

Status: At the Oct 16, 2023 meeting of The Society, the membership voted to submit all these proposed amendments to ballot, with minor modification (reflected in this document) compared to the Sept 14, 2023 version, to fix a typo so that Rules Article X, Section 7, reads “Fellowship in the Society may be suspended...”

SOR Ad-Hoc Constitution Review Committee

The SOR Executive Committee at their May 22, 2023 meeting voted to approve several amendments to the Constitution and Rules which should be presented to the full membership for a vote.

This document summarizes the amendments with some commentary on the reasoning and process leading to the suggested changes.

Executive Committee Approval: May 22, 2023 Executive Committee Meeting

Committee Members:

Randy Ewoldt, chair	(SOR ExCom - Member at Large)
Kalman Migler	(SOR ExCom - Secretary)
Kelly Schultz	(SOR ExCom - Member at Large)
Maryam Sepehr	(SOR ExCom - Member at Large)

Summary:

The Ad-Hoc Constitution Review Committee (hereafter the “committee”) was charged by President Grillet to consider a list of potential issues and propose a set of changes to The Society of Rheology Constitution and Rules that can be put to the membership for a vote in 2023.

The committee met regularly twice per month by video conference from January through April 2023 (January 9, January 23, February 6, February 20, March 6, March 20, April 10, April 24). Discussion also occurred via email.

The Executive Committee met May 22, 2023 to consider the committee’s recommendations, and to vote on specific proposed changes.

This report summarizes the resulting recommendations in response to specific points identified by President Grillet as well as additional points identified by the committee.

Responses to inquiries are categorized as:

- **Constitution change**
requires two-thirds support by secret ballot to the membership after the members attending a regular meeting have voted to submit such amendments to a ballot (Constitution ARTICLE X)
- **Rules change**
requires majority support by secret ballot to the membership after the members attending a regular meeting, or the Executive Committee, have voted to submit the proposed amendment to ballot (Rules ARTICLE XI)

1. Update rules for Fellows to resolve several issues and simplify tracking

- **Rules ARTICLE X: amendment recommended.**
- The committee carefully considered the proposed language provided by Surita Bhatia, which was based on discussions within the 2022 Fellows Committee. The committee identified additional issues and converged on suggested solutions to address this issue, some of which are identical to that provided. Specific recommended amendments to the Rules are detailed below.

Fellows language update in Rules ARTICLE X, Section 7 and Section 8:

To clarify eligibility criteria, resolve the issue of Bingham Medalists who are not Fellows, avoid ageism and simplify book-keeping to a single category of Fellow, be consistent with peer organizations that do not impose a limit on the total number of Fellows but only the percentage inducted each year, and encourage service in important long-lasting roles on the Executive Committee which currently restrict Fellow eligibility, and now that we are well past the initialization of the Fellows structure, the following changes are proposed as approved by the Executive Committee:

(1) to change all individuals with the title “Emeritus Fellow” to the title “Fellow” after implementing the following amendments to the Rules:

*(2) to amend the Rules ARTICLE X – Awards, Section 7 and Section 8, as follows (**changes indicated in red**):*

Rules

ARTICLE X – Awards

Section 7

SOR Fellowship status recognizes a history of distinguished scientific achievement, a significant technological accomplishment, and/or outstanding scholarship in the field of Rheology. Service to the Society is also an important component to Fellowship status. Current SOR members who have been members in good standing for at least 8 years are eligible for the award. The years of membership need not be consecutive. Fellowship status will be awarded no more often than annually and to no more than 0.5% of the membership in any given year. The counts for maximum number of Fellows inducted each year shall not include automatic inductees, defined below.

~~The total number of Fellows in the society will not exceed 5% of the membership.~~ The distribution of Fellows should reflect the professional associations of the membership (e.g., academic, government, industrial). A Fellowship Committee (provided for in Section 8 of this ARTICLE) shall make selection of the new Fellows, subject to approval

by the Executive Committee. Fellowship selection will be recognized at the Annual Meeting of the Society.

