee or at least ten percent (10%) of the membership may submit a formal written and signed petition requesting replacement of the bylaws. The President and Executive Committee will establish a ad hoc Bylaws Committee of at least three (3) members to rewrite the bylaws and prepare a draft for distribution to the Council for discussion at the next regular meeting. The Bylaws Committee will then prepare the final draft. Formal adoption of rewritten bylaws will require a three-fourths (3/4) majority of ballots cast in a special election conducted by mail for approval. The returned ballots will be counted by two (2) members of the Executive Committee. If this majority is not achieved the existing bylaws remain in effect.

b. Bylaw amendments- amendments to the bylaws may be initiated by the President and the Executive Committee or at least ten percent (10%) of the membership may submit a formal written and signed petition requesting amendment of the bylaws. The President and Executive Committee will establish a ad hoc Bylaws Committee of at least three (3) members to prepare a draft of the proposed amendments for distribution to the Council for discussion at the next regular meeting. The Bylaws Committee will then prepare the final draft. Formal adoption of proposed amendments to the bylaws will require a simple majority of ballots cast in a special election conducted by mail for approval. The returned ballots will be counted by two (2) members of the Executive Committee. If this majority is not achieved the proposed amendment(s) is defeated.

Section 3. Disposal of Assets

In case of dissolution, and after payment of its liabilities, all Council assets and publications on hand will be turned over by the Executive Committee to an educational or scientific institution or organization that is exempt from taxation under the current code of the Internal Revenue Service. The Internal Revenue Service and the State Corporation Commission will be notified of this action.

CODE OF ETHICS NEW MEXICO ARCHAEOLOGICAL COUNCIL

ADOPTED September 21, 1979

Archaeology is a profession, and the privilege of professional practice requires professional morality and professional responsibility. A professional archaeologist is one who holds a degree in Anthropology and makes the greater part of his/her living by practicing the profession; is retired from the profession; or one who has demonstrated his competence by field and published work which is generally accepted by the professional archaeological community (e.g. Geologist or other professional specializing in archaeological problems; Certified Field Archaeologist, accreditation program, Archaeological Society of New Mexico).

The code of ethics below sets forth guidelines for professional morality and responsibility. Guidelines for research and organization standards are included in the following sections.

I. The Archaeologist's Responsibility to the Public

1.1 An Archaeologist shall:

- a. Recognize a commitment to represent

archaeology and its research results to the public in a responsible manner, as outlined below;

- b. Actively support conservation of archaeological resources;

- c. Be sensitive to, and respect the legitimate concerns of, groups whose culture histories are the subjects of archaeological investigations;

- d. Avoid and discourage exaggerated, misleading, or unwarranted statements about archaeological matters that might induce others to engage in unethical or illegal activity;

- e. Support and comply with the terms of the UNESCO Convention on the means of prohibiting and preventing the illicit import, export, and transfer of ownership of cultural property, as adopted by the Central Conference, 14 November 1970, Paris.

1.2 An archaeologist shall not:

- a. Engage in any illegal or other conduct violating this code which involves archaeological matters or knowingly permit the use of her/his name in support of any illegal or unethical activity involving archaeological matters;

- b. Give a professional opinion, make a public report,

or give legal testimony involving archaeological matters without being as thoroughly informed as might be expected;

c. Disseminate site information that may lead to the illegal destruction of archaeological resources, as covered by various State and Federal laws;

d. Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation about archaeological matters;

e. Undertake on an individual or group level, any research, in any capacity, that may affect archaeological resources, for which he/she is not qualified;

f. Employ personnel for either direction of field work or for independent unsupervised field work who does not meet the following criteria:

(i) Have a graduate degree in archaeology, anthropology, or closely related field, or equivalent training accepted for accreditation purposes by the Society of Professional Archaeologists, or

(ii) Have a minimum of 16 months of professional experience, or specialized training in areas such as lab analysis, archaeological fieldwork, or library research as appropriate to the job;

-----at least four (4) months experience in general North American archaeology

-----at least six (6) months experience supervisory experience*

* Individuals who lack supervisory experience but who qualify in all other respects and who, in best judgments of the principal investigator and of the responsible management agency, are prepared for supervisory responsibility, may be employed in supervisory or independent positions on a probationary basis until the six-month experience requirement is met. The principal investigator must, in these cases, be prepared to assume full responsibility for the actions of the probationer.

