

**FOR INFORMATION ONLY**

**WITHDRAWN**

**O R I G I N A L**

**Petition on Membership and Dues**

**Bylaw I, Sec. 3, b**  
**Bylaw II, Sec. 3, a - c**  
**Bylaw XIII, Sec. 3 a, d – l**

**Petition**

We, the undersigned Councilors and members of the American Chemical Society, hereby petition to amend the SOCIETY Bylaws as follows (additions **underlined**; deletions ~~struck through~~):

**BYLAW I**  
**Membership**

...

**Sec. 3**

...

b. The Council Committee on Membership Affairs may approve for STUDENT MEMBER a person who is actively working toward an undergraduate degree in a chemical science or in a related field of natural science, engineering, technology, or science education from an appropriately accredited educational institution, or one acceptable to the Council Committee on Membership Affairs. A STUDENT MEMBER may retain such status only as long as that person is actively working toward such a degree. A STUDENT MEMBER who no longer meets the requirements for STUDENT MEMBER but does meet the requirements for MEMBER shall be reclassified no later than the beginning of the following membership year. (6/11/10)

~~A STUDENT MEMBER shall be entitled to all privileges of membership except that of holding an elective position of the SOCIETY, its Local Sections, or its Divisions, and the privilege of serving as Temporary Substitute Councilor; however, if the bylaws of the Local Section or Division so permit, a STUDENT MEMBER may hold an elective position of the Local Section or Division, other than Councilor or Alternate Councilor. (6/30/09)~~

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**Sec. 6.**

**a. Ten members or five voting Councilors may submit amendment(s) to the dues and benefits of membership to the Council Committee on Membership Affairs by written petition, with at least five weeks prior notice to the committee's next official meeting. The**

**Council Committee on Membership Affairs shall consider the proposed amendment(s) at an official meeting and may approve by a majority affirmative vote. After the meeting, the committee shall include the amendment(s) in the next release of the dues and benefits of membership.**

**b. If the amendment(s) are not approved by the Council Committee on Membership Affairs, the decision may be appealed to the Council Policy Committee by written petition of 25 voting Councilors at least eight weeks prior to the next Council meeting. The Council Policy Committee shall consider the proposed amendment(s) at an official meeting and may approve by a majority affirmative vote. If approved, after the meeting, the Council Policy Committee will mandate that the Council Committee on Membership Affairs include the amendment(s) in the next release of the dues and benefits of membership.**

**c. If the Council Policy Committee does not approve the amendment(s), an appeal may be brought to the Council floor for action if at least three-tenths (3/10) of voting Councilors agree to its consideration. The Council shall consider the proposed amendment(s) at an official meeting and may approve by a majority affirmative vote. If approved, after the meeting the Council will mandate that the Council Committee on Membership Affairs include the amendment(s) in the next release of the dues and benefits of membership.**

## **BYLAW II**

### **Affiliates and Associates**

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#### **Sec. 3.**

a. A person who is not eligible to be a member of the SOCIETY may become a Society Affiliate of the SOCIETY, hereinafter referred to as a "Society Affiliate," subject to the following conditions and limitations: (6/30/09)

(1) Such affiliation may be accorded by the Council Committee on Membership Affairs of the SOCIETY after application and recommendation by signature of two members of the SOCIETY in good standing. (6/11/10)

~~(2) A Society Affiliate shall retain affiliate status only so long as payment is made of Society Affiliate dues, which shall be equal to the full membership dues. A Society Affiliate shall not be eligible for any of the special dues categories specified elsewhere in these Bylaws. (3/24/09)~~

~~b. Society Affiliates shall have the following privileges: (11/2/02)~~

~~(1) Society Affiliates shall receive the official organ of the SOCIETY and may subscribe to SOCIETY publications at the same rates as members. (11/2/02)~~

~~(2) Society Affiliates shall be allowed to register and attend meetings (including regional meetings) of the SOCIETY at the same rates as members, and they shall be allowed to use all educational services of the SOCIETY at the same rates as members. (11/2/02)~~

~~(3) Society Affiliates shall be assigned to an appropriate Local Section in the same manner as members as provided in the Constitution and elsewhere in these Bylaws. Society Affiliates may be assessed Local Section dues in the amount specified for Society Affiliates by the bylaws of that~~

