

**\*BYLAWS OF THE  
CINCINNATI SECTION  
OF THE  
AMERICAN CHEMICAL SOCIETY**

**BYLAW I  
Name**

This organization shall be known as the Cincinnati Section (hereinafter referred to as the “Section”) of the AMERICAN CHEMICAL SOCIETY (hereinafter referred to as the “SOCIETY”).

**BYLAW II  
Objects**

Section 1. The objects of the Section shall be those of the SOCIETY as stated in the Charter and Constitution of the SOCIETY. In addition, the objects shall be to encourage the advancement of chemistry in all its branches; to promote research in chemical science and industry; to improve the education, qualifications, and usefulness of chemists; and to educate the general public about the usefulness of chemistry in everyday life

Section 2. Nothing in these bylaws shall be inconsistent with the Charter, Constitution, and Bylaws of the SOCIETY.

Section 3. The Section is organized exclusively for charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

**BYLAW III  
Territory**

The territory of the Section shall be that assigned to it by the SOCIETY.

**BYLAW IV  
Members and Affiliates**

Section 1. The rolls of the Section shall include those members and Society Affiliates of the SOCIETY residing within the territory of the Section, provided that any exceptions to this rule shall be made in conformity with the Constitution and Bylaws of the SOCIETY.

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**\*Effective TBD.** Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY. (C&B: [bylaws@acs.org](mailto:bylaws@acs.org); [www.acs.org/bulletin5](http://www.acs.org/bulletin5))

Section 2. The Section may have Local Section Affiliates as authorized in the Constitution and Bylaws of the SOCIETY. A Local Section Affiliate shall retain affiliate status only so long as payment is made of Local Section Affiliate dues of not less than two dollars (\$2.00) per annum.

Section 3. Members and affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY.

Section 4. STUDENT MEMBERS may not serve as Councilors, Alternate Councilors, or Temporary Substitute Councilors.

Section 5. A Society Affiliate or a Local Section Affiliate may not vote for or hold an elective position or vote on Articles of Incorporation or bylaws of the Section. A Society Affiliate may not serve as a voting member of the Executive Committee; a Local Section Affiliate may not serve as a member of the Executive Committee. Society Affiliates may be appointed as committee chairs.

## **BYLAW V**

### **Officers, Executive Committee, and Councilors**

Section 1. The officers of the Section shall be MEMBERS of the SOCIETY and the Section and shall consist of the Chair, Chair-Elect, Second Vice-Chair, Secretary, and Treasurer.

Section 2. The Executive Committee shall be the governing body of the Section and as such, shall have full power to conduct, manage, and direct the business and affairs of the Section in accordance with the Constitution and Bylaws of the SOCIETY and these bylaws. The Executive Committee shall consist of the officers of the Section, the Immediate Past Chair, the Councilors and Alternate Councilors, three Trustees, and as nonvoting members, the chairs of the standing committees. The Executive Committee shall meet at least once a year. The Board of Trustees, as mentioned elsewhere in these bylaws, shall consist of three Trustees.

Section 3. The duties of the officers shall be such as usually pertain to their offices, together with those required by these bylaws, by the Constitution and Bylaws of the SOCIETY, and such other duties as may be assigned to them from time to time by the Executive Committee.

- a. The duties of the Chair shall be to preside at meetings of the Executive Committee, to carry into effect the decisions and recommendations of that Committee, to preside at business meetings of the Section, to appoint all committee chairs and committee members, and to carry out the duties required by the Constitution and Bylaws of the SOCIETY. In the absence of the Chair, the duties of the office shall devolve upon the Chair-Elect.
- b. The duties of the Second Vice-Chair shall be long-range planning and such other duties as may be assigned by the Chair of the Section.
- c. The duties of the Secretary shall be to keep a record of the minutes of the meetings of the Section and of the Executive Committee, to maintain a list of members and affiliates, to send to members and affiliates such notices as the business of the Section may require, to submit a report to the Section at its annual meeting, and to carry out the duties required by the

Constitution and Bylaws of the SOCIETY and elsewhere in these bylaws. The term of office shall be for one year; reelection is permissible.

- d. The Treasurer shall have charge of the funds of the Section other than those pertaining to the Trust Fund, keep an accurate record of all receipts and disbursements, except those to the Trust Fund, receive dues, and make those disbursements approved by the Executive Committee. The Treasurer shall render an account of all transactions and of the financial condition of the Section to the Executive Committee at times set by the Committee, and shall submit such reports as are required by the Constitution and Bylaws of the SOCIETY. The term of office shall be for one year; reelection is permissible. The Immediate Past Treasurer shall make a financial report of the receipts, expenditures, and balance of general funds during the preceding fiscal year to the Section at the regular meeting in March.

