

ORIGINAL

FOR COUNCIL ACTION

Petition to Amend the Duties of the Council Policy Committee
(AMENDMENTS TO THE STANDING RULES)

Standing Rule II, Sec. 1, (b)

Petition

We, the voting members of the American Chemical Society’s Council Policy Committee hereby petition to amend the SOCIETY’s Standing Rules as follows (additions **underlined**; deletions ~~struck through~~):

STANDING RULE II
Council Executive Function

Section 1.

...

b. The duties of the Council Policy Committee shall include the following, *inter alia*:

...

(7) investigate allegations of improper election procedures in District or national elections and determine if violations have occurred; set aside the results of such an election when it finds sufficient cause; submit charges of conduct, as defined elsewhere in these Standing Rules, when it has reason to believe that significant election procedure violations have occurred;~~and~~

(8) serve as an appeals board for any member or candidate dissatisfied with an admission-related action of the Committee on Membership Affairs; ~~and-~~

(9) serve as the conduct committee for Council, with authority to address matters related to a Councilor or Alternate Councilor’s conduct that is adverse to the interests of the SOCIETY or any unit thereof. This authority includes but is not limited to the ability to remove a Councilor or Alternate Councilor from their position upon a determination of at least two-thirds (2/3) of the members of the Council Policy Committee that such action is warranted, provided that a Councilor or Alternate Councilor is sent electronic and written notice of the committee’s intention and has an opportunity to be heard and seek reconsideration by the committee prior to such action taking effect.

Explanation

Councilors are national officers but are elected at the unit level by either local sections or divisions. The bylaws of many of these units explicitly state that their officers may be removed – except for Councilors, presumably due to their “national” nature. However, Council has no removal (or disciplinary) provisions for Councilors. The Board of Directors has approved the volunteer and meeting attendee conduct policy, which could lead to the removal of officers, but Council has not; furthermore, Council lacks explicit authority or procedures to discipline (or remove) Councilors,

Petition to Amend the Duties of the Council Policy Committee

should that be warranted. The governing documents have provisions for expelling a member, but those provisions are a fairly drastic option and, as a result, have rarely, if ever, been invoked. This proposed Standing Rule amendment would make the Council Policy Committee (CPC), which is in effect the Executive Committee of the Council, the conduct/disciplinary committee for the Council. This mirrors the recent Board of Directors' action making a subset of its Executive Committee the disciplinary committee for the Board. Good governance practices support a means to hold elected representatives accountable, and while we expect (and hope) that they would be infrequently used, their existence is vital to ensuring respectful and appropriate conduct on the part of those representatives. As part of the conduct review process, CPC would ensure that anyone accused of misconduct would have an opportunity to be heard. Additionally, CPC has adopted procedures that will govern the conduct review process should this petition be adopted by Council and the Board.