

Constitution, Bylaws, and Regulations of the American Chemical Society

Approved During Calendar Year 2011

for Changes Effective in 2011

Additions are bold and underlined and deletions are crossed out.

BYLAWS

BYLAW XII

Position Statements

Any statement on a public matter to be ~~issued~~**initiated** by a Local Section, Division, or other SOCIETY body must adhere to the following procedure: ~~(11/13/78)~~ **(9/30/11)**

Section 1.

~~Prior to issuance by a Local Section, Division, or other SOCIETY body, any proposed statement on a public matter shall be submitted to the Executive Director who will determine whether the matter is of national import and reply within ten days of receipt. If the matter is of national import, the proposed statement shall be submitted to the Board of Directors for review and suggestions. (11/13/78)~~

No SOCIETY body may issue a statement on a public matter that is in conflict with existing Board of Directors' approved policy or positions. (9/30/11)

Sec. 2.

~~Should the Board of Directors fail to respond within thirty days from the date of receipt by the Executive Director of a request from a SOCIETY body for review of a proposed statement on a matter of national import, it will be assumed that the Board does not wish to comment, and the statement may be issued forthwith. If the SOCIETY body specifies to the Board of Directors the matter is urgent and should the Board of Directors not act within ten days of receipt by the Executive Director, the statement may be issued forthwith. (11/13/78)~~

No SOCIETY body other than the Board of Directors may pre-empt the policy-making authority of another SOCIETY body, or issue a statement that is reasonably likely to impact the mission or activities of another SOCIETY body without the express, written approval of that SOCIETY body. (9/30/11)

Sec. 3.

~~Unless notified within ten days by the Executive Director that the matter is of national import, such a statement may be regarded as dealing with a matter of other than national import and may be issued directly by any SOCIETY body without prior review by the Board of Directors. (11/13/78)~~

a. A statement on a public matter proposed by one or more SOCIETY bodies other than the Board of Directors must be submitted to the Executive Director, who will determine whether the proposed statement is in conflict with an existing Board of Directors' policy or position, pre-

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empt the policy-making authority of another SOCIETY body, or is reasonably likely to impact the mission or activities of another SOCIETY body. The Executive Director will acknowledge receipt of the proposed statement to the originator. If any of the aforementioned issues is found to exist by the Executive Director, the Executive Director will notify the Board of Directors of the interpretation and the Board will vote on whether to confirm the Executive Director's interpretation. The Executive Director shall send written notice to the proposing SOCIETY body or bodies of the result and basis of the final determination within forty-five calendar days after receipt of the proposed statement. (9/30/11)

b. If the proposed statement is found not to pre-empt the policy-making authority of another SOCIETY body and to be without impact on or conflict with another SOCIETY body, the proposing SOCIETY body or bodies may proceed with issuance of the position statement. (9/30/11)

c. Should the Executive Director determine that a proposed statement pre-empts the policy-making authority of another SOCIETY body, or is reasonably likely to impact another SOCIETY body, approval of that body shall be required before the proposed statement can be issued. The affected SOCIETY body will have thirty days from receipt of the statement to provide a written response, granting or denying its approval. (9/30/11)

d. Should the Executive Director determine that a statement proposed by a SOCIETY body or bodies other than the Board of Directors is or will be in conflict with a Board-approved policy or position, the Board-approved policy or position has primacy. The Executive Director will notify the Board of Directors and the SOCIETY body or bodies of the conflict, and the conflicting statement must be amended to remove the conflict or be withdrawn within sixty days. (9/30/11)

e. A conflicting statement that has been amended will be submitted for approval and treated in the same way as a new statement. (9/30/11)

f. Statements issued by a SOCIETY body or bodies other than the Board of Directors must include a clear disclaimer to the effect that the views expressed are those of the named, issuing SOCIETY body or bodies only, and do not necessarily represent the official position of the SOCIETY. Upon issuance, a copy of the statement must be filed with the Office of the Executive Director. (9/30/11)

g. Statements issued by a SOCIETY body or bodies other than the Board of Directors will expire no later than three years from December 31 of the year they were approved unless the SOCIETY body or bodies act to extend them for an additional period not to exceed three years. SOCIETY bodies seeking to extend statements shall notify the Executive Director for review pursuant to the provisions of this Bylaw. (9/30/11)

Sec. 4.

~~Each statement by a SOCIETY body, whether or not of national import, shall clearly show the name of the issuing body. If the statement is not supported by or supportive of an official position of the SOCIETY it shall contain a clear general disclaimer to the effect that the views asserted are those of the named, issuing SOCIETY body only, and do not necessarily represent (or are in conflict with) the official position of the SOCIETY. (11/13/78)~~

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All SOCIETY bodies are subject to the SOCIETY position statement process approved by the Board of Directors as set out in the Regulations. (9/30/11)

Sec. 5.