#### Section 4. Vacancies

- a. In the event of a vacancy in the office of Chair, the Chair-Elect shall assume the duties of Chair for the remainder of the term.
- b. All other vacancies shall be filled by majority vote of the Executive Committee through interim appointments for the period up to the next annual election. At that time, the procedures for election as outlined in the bylaws of the Section shall be followed.
- c. An interim appointee to the vacated office of Chair-Elect shall not automatically succeed to the office of Chair. At the next election, both a Chair and a Chair-Elect shall be elected.

#### Section 5. Councilors, Alternate Councilors, and Temporary Substitute Councilors

- a. The Section shall have Councilors and Alternate Councilors as provided in the Constitution and Bylaws of the SOCIETY. The Section's Councilor(s) and Alternate Councilor(s) shall carry out those duties assigned to them by the Constitution and Bylaws of the SOCIETY.
- b. Councilors and Alternate Councilors shall be elected from the MEMBERS for three-year terms beginning January 1. Reelection is permissible. Councilors shall be elected in separate years, whenever possible, to provide for a rotation of terms in accordance with the Constitution of the SOCIETY.
- c. In the event that a Councilor is unable to attend a specified meeting of the Council of the SOCIETY, the Chair of the Section shall appoint one of the Alternate Councilors to serve as Councilor at the specified meeting. Such appointment of an Alternate Councilor shall be for only one meeting.
- d. If every Councilor and Alternate Councilor of the Section will be absent from a Council meeting, thus leaving the Section without representation at such meeting, the Executive Committee may designate one MEMBER of the Section as a Temporary Substitute Councilor in accordance with the Bylaws of the SOCIETY.
- e. The Executive Committee shall designate any Councilors to be disqualified under SOCIETY Bylaw provisions for reallocation of Councilors among the Local Sections.

- f. Any vacancy in the position of Councilor or Alternate Councilor shall be filled for the remainder of the unexpired term in a predetermined order of succession from among Alternate Councilors and/or unsuccessful candidates for these positions in the following manner: the order shall be filled first by an Alternate Councilor who has served the longest, then second from among the unsuccessful candidates for Councilor, by majority vote of the Executive Committee, if necessary. If an Alternate Councilor position becomes vacant, it shall be filled by majority vote of the Executive Committee, but only until the next annual election.

## **BYLAW VI**

### **Manner of Election and Terms of Office**

Section 1. Elected officers of the Section, other than the Trustees, shall serve for a term of one year beginning on January 1 or until their successors are elected. At the end of the Chair-Elect's term of office, the Chair-Elect shall succeed to the office of Chair. Officers, Councilors, Alternate Councilors, and Trustees shall be elected by a ballot of those eligible to vote.

Section 2. The Immediate Past Chair shall serve as Chair of the Nominating and Election Committee and shall appoint at least four other members to this committee. At the regular meeting in May, the Chair of the Section or Chair of the Nominating and Election Committee shall announce the members of the committee. This committee shall nominate at least one Section MEMBER for each of the positions to be filled. The election process must allow for a write-in candidate. Write-in candidates must be MEMBERS of the Section in order to assume office.

Section 3. The Executive Committee shall advise the Nominating and Election Committee particularly on the nominees for Councilor and Alternate Councilor.

Section 4. In September of each year, the Nominating and Election Committee shall report to the membership its nominations for each office to be filled. Prior to October 15, any member of the Section may, in writing or from the floor at a meeting, nominate additional candidates for office, if the nomination is seconded by another member. Nominations so made shall be equally valid as those from the Nominating and Election Committee. All candidates nominated shall have indicated willingness to serve if elected.

Section 5. Members of the Board of Trustees shall serve for a term of three years, one elected each year, whenever possible, to provide for rotation of terms. The Trustee with the most seniority shall be the Chair of the Board of Trustees.

Section 6. The candidates for each office shall be listed in an order to be selected by lot on a ballot to be distributed to each member of the Section by October 21. A paper ballot will be mailed to any member who requests it.

Section 7. The ballots shall be tabulated and validated not later than November 15. The candidate for each office receiving the largest number of votes shall be declared elected. In case of a tie vote, the Executive Committee, by ballot, shall elect from among the candidates who share the tie vote; the candidate receiving the largest number of votes shall be declared elected.

