



***BYLAWS OF THE
PENN-OHIO BORDER SECTION
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

The name of this organization shall be the Penn-Ohio Border 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 of the Section shall be to further all activities in chemistry; to develop social relations among those interested in chemistry; to promote the general welfare of the members of the Section; to cooperate with the parent SOCIETY and with local and general technical associations, groups, and societies; to advance chemistry as a science, chemistry as a profession, applied chemistry, and chemical education; and to disseminate information appertaining to the above objects.

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.

***Effective January 20, 2015.** Approved, as amended by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY. (C&B: bylaws@acs.org; www.acs.org/bulletin5)

BYLAW IV
Members and Affiliates

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

Section 2. Local Section Affiliates. The Section may have Local Section Affiliates as authorized in the Constitution and Bylaws of the SOCIETY. Persons who are not members of the SOCIETY may become Local Section Affiliates upon approval of the Executive Committee and upon payment of annual dues of an amount to be set by the Executive Committee in accordance with 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 dues of not less than two dollars (\$2.00) per annum. Dues for Local Section Affiliates shall not be less than the dues of members of the Section.

Section 3. Rights and Privileges

- a. Members and affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY.
- b. A STUDENT MEMBER is entitled to all rights and privileges of membership except serving as Councilor, Alternate Councilor, or Temporary Substitute Councilor. A STUDENT MEMBER may hold an elective position of the Section, other than Councilor or Alternate Councilor.
- c. 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.

BYLAW V
Officers, Executive Committee, and Councilors

Section 1. Officers. The officers of the Section shall be members of the SOCIETY and the Section and shall consist of the Chair, Chair-Elect, Secretary, and Treasurer. The Secretary and Treasurer positions may be held by the same person.

Section 2. Executive Committee. 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, the Alternate Councilors, and three elected Members-at-Large. The Executive Committee shall meet upon due notice either at the call of the Chair or upon request of a majority of its members. A quorum for an Executive Committee meeting shall consist of a majority of the members of the Committee.

Section 3. Officers. The duties of the officers shall such as usually pertain to their offices, together with those required by these bylaws and 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 serve as Chair of the Executive Committee, to preside at business meetings of the Section, and with the exception of the Executive Committee, Program Committee, and Nominating Committee, to appoint the chair and members of all committees authorized in these bylaws and by the Executive Committee, and to serve as an *ex officio* nonvoting member of these committees. The Chair shall carry out the duties required by the Constitution and Bylaws of the SOCIETY.
- b. The Chair-Elect of the Section shall serve as Chair of the Program Committee and the Nominating Committee. In the absence of the Chair, the duties of the office shall devolve upon the Chair-Elect. The term of office shall be one year, after which time the Chair-Elect shall succeed to the Chair.
- c. The Secretary shall keep a record of the minutes of the meetings of the Section and of the Executive Committee; maintain a list of members and affiliates; send to members and affiliates such notices as the business of the Section may require; and carry out the duties required by the Constitution and Bylaws of the SOCIETY and elsewhere in these bylaws.
- d. The Treasurer shall have charge of the funds of the Section, keep an accurate record of all receipts and disbursements, 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.

Section 4. Vacancies

- a. In the event of a vacancy in the office of Chair, the Chair-Elect shall assume the added duties of the Chair for the remainder of the term.
- b. All other vacancies shall be filled by majority vote of the Executive Committee through interim appointment of a member for the period up to the next 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 Councilors and Alternate Councilors 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 a term of three years 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. This election will be as soon as practical after the April meeting immediately preceding the expiration of the incumbents' terms. A list of candidates shall be provided by the Nominating Committee in the notice of the April meeting, and other candidates may be nominated from the floor at the meeting or by petition of five members.

- c. Councilors and Alternate Councilors shall be elected by a ballot distributed to the members of the Section in accordance with the Bylaws of the SOCIETY.
- d. 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.
- e. 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.
- f. The Executive Committee shall designate any Councilors to be disqualified under SOCIETY Bylaw provisions for reallocation of Councilors among the Sections.
- g. Any vacancy in the position of Councilor or Alternate Councilor shall be filled for the remainder of the unexpired term at the time of the next annual election. The vacancy may be filled until the next annual election by appointment by the Executive Committee.