~~A copy of the final statement on any public matter as issued by any SOCIETY body shall be forwarded to the Executive Director at the time of issuance. (11/13/78)~~

REGULATIONS

III. BOARD OF DIRECTORS

13. *Standing Committee on Grants and Awards.* The Committee on Grants and Awards (“the Committee”) shall determine the proper allocation of monies from the AMERICAN CHEMICAL SOCIETY Petroleum Research Fund (“ACSPRF”) once the Annual Amount, as defined in the Agreement of Transfer of Trust dated October 25, 2000, has been established by the Committee on Pensions and Investments. The Committee also is authorized to set up an Advisory Board and such other subcommittees as it deems necessary, determine the size of such bodies and terms of appointment thereto, and recommend necessary appointments to the Chair of the Board. The PRF Advisory Board shall consider all proposals for grants in the several ACS-PRF grants programs, ~~with the exception of the funding designated by the Board for the Green Chemistry Institute which shall be handled by the Committee as set forth herein,~~ and recommend for approval by the ACS Board of Directors Committee on Grants and Awards, within the limits of available funds, only those proposals that, in its judgment, fulfill the requirements stated in Paragraph (a) Article SECOND of the Agreement of Transfer of Trust Creating the AMERICAN CHEMICAL SOCIETY Petroleum Research Fund, dated October 25, 2000. Among all proposals submitted, which are judged to qualify under the terms of said Agreement, the Advisory Board shall recommend for funding those that best meet its criteria for educational and scientific merit. The Advisory Board, either upon request of the Board Committee on Grants and Awards or upon its own initiative, may also consider and make recommendations on policy, eligibility, terms, and conditions for ACS-PRF grants programs. The Committee shall act on behalf of the Board in determining types of grants and in approving standards and conditions thereof. It may authorize specific grants within the amounts made available for such purposes upon recommendation of The Petroleum Research Fund Advisory Board. ~~(4/4/08)~~ **(8/25/11)**

~~The Committee shall have the responsibility to administer the payment of the ACS-PRF funds authorized by the Board of Directors to the Green Chemistry Institute (GCI) and will, at least annually, review and approve the use of such funds before the funds are paid over to GCI to ensure compliance with the requirements as set forth in the Agreement for the Transfer of Trust dated October 25, 2000, Article SECOND. (12/4/04)~~

15. *Standing Committee on Planning.* The Board Committee on Planning shall assist the Board of Directors in the process of planning within the SOCIETY, ~~except for those areas under the authority of the Governing Board for Publishing and the Governing Board for the Green Chemistry Institute by reviewing annually the mission of the SOCIETY, consulting with the Executive Director about the formulation of the Strategic Plan of the SOCIETY, recommending appropriate actions to the Board and through the Board, to the Council, monitoring actions resulting from these~~

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~~recommendations, and annually seeking from the membership suggestions for the Improvement of the SOCIETY. The committee will provide strategic leadership by examining the mission, vision, and values of the SOCIETY; conduct environmental scanning and strategic assessments; and engage members and other stakeholders in the development of strategic goals. The committee shall recommend the strategic plan to the Board of Directors and monitor resulting actions and outcomes. (3/19/10)-(12/2/11)~~

21. *Compensation of Current and Former Board Members.* Except as provided in this Regulation, no voting Board member may receive, be offered, or earn compensation as a full or part-time employee, consultant, or contractor of the AMERICAN CHEMICAL SOCIETY during service on the Board of Directors and for a period of twenty-four months after ending that service. Annual compensation which does not exceed the IRS limit required for classification as an independent director (less than \$10,000 in 2008) will be allowed, upon disclosure to the Board of the compensation amount, for (1) short-course instruction; (2) career workshop presentation; (3) service as an editor-in-chief, associate editor, or senior editor of a SOCIETY publication; (4) SOCIETY leadership facilitation for non-SOCIETY audiences; and ~~(4)-(5)~~ compensation arrangements, which were in place prior to election to the Board. Any other exceptions to this prohibition will require the affirmative vote of two-thirds (2/3) of those Board members eligible to vote. The Board member seeking the exception shall refrain from voting on his or her request. ~~(8/16/08)-(8/25/11)~~

SUPPLEMENTARY INFORMATION

DESCRIPTIONS OF DUTIES

A. Other Committees of the Council

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5. TECHNICIAN AFFAIRS

- a. Coordinate the SOCIETY's interests in the development and activities of ~~chemical technicians~~/applied chemical technology professionals;
- b. Facilitate communication between the AMERICAN CHEMICAL SOCIETY, employers, and other technical and professional societies concerning critical issues of common interest in the area of technician/applied chemical technology professionals activities;
- c. Provide continuing support for the AMERICAN CHEMICAL SOCIETY's educational programs for ~~chemical technicians~~/applied chemical technology professionals by assisting in the development, review, and promotion of appropriate ACS education materials; and
- d. ~~Support and strengthen the Division of Chemical Technicians by enhancing~~ Enhance the professional image and development of technicians/applied chemical technology professionals.

(Approved by Council, March 30, 2011)