(iii) Have a demonstrated ability to carry research to completion, usually evidenced by timely completion of theses, reports, or similar documents;

(iv) If supervising prehistoric archaeological work, the archaeologist shall have at least one (1) year's experience in prehistoric archaeological research;

(v) If supervising historic archaeological work, the archaeologist shall have at least one (1) year's experience in historical archaeology.

II. The Archaeologist's Responsibility to her/his Colleagues

2.1 An archaeologist shall:

a. Give appropriate credit for work done by others;

b. Keep informed and knowledgeable about developments in his/her field or fields or specialization;

c. Accurately, and without undue delay, prepare and properly disseminate a description of research done and its results;

d. Communicate and cooperate with colleagues having common professional interests; including

information about sites, areas, collections, or data where there is a mutual active or potentially active research concern;

e. Know and comply with all laws applicable to her/his archaeological research, as well as with any relevant procedures undertaken by duly constituted professional organizations;

f. Report knowledge of violations of this Code to proper authorities ~~as specified in the Bylaws~~;

g. Properly record and promptly report any and all cultural manifestations defined as antiquities by Federal or State regulation;

h. Publish quarterly in the Council's newsletter an abstract or brief summary of all projects undertaken;

i. Provide equitable and fair compensation to all employees or project participants within the limits of project funding.

2.2 An archaeologist shall not:

a. Falsely or maliciously attempt to injure the reputation of another archaeologist;

b. Commit plagiarism in oral or written communication;

c. Undertake research that affects archaeological resources unless reasonably prompt, appropriate analysis and reporting can be expected;

d. Refuse a reasonable request from a qualified colleague for research data;

e. Solicit employees from other active projects without first consulting with the principal investigators on those projects;

f. Agree in any contract to suppress archaeological data to the professional community;

g. Condone or aid in the misuse of the sponsoring institution's Antiquities permit or auspices by any other individual or agency.

III. The Archaeologist's Responsibility to Employers and Clients

3.1 An archaeologist shall:

a. Respect the interests of his/her employer or client, so far as is consistent with the public welfare and this Code and Standards;

b. Refuse to comply with any request or demand of an employer or client which conflict with this Code or Standard;

c. Recommend to employers or clients the employment of other archaeologists or other expert consultants upon encountering archaeological problems beyond her/his own competence;

d. Exercise reasonable care to prevent his/her employees, colleagues, associates and others whose services are utilized by her/him from revealing or using confidential information. Confidential information means information of a non-archaeological nature gained in the course of employment which the employer or client has

requested be held inviolate, or the disclosure of which would be embarrassing or would be likely to be detrimental to the employer or client. Information ceases to be confidential when the employer or client so indicates or when such information becomes publicly known.

3.2 An archaeologist shall not:

- a. Reveal confidential information, unless required by law;
- b. Use confidential information to the disadvantage of the client or employer; or
- c. Use confidential information for the advantage of himself/herself or a third person, unless the client consents after full disclosure;
- d. Accept compensation or anything of value for recommending the employment of another archaeologist or other person, unless such compensation or thing of value is fully disclosed to the potential employer or client;
- e. Recommend or participate in any research which does not comply with the requirements of the Standards of Research Performance.

STANDARDS OF RESEARCH PERFORMANCE

The research archaeologist has a responsibility to attempt to design and conduct projects that will add to our understanding of past cultures and/or that will develop better theories, methods, or techniques for interpreting the archaeological record, while causing minimal attrition of the archaeological resource base. In the conduct of a research project, the following minimum standards should be followed:

I. The archaeologist has a responsibility to prepare adequately for any research project whether or not in the field. The archaeologist must:

1.1 Assess the adequacy of her/his qualifications for the demands of the project, and minimize inadequacies by acquiring additional expertise, by bringing in associates with the needed qualifications; or by modifying the scope of the project;