~~Section. In Local Sections, Society Affiliates may be appointed as Committee Chairs, if allowed by the Local Section bylaws, but may not hold an elective position of the Local Section, vote on Articles of Incorporation and bylaws of the Local Section, or serve as a voting member of its Executive Committee or equivalent policymaking body. In their bylaws, Local Sections may either provide or withhold the privilege of voting by Society Affiliates for an elective position (other than Councilor or Alternate Councilor) of the Local Section. (6/1/17)~~

~~(4) Society Affiliates may become Society Affiliates of any Division unless specifically prohibited by the bylaws of the Division and shall be subject to such dues as are specified by the bylaws of that Division for Society Affiliates. In Divisions, Society Affiliates may be appointed as Committee Chairs, if allowed by the bylaws of the Division, but may not hold an elective position of the Division, vote on Articles of Incorporation and bylaws of the Division, or serve as a voting member of its Executive Committee or equivalent policymaking body. In their bylaws, Divisions may either provide or withhold the privilege of voting by Society Affiliates for an elective position (other than Councilor or Alternate Councilor) of the Division. (6/1/17)~~

~~e. Society Affiliates shall have no vote in the national affairs of the SOCIETY and shall not be eligible for any elective office in the SOCIETY. Society Affiliates shall be entitled to those privileges of the SOCIETY which are herein specified. (11/2/02)~~

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## **BYLAW XIII**

### **Finances**

...

#### **Sec. 3.**

~~a. For 1986 the base rate upon which membership dues shall be calculated shall be \$69. For each succeeding year the base rate shall be the dues established for the previous year. For 1986 and each succeeding year, an amount shall be calculated by multiplying the base rate by a factor which is the ratio of the revised Consumer Price Index for Urban Wage Earners and Clerical Workers (Service Category) for the second year previous to the dues year to the value of the index for the third year previous to the dues year, as published by the United States Department of Labor, with fractional dollar amounts rounded to the nearest whole dollar. At its spring meeting, the Council may set the dues **and benefits of membership** for the succeeding year at that calculated amount or at the amount of the previous year's dues or at some intermediate whole dollar amount **using procedures and policies developed by the Council Committee on Membership Affairs and approved by the Council. The dues and benefits of membership as presented by the Committee on Membership Affairs in consultation with the Committee on Budget and Finance shall be voted on by Council without modification.** Should the Council not act, the **dues and benefits of membership shall default to the last approved version.** dues shall become the rounded calculated amount. The **dues and benefits of** membership dues so determined shall be announced to the membership by the Treasurer of the SOCIETY in the official organ of the SOCIETY six months before the effective date of each change. Members not requesting any of the discounts provided elsewhere in these Bylaws may elect a dues period of one year, two years, or three years. The dues rate for two year or three year periods shall be two times or three times, respectively, the full annual dues rate established for the first year of the period. (9/15/09)~~

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~~d. A member of the SOCIETY who has accumulated at least thirty-five years of paid membership, who is retired from full-time professional employment, and is over seventy years of~~

~~age, is eligible for emeritus status and upon request shall be given such status upon certification by the Executive Director. Such a member shall pay no membership dues, may receive upon annual request the official organ of the SOCIETY, and shall have all the privileges of membership that were held at the time of certification to emeritus status. (6/30/09)~~

~~All members who, prior to January 1, 1986, had accumulated thirty-five years of paid membership are eligible for emeritus status upon retirement from full-time professional employment or at seventy years of age. Such status shall be given following request by the member and certification by the Executive Director. (12/11/88)~~

~~e.—A member who becomes totally disabled may be granted a dues waiver. To be eligible for a waiver, the member must have paid dues for at least ten years, have been disabled for at least one year, and furnish proof of the disability. The request for a waiver shall be made to the Executive Director annually upon receipt of the dues statement. The Committee on Membership Affairs, acting for the Council, shall resolve any member's appeal from adverse action on such a request. (5/7/76)~~

~~f.—A person graduating with a bachelor's degree in a chemical science or in a related field of natural science, engineering, technology, or science education from an appropriately accredited educational institution, or one acceptable to the Committee on Membership Affairs, may apply for MEMBER status, by reclassification from STUDENT MEMBER or otherwise, and receive a half-year waiver of membership dues to begin at any time up to one year from the date of graduation. (6/11/10)~~