The results shall be announced by the Section Chair as soon as possible after the election, and also published in the Section's newsletter and/or on the Section's website soon thereafter. The results shall be certified to the Executive Director of the SOCIETY not later than December 1 in accordance with the Bylaws of the SOCIETY.

Section 8. In accordance with the SOCIETY's Bylaws, balloting procedures should ensure fair balloting that is open to all eligible members, protection against fraudulent balloting, and the timely reporting and archiving of balloting results.

## **BYLAW VII**

### **Recall of Elected Officials**

Section 1. The elected officials of the Section (officers and elected Executive Committee members) are subject to recall for neglect of duties or conduct injurious to the SOCIETY. Recall procedures are not applicable to Councilors and Alternate Councilors.

Section 2. The recall of an official shall be initiated when a signed petition, indicating in writing the specific charges and reasonable substantiating evidence is submitted to the Chair from at least five members of the Section. In the event the Chair is the official in question, the Chair-Elect shall receive the petition and shall assume the duties of the Chair with respect to this issue until the issue is resolved.

Section 3. The Chair shall, without delay, determine that the petitioners are aware of the gravity of their actions and the procedures to be followed. The Chair shall seek an alternate resolution to the problem and a withdrawal of the petition at this time. In the absence of a resolution to the problem, the Chair shall notify the members of the Executive Committee and call a special meeting within thirty days.

- a. The Executive Committee shall promptly continue the recall process or dismiss the petition as ill-founded or find an alternate resolution to the problem. The Chair shall promptly inform the petitioners and the official of the decision of the Executive Committee. If no contact with the official can be made after a reasonable effort, the Executive Committee may remove the official in question with a two-thirds (2/3) vote of the remaining members.
- b. If the proceedings continue:
  - (1) The Chair shall assign the duties of the official to another qualified MEMBER of the Section until the issue is resolved.
  - (2) The official shall be offered an opportunity to answer the allegations in the petition before the Executive Committee. A certified letter shall be sent to the last known address on the official SOCIETY membership roll. Upon notification, the official shall have thirty days to make a written response to the allegations.
  - (3) The Executive Committee shall decide whether or not to proceed after studying the official's response. The Chair shall inform the official and the petitioners of the decision of the Executive Committee. If the Executive Committee decides that the proceedings shall continue, the official shall choose one of the following options:

- (a) The official may resign.
- (b) The official may request a recall vote. Section members shall be informed, through brief written statements prepared by the Executive Committee and the official, of the issues involved with the recall vote. Both statements shall be distributed to the members before the vote is conducted by ballot. A paper ballot will be mailed to any member who requests it. At least two-thirds (2/3) of votes cast shall be required for the official to be removed from office. The membership shall be informed of the results of the recall vote.
- (c) The official may request a hearing and a recall vote by the remaining members of the Executive Committee. A two-thirds (2/3) vote of the remaining members of the Executive Committee shall be required to recall the official.
- (d) The official may choose not to respond and thus forfeit the position.

Section 4. The vacancy provisions of these bylaws shall be used to fill a vacancy caused by a recall process. The Executive Director of the SOCIETY shall be informed of the recall and the filling of the vacancy.

### **BYLAW VIII Committees**

Section 1. The Executive Committee shall establish committees as necessary for the proper operation of the Section.

Section 2. The Section shall have the following standing committees: Auditing, Awards, Nominating and Election.

Section 5. The Auditing Committee shall consist of three MEMBERS, with a term of office of three years, except that a partial term of one or two years shall be used whenever necessary to establish or to restore rotation of three-year terms. The committee member with the most seniority shall be Chair of this committee.

### **BYLAW IX Meetings**

Section 1. The Section shall hold regular meetings at places and times designated by the Chair in consultation with the Executive Committee. The Executive Committee shall designate one of the regular meetings of the Section as the annual meeting.

Section 2. The Section may have special business meetings upon the written request of a majority of the Executive Committee or upon the written request of 25 members of the Section. Such request shall be received by the Secretary at least ten days before the date requested for the meeting and shall state the exact nature of the business intended to be transacted. No other business shall transpire at such meetings. Special meetings of the Section may be held by means of electronic communications

technology that permits those in attendance to read or hear the proceedings substantially concurrently with their occurrence, to vote on matters submitted, to pose questions, and to make comments.

Section 3. Due notice of all meetings shall be sent to each member and affiliate of the Section. A quorum for the transaction of business at a Section meeting shall consist of 25 members of the Section. No business shall be conducted in the absence of a quorum.