1.2 Inform himself/herself of relevant previous research;

1.3 Develop a scientific plan of research which specifies the objectives of the project, takes into account previous relevant research, employs a suitable methodology, and provides for economical use of the resource base (whether such base consists of an excavation site or of specimens), consistent with the objectives of the project;

1.4 Ensure the availability of adequate staff and support facilities to carry the project to completion; and ensure adequate curatorial facilities for specimens and records;

1.5 Comply with all legal requirements, including, without limitation, obtaining all necessary governmental permits and necessary permission from landowners or other persons;

1.6 Determine whether the project is likely to interfere with the program or projects of other scholars and if there is such a likelihood, initiate negotiations to minimize such interference.

II. Procedures for field survey or excavation must meet the following minimum standards:

2.1 If specimens are collected, a system for identifying and recording their proveniences must be maintained.

2.2 Uncollected entities such as environmental or cultural features, depositional strata, and the like, must be fully and accurately recorded by appropriate means, and their location recorded.

2.3 The methods employed in data collection must be fully and accurately described. Significant stratigraphic and/or associated relationships among artifacts, other specimens, and cultural and environmental features must also be fully and accurately recorded.

2.4 All records should be intelligible to other archaeologists. If terms lacking commonly held references are used, they should be clearly defined.

2.5 Insofar as possible, the protection of the resource base must be considered. For example, upper levels of a site must be scientifically excavated and recorded, even if the focus of the project is on underlying levels.

III. During accessioning, analysis and storage of specimens and records in the laboratory, the archaeologist must take precautions to ensure that correlations between the specimens and the field records are maintained, so that provenience, contextual relationships and the like are not confused or obscured.

IV. Specimens and research records resulting from a project must be deposited with an organization with permanent and adequate curatorial facilities, and which permits access by qualified researchers.

V. The archaeologist has responsibility for appropriate dissemination of the results of his/her research to the appropriate constituencies with reasonable dispatch.

5.1 Results viewed as significant contributions to substantive knowledge of the past or to advancements in theory, method or technique should be disseminated to colleagues and other interested persons by appropriate means, such as publications, reports at professional

meetings, or letters to colleagues.

5.2 Requests from qualified colleagues for information on research results must be honored, is consistent with the researcher's prior rights to publication and with his/her other professional responsibilities.

5.3 Failure to complete a full scholarly report within 10 years after completion of a field project shall be construed as a waiver of an archaeologist's right of primacy with respect to analysis and publication of the data. Upon expiration of such 10-year period, or at such earlier time as the archaeologist shall determine not to publish the results, such data should be made fully accessible for analysis and publication to other archaeologists.

5.4 While contractual obligations in reporting must be respected, archaeologists should not enter into a contract which prohibits the archaeologist from including his or her own archaeological interpretations or conclusions about the archaeological record in contractual reports, or from a continuing right to use the data after completion of the project.

5.5 Archaeologists have a responsibility to not disseminate information in a manner which encourages vandalism, in accordance with State and Federal laws.

ORGANIZATIONAL STANDARDS

Archaeological research involving collections of original field data and/or acquisition of specimens requires adequate facilities and support services for its successful conduct, and for proper permanent maintenance, security, and accessibility of the resulting collections and records.

A full-scale archaeological field project will require the following facilities and services:

1. Office space and furniture.
2. Laboratory space, furniture, and equipment for analysis of specimens and data.
3. Access to special facilities such as a dark room, drafting facilities, conservation laboratory, etc.
4. Space, facilities and equipment for proper maintenance and security of collections and records.
5. Field equipment such as vehicles, surveying instruments, etc.
6. A research library.
7. Administrative and fiscal control services.
8. Technical specialists such as photographers, curators, conservators, etc.
9. Publication services.
10. Depository facilities/or a Letter of Agreement with a Museum that meets Federal standards for Curatorial purposes.

All the foregoing facilities and service must be adequate for the scope of the project.

Not all archaeological research will require all of the foregoing facilities and services, but a full-scale field project will. Likewise, all institutions engaging in archaeological research will not necessarily require or be able to furnish all such facilities and services from their own sources. Institutions lacking certain facilities or services should arrange for them through cooperative agreements with other institutions.