BYLAW VI
Manner of Election and Terms of Office

Section 1. Officers and Members-at-Large of the Executive Committee

- a. Officers and Members-at-Large of the Executive Committee shall be elected at a fall meeting or as soon thereafter as practical, immediately preceding the expiration of the incumbents' terms. A list of candidates willing to serve shall be provided by the Nominating Committee in the notice of that fall meeting, and other candidates may be nominated from the floor at this meeting. Election to office shall be by a majority of the members present.
- b. Alternatively, or in the absence of a quorum at the meeting during which the vote is scheduled, or at the discretion of the Executive Committee, in accordance with the Bylaws of the SOCIETY, a ballot distributed to all Section members may be used. If electronic balloting is used, a paper ballot shall be mailed upon request to any member who requests it. A deadline date, at least three weeks after distribution of the ballots, shall be specified for return of the ballots to the Secretary or other designated officer of the Section. Election to office shall be by a majority of the valid ballots returned.
- c. Elections shall be completed and the results certified to the Executive Director of the SOCIETY by December 1, as required by the Bylaws of the SOCIETY.

Section 3.

- a. The Secretary, or other designated member of the Section, shall prepare an election ballot on which shall appear the names, in order chosen by lot, of all candidates willing to serve.
- b. A period of at least three weeks must be provided between the date of distribution of the ballots to the members and the deadline for their return to the Secretary or other designated officer of the Section.

- c. The Chair shall appoint as Tellers two members who are not candidates for office.
- d. The Secretary, or other designated officer of the Section, shall validate returned ballots in accordance with the Bylaws of the SOCIETY and convey the ballots and/or ballot results to the Tellers.
- e. The Tellers shall tabulate and validate the ballots. Ballots that violate specified voting procedures shall be rejected in whole or in part, depending on the extent of the violation(s). The vote tally, including the number of rejected ballots, shall be reported to the Chair, who shall inform all candidates and members of the results. Election to office will be by simple plurality, and in the case of a tie vote for any Councilor or Alternate Councilor opening, the Executive Committee shall make the final selection from the tied candidates.
- f. The Secretary shall retain all ballots or ballot results for at least ninety days after the announcement of results to the membership or until any disputes have been resolved, whichever is later.
- g. 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.

Section 4. Terms of Office

- a. The Chair and Chair-Elect shall serve for a term of one year beginning January 1 or until their successors qualify. The Chair-Elect shall succeed to the office of Chair upon completion of the Chair's term of office.
- b. The Secretary and the Treasurer shall serve for a term of two years beginning January 1 of each odd-numbered year or until their successors qualify.
- c. The Members-at-Large of the Executive Committee shall serve for a term of two years beginning on January 1 of each even-numbered year or until their successors qualify.

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 with the 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. At least 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. Standing and Ad Hoc. There shall be the following standing committees: Membership, Program, Public Relations, Nominating, and Archives. Except for the Nominating Committee, the duties of these committees and of ad hoc committees shall be such as assigned by the Executive Committee.

Section 2. Nominating. The Nominating Committee shall consist of the Chair-Elect and two other members. These two members shall be appointed by the Executive Committee.

BYLAW IX Meetings

Section 1. Regular Meetings. The Section shall hold not fewer than four regular meetings each year at places, times, and intervals designed by the Executive Committee, with meetings in April and the fall for election purposes. The Executive Committee shall designate one of the regular meetings of the Section as the annual meeting.

Section 2. Special Meetings. The Section may hold special meetings at the call of the Executive Committee or at the request of 10 members of the Section. The notices of special meetings shall state the exact nature of the business to be transacted and no other business shall transpire at such meetings.

Section 3. Notice and Quorum. Due notice of all Section meetings shall be sent to each member and affiliate. A quorum for the transaction of business at a Section meeting shall consist of 10 members of the Section. No business shall be conducted in the absence of a quorum.

Section 4. Order of Business. At the regular meetings of the Section, the order of business shall be as follows:

- a. Call to order.
- b. Approval of minutes.
- c. Reports of officers and committees.
- d. Old business.
- e. New business.
- f. Adjournment.

The foregoing order of business may be suspended by a majority of the members present at a regular meeting.

Section 5. Parliamentary Authority. 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 dues in an amount set by the Executive Committee.
- c. 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 2. An annual audit shall be conducted by two or more disinterested members, appointed by an officer with no authority to disburse funds. The audit report shall be submitted to the Executive Committee by January 31.

BYLAW XI Amendments

Section 1: A petition to amend the bylaws may be initiated by the Executive Committee, or by petition signed by at least 15 members of the Section. If the proposed amendment is approved by the Executive Committee, it shall, if practical, 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 15 members of the Section, it shall if practical, 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 XII Dissolution of the Section

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.