Section 4. The Chair shall set the order of business for regular meetings of the Section. The order of business may be suspended by a majority vote of the members present at any regular meeting.

Section 5. Meetings of the Executive Committee shall be called by the Chair. Six members of the Executive Committee shall constitute a quorum for a meeting of the Executive Committee. Two members of the Board of Trustees shall constitute a quorum for a meeting of the Board of Trustees.

Section 6. The most recent edition of *Robert's Rules of Order, Newly Revised* shall be the parliamentary authority for all matters not covered in these bylaws or in the SOCIETY's documents.

## **BYLAW X**

### **Finances**

Section 1.

- a. Members of the Section may be assessed voluntary Local Section dues in an amount set by the Executive Committee. The Executive Committee shall have the option to waive or discount dues for STUDENT MEMBERS and for others as provided in the SOCIETY's Bylaws for waived or discounted dues.
- b. Society Affiliates may be assessed annual Local Section dues in an amount set by the Executive Committee.

Section 2. The annual dues of Local Section Affiliates shall be determined by the Executive Committee in accordance with the Constitution and Bylaws of the SOCIETY, and as mentioned elsewhere in these bylaws.

Section 3. The Section may raise or collect funds to be expended for local purposes, and may have the entire management and control of such funds insofar as such management and control shall not conflict with any provision of these bylaws or with the Constitution or Bylaws of the SOCIETY.

Section 4. The Section may receive donations or bequests made to it, and may expend or invest the same on behalf of the Section. Such expenditures or investments shall be made by the Treasurer of the Section upon authorization by the Executive Committee.

Section 5. The Executive Committee shall be empowered to authorize expenditures from general funds of the Section. Any single non-budgeted expenditure of more than one percent of the original approved yearly budget must be presented to the Executive Committee for discussion, and may only be made after approval by a majority vote of the members of the Executive Committee present at a regular meeting of that Committee.

Section 6. The fiscal year shall begin on January 1.

Section 7. An annual audit of the accounts of the Treasurer and of the Board of Trustees shall be conducted by the Auditing Committee at the end of the fiscal year. The audit report shall be submitted to the Executive Committee by January 31.

#### Section 8. Trust Fund

- a. The Board of Trustees shall organize at their first meeting after January 1. The longest standing Trustee shall be Chair of the Board of Trustees and shall keep the records and accounts of the funds in custody of the Board of Trustees. The Chair of the Board of Trustees shall receive all monies for the Trust Fund(s) and shall immediately deposit the same in a manner approved by a majority vote of the Board of Trustees.
- b. The Trust Fund(s) is hereby designated as the official repository for gifts and unsolicited contributions to the Section and any income derived therefrom. The Board of Trustees shall honor any special designation of funds made by a donor. The Board of Trustees shall be the custodian of the Trust Fund(s), and shall manage this money using standard investment and financial practices.
- c. The Board of Trustees shall determine the amount of money that will be used from the Trust Fund for Section purposes upon request from the Executive Committee.
- d. In the withdrawal or transfer of trust funds, the approval of two members of the Board of Trustees shall be required to make the same valid.
- e. The Board of Trustees shall be permitted to expend the Trust Fund(s) monies for necessary incidental expenses with the approval of the Executive Committee.
- f. At the February or March meeting, the Immediate Past Chair of the Board of Trustees shall render an account of all transactions involving the Trust Fund(s) for the preceding year. The accounts of the Board of Trustees shall be audited at the end of the fiscal year by the Auditing Committee. The audit report shall be submitted to the Executive Committee by January 31.

### **BYLAW XI**

#### **Awards**

Section 1. An Awards Committee of at least three Section MEMBERS shall be administrators of the following awards:

- a. The Cincinnati Chemist of the Year Award established by the Section in 1950 shall be given annually. It is the duty of the administrators to solicit for nominees each year in the Section's newsletter and/or other media as appropriate. Each nomination shall consist of a resume and nominating letter. Seconding letters of nomination are also required. The recipient of the award is selected by the Awards Committee in conjunction with the Chair of the Section and



must be a MEMBER of the Section. The award is presented to the recipient at a regular meeting of the Section.