~~g.—A member who has accumulated at least thirty years of paid membership and is retired from full-time professional employment shall, upon request to the Executive Director and affirmation of such status, be entitled to a discount of one-half the membership dues for each year beginning on the member's anniversary date, and shall receive the official organ of the SOCIETY upon annual request. (10/4/99)~~

~~All members who, prior to January 1, 1986, had accumulated at least twenty-five years of paid membership shall be entitled to this privilege upon retirement from full-time professional employment. (9/21/90)~~

~~h.—A member who is serving actively in the Armed Forces of the United States of America or in another area of national service on temporary full-time duty of not less than one year nor more than four years may, upon request to the Executive Director with affirmation of such status, be entitled to a discount of one-half of the membership dues for each year of such service beginning on the member's anniversary date. (10/4/99)~~

~~i.—Student Discounts~~

~~(1) A STUDENT MEMBER, upon affirmation to the Executive Director of qualification for such status, shall be entitled to a discount of five-sixths of the membership dues. The dues so determined shall be rounded to the nearest whole dollar amount. A STUDENT MEMBER shall receive electronic access to the official organ of the SOCIETY. A STUDENT MEMBER wishing to receive a printed copy of the official organ shall pay an additional sum equal to one-half of the calculated per member amount of the allocation to the official organ described elsewhere in this Bylaw, rounded to the nearest whole dollar amount. (6/30/09)~~

~~(2) A member who is a graduate student majoring in a chemical science or in a related field of natural science, engineering, technology, or science education at an appropriately accredited educational institution, shall be entitled to a discount of one half of the membership dues so long as the student is doing full time graduate work. "Full time" is to represent any combination of course work, research work, and teaching that the institution considers a full time load. (6/30/09)~~

~~The Committee on Membership Affairs shall have the power to interpret and apply these requirements, with the advice of the Society Committee on Education. (6/11/10)~~

~~j. Upon request from a member who is the spouse of a member, one of the two, with affirmation of their status to the Executive Director, shall be entitled to a reduction in membership dues equal to the prior year's per member allocation from dues revenue for the official organ of the SOCIETY in lieu of one subscription. (9/24/93)~~

~~k. After one year of paid membership, a member who is unemployed and is seeking full-time professional employment, upon request to the Executive Director and affirmation of such status, shall be entitled to an annual waiver of membership dues. Such annual waiver shall commence on the member's anniversary date and may be renewed each year for a total not to exceed three years so long as this status is reaffirmed each year. This provision may be invoked again only after a period of full time professional employment. (9/28/16)~~

~~l. After one year of paid membership, a member who has elected to discontinue full time professional employment because of long term obligations as a family care provider, upon request to the Executive Director and affirmation of such status, shall be entitled to a discount of one half of the membership dues. Such discount shall commence on the member's anniversary date and may be continued for up to an additional two years so long as this status is affirmed annually. This provision may be invoked again only after a period of fulltime professional employment. (10/4/99)~~

~~**d m.** The Committee on Membership Affairs may conduct membership recruitment and retention market testing of SOCIETY memberships, services and benefits, including special dues categories, to provide data as the basis for recommendations to the Council. The number of individuals included in any test related to dues discounts shall not exceed a number equal to 10 percent of the total membership. Each test shall be limited to three years' duration unless granted prior approval by Council. All test results will be reported to the Council at least once a year. (6/1/12)~~

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### Explanation

The ACS has been experiencing a decline in overall membership for more than a decade. In 2018, the Society was able to halt the decline and grow membership, but it required a great deal of effort for a small amount of growth – an increase of approximately 400 net members. In part, that strenuous effort was due to the limitations in the governing documents, which do not provide ample means to quickly adopt and sustain successful market-tested dues and benefit offers that attract new members. We recognize that we will need more flexibility with our processes and procedures to improve ACS membership for the future.

To that end, the Committee on Membership Affairs (MAC) has worked for several years to examine how we can meet the challenge of continued and sustainable growth through market testing initiatives.

MAC continues to seek new ways to reconcile and deliver a valuable membership experience to our members by revisiting dues structures and exploring changes to provided benefits. Comments and observations offered at the Council special discussion in spring 2019 included asking the Society to be more nimble and tailored in its approach to membership. Our ability to deliver as such, and to provide members the value they seek in a professional association, has been hindered in many ways by a lack of control in both the dues setting process used for the last 30+ years and concurrently the benefits granted to our various membership types.