- b. The Cincinnati Research Assistant/Chemical Technician of the Year Award established by the Section in 1989 shall be given annually unless no suitable nominations are obtained. It is the duty of the administrators to solicit nominees each year in the Section's newsletter and/or other media as appropriate. Each nomination shall consist of a resume and nominating letter. Seconding letters of nomination are also required. The recipient of the award is selected by the Awards Committee in conjunction with the Chair of the Section and must be employed within the territory of the Section. The award is presented to the recipient at a regular meeting of the Section.
- c. The Award for Service to the Cincinnati Section established by the Section in 1997 shall be given annually unless no suitable nominations are obtained. It is the duty of the administrators to solicit nominees each year in an issue of the Section's monthly newsletter. Each nomination shall consist of a letter of nomination and a seconding letter of nomination. The recipient of the award is selected by the Awards Committee in conjunction with the Chair of the Section. The award is presented to the recipient at a regular meeting of the Section.
- d. Excellence in Teaching Awards. The High School Chemistry Teacher of the Year shall be awarded to honor excellence in teaching chemistry at this level. The Middle School/Junior High School Teacher of the Year shall be awarded to honor excellence in teaching science at this level. The Elementary School Teacher of the Year shall be awarded to honor excellence in teaching science at this level. While the intent is to honor teachers annually, it is not strictly required. It is the duty of the administrators to solicit nominees each year in the Section's newsletter and/or media as appropriate. All three awards shall recognize teaching ability, enthusiasm, mentoring skills, and other leadership activities. Nominees need not be members of the SOCIETY. Anyone teaching in these capacities within the territory of the Section is eligible. Each nomination shall consist of a resume and nominating letter. Seconding letters of nomination from supervisors and students are desired but not required. The awards are presented to the recipients at a regular meeting of the Section.

Section 2. The Joint Cincinnati Section/University of Cincinnati Oesper Award was established in 1981 to honor a chemist of International renown. The recipient is selected by the University of Cincinnati's Department of Chemistry. The award, which consists of a framed certificate and a cash donation to the recipient's university of choice, is presented to the recipient at a regular meeting of the Section. The amount of the cash donation is specified in the Section's annual operating budget, which requires approval by the voting members of the Board of Directors.

Section 3. The Ralph E. Oesper Student Chemistry Awards presented to worthy high school chemistry students, honor and recognize Professor Oesper's long and distinguished career as a teacher, scientist, scholar, historian, and member of the Section.

The budget for the program, including award amounts, will be proposed by the committee chair at the first Board or Executive Committee meeting of the year and subject to approval by the voting members of the Board of Directors. It is the duty of the administrators to advise all high schools in the territory of the Section on the rules, availability of the awards, and the method of competing for them. Award recipients will be selected after February each year

awards are offered. Recipients must be residents within the territory of the Section. The winning students and their teachers will be honored at a regular meeting of the Section. Teachers of the winning students shall be given a one year subscription to an SOCIETY journal that is acceptable to the teachers and the award administrators.

## **BYLAW XII** **Amendments**

Section 1: A petition to amend the bylaws may be initiated by the Executive Committee, or by petition signed by at least **25** members of the Section. If the proposed amendment is approved by the Executive Committee, it shall be submitted to the SOCIETY's Committee on Constitution and Bylaws for review. After any required changes are incorporated, and any recommended changes reviewed and accepted or rejected by the Executive Committee or a majority of the petitioners, the Secretary shall, as soon as practical, distribute the amendment(s) to each member of the Section with either notice of the next meeting or notice of a ballot on the amendment.

Section 2. If a proposed amendment is not approved by a majority of the Executive Committee, and if the petition is signed by at least 25 members of the Section, it shall be submitted to the SOCIETY's Committee on Constitution and Bylaws for review before being distributed to the members of the Section. After any required changes are incorporated, and any recommended changes reviewed and accepted or rejected by a majority of the petitioners, the Secretary shall, as soon as practical, distribute the amendment(s) to each member of the Section with either notice of the next meeting or notice of a ballot on the amendment.

Section 3. At least two-thirds (2/3) of votes cast shall be required to approve the amendment.

Section 4. The Secretary shall distribute the outcome of the vote regarding the amendment(s) to the Section members and within one month, shall meet all requirements for submitting the results to the Committee on Constitution and Bylaws.

Section 5. Amendments to these bylaws, after adoption by the Section, shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council of the SOCIETY, unless a later date is specified.

## **BYLAW XIII** **Dissolution**

Upon the dissolution of the Section, any assets of the Section remaining thereafter shall be conveyed to such organization then existent, within or without the territory of the Local Section, as is dedicated to the perpetuation of objects similar to those of the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY, so long as whichever organization is selected by the governing body of the Local Section at the time of dissolution shall be exempt under Section 501(c)(3) of the Internal Revenue Code of 1954 as amended or under such successor provision of the Code as may be in effect at the time of the Section's dissolution.