The partnership between MAC, the Society Committee on Budget and Finance (B&F), Council, other stakeholders, our members themselves, and staff – and the increased focus on enhancing our agility— are the keys to achieving our membership goals. The petitioners seek to amend the ACS Bylaws by moving intact sections relating to the associated benefits of membership, how dues are set, and the dues discounts available into a separate process and procedures document. MAC, with input from B&F, would use this new document to develop and manage these areas, with revisions continuing to require Council approval for implementation. The procedures would allow use of the dues escalator but give Council the flexibility to make changes (adaptations) not permitted currently.

Adopting separate processes and procedures would make it easier to produce nimble change in response to market tests and most importantly provide the Society flexibility in the dues setting process to ensure the value of ACS membership remains in line with the relevant benefits we are offering. Further, it would allow for changes around benefits for current membership categories and their pricing/discounts, with full Council discussion and approval, at a pace accelerated over what is currently permitted. Thus, the Society can conscientiously offer a more relevant approach to how benefits and dues are considered, but appropriately maintain proper oversight of the process.

The petitioners are aware of the timing of the petition with regard to the status of the recently approved Petition to Streamline the ACS Governing Documents and its pending ratification by the ACS membership in fall 2019. If ratified, the Bylaws in question would become Standing Rules, and this petition would then be out of order. The appropriate approach then would be to amend the Standing Rules to accomplish the objectives of this petition. Petitioners are prepared to proceed accordingly.

Signed:

Dr. Mary Elizabeth Anderson	Dr. Thomas R. Gilbert	Dr. J. Kenneth Poggenburg, Jr.
Dr. G. Bryan Balazs	Dr. Joseph A. Heppert	Dr. Carolyn Ribes
Dr. George M. Bodner	Dr. Alison Hyslop	Dr. Richard J. Rosso
Dr. David A. Conlon	Dr. Paul W. Jagodzinski	Dr. Barbara Sawrey
Dr. Alan B. Cooper	Dr. Neil D. Jespersen	Dr. Diane Grob Schmidt
Dr. Richard S. Danchik	Dr. Julie L. Jessop	Prof. Joseph M. Serafin
Dr. Peter K. Dorhout	Dr. Sarah J. Leibowitz	Dr. Darlene K. Slattery
Ms. Carol A. Duane	Dr. Richard Lomneth	Dr. Laura Sremaniak
Dr. Joan M. Esson	Mr. Brian M. Mathes	

(This petition has been referred to the **\*Committee on Membership Affairs**, Committees on Divisional Activities and Local Section Activities, Council Policy Committee, Society Committee on Budget and Finance, Society Committee on Education, and Committee on Constitution and Bylaws.)

**\*Committee having primary substantive responsibility**

**PRELIMINARY STATEMENT OF FINANCIAL IMPACT**

The financial implications of this petition are still being assessed. The Final Statement of Financial Impact will be available per Article XVIII, Sec. 2, d, which states in part, “The Chair of the Society Committee on Budget and Finance shall prepare a financial impact statement which also shall appear in the Council agenda when action is to be taken on the petition.”

**PRELIMINARY REPORT OF THE COMMITTEE ON CONSTITUTION AND BYLAWS**

The Committee on Constitution and Bylaws has reviewed the petition and finds it to be legal and not inconsistent with the Bylaws of the SOCIETY. The proposed Bylaw amendment accomplishes the petitioners’ intent for the Society’s Bylaws to allow flexibility and to adopt separate processes and procedures with regard to dues for the benefit of current and new members. The separate processes and procedures would need to be approved by Council.

However, earlier this year, the Board of Directors and Council approved changes to the Bylaws and the creation of Standing Rules, as proposed in the Petition to Streamline the ACS Governing Documents. There are inconsistencies between this petition and the Bylaws that were approved by Board of Directors and the Council in the Petition to Streamline the ACS Governing Documents. This fall, ACS members will vote to ratify the Constitution changes. If members approve these changes, the Petition on Membership and Dues will be withdrawn since the changes in this petition will already be covered and effective by yearend 2019.

Within thirty days after the Council meeting at which this petition is considered, comments and suggestions on the substance of the petition from opponents, committees, petitioners, and other interested members should be directed to the Chair of the Committee on Membership Affairs, which has primary substantive responsibility for the petition. Comments and suggestions may be sent to [bylaws@acs.org](mailto:bylaws@acs.org).

Dr. V. Dean Adams  
Chair