~~Members of the Executive Committee-The President, Vice President, and Past President cannot be nominated to the status of Fellow while serving on for at least two years after leaving the Executive Committee, though present Fellows can serve on the Executive Committee. Society Fellows who have reached the age of 75 will be classified automatically as Emeritus Fellows and will not be included in the total Fellows count.~~

Winners of the Bingham medal, if they are not already a Fellow, shall be automatically inducted as Fellows in the year in which they are eligible and will be excluded from the count of the maximum number of Fellows inducted each year.

Fellowship in the Society may be suspended or terminated by vote of the Executive Committee for conduct adjudged to be detrimental to the interests of the Society.

Section 8

The President shall, each year, appoint sufficient members for staggered terms of three years to the Fellowship Committee. The committee will be made up of five members who have achieved the status of Fellow. In addition, the President shall appoint one of the five members to act as Chair of the Committee for that year.

~~In addition, to address the issue of "Should some people be made Fellows immediately?", we also ask that the Membership vote to grant the following people the status of Fellow of The Society of Rheology, assuming that they are currently active members of the Society (these would form the inaugural class or pool of Fellows):~~

The initial inaugural class of Fellows (2015) must have met all of the stated eligibility requirements, and will be was comprised of:

- a. All living past presidents of the SOR not including the current president or the immediate past president.
- b. Past members of the SOR Executive Committee who have held named positions (i.e., Secretary, Treasurer, and Editor) but not including members-at-large.
- c. Past recipients of the Bingham medal.

~~Any members of the Inaugural Class of Fellows who exceed the age of 75 are inducted as Fellows and will transition to the title of Emeritus Fellow after one year.~~

2. Revise election language to remove paper ballot counting

- **Constitution ARTICLE V. Amendment below**
- ISSUE 1: The word “paper” is not actually mentioned.
 - The committee decided that the language may be fine as is, if “ballot” is broadly interpreted and we still wish to keep flexible language. The language is inclusive and works even though we expect all electronic voting in the future.
 - We recommend **replacing “postmarked” with “received”**.
- ISSUE 2: Election processes may deserve to be updated, as the intention of oversight an “Election Committee” outlined in the Constitution is not being implemented.
 - Reference to “an Election Committee appointed by the President” assigns the task to “count all ballots” but, more broadly, the intention seems to be that of oversight and *certifying* the count of all ballots, e.g. even if ballots are counted automatically or by an outside entity such as AIP.
 - The subcommittee notes that “certification” is a well defined term which seems to address the intentions here:

“Election certification refers to the process of election officials attesting that the tabulation and canvassing of the election are complete and accurate and that the election results are a true and accurate accounting of all votes cast in a particular election.”

Source: U.S. Election Assistance Commission

<https://www.eac.gov/election-officials/election-results-canvass-and-certification>

- Section 4 updates: two options were considered, with the subcommittee leaning toward the presented option below, which was approved by the Executive Committee.

changes indicated in red

Constitution

ARTICLE V – Nomination and Election of Officers

Section 3

At least eighty (80) days prior to the Annual Meeting at which the results of an election are to be announced, the Secretary shall notify and make available to each member in good standing of The Society a complete ballot, prepared as provided in Section 2 of this ARTICLE. The ballot shall, in addition, contain a notice that the voter may vote for any qualified persons other than the listed nominees, and spaces shall be provided for recording such votes.

Ballots shall be returned to the Secretary or to the designate of the Secretary, and to be valid must be received ~~delivered or postmarked~~ not later than thirty (30) days prior to

the Annual Meeting at which the results of the election are to be announced. Any ballot marked so as to indicate a vote for more than one officer nominee or for more than three nominees for Member-at-Large shall be void in its entirety.

Section 4

~~The Secretary or the designate of the Secretary shall transmit the ballots to a~~An Election Committee appointed by the President. ~~This Committee shall meet at a time and place directed by the President and certify the election.~~ count all ballots cast by members in good standing.

At the Annual Meeting, the President shall announce the results of the election as determined by the Election Committee. If the Annual Meeting is postponed or abandoned, the President shall direct the Secretary to report the election results to the members of The Society by mail or by other means prior to December 15.

If there is a tie vote, the President shall order a ballot to be taken at the Annual Meeting to decide which of the candidates who have received the same number of votes shall be chosen. If for any reason the Annual Meeting is not to be held that year, the President shall immediately order another vote of the membership, allowing thirty days for return of the ballots.

3. Increase size of nominating committee

- **Constitution ARTICLE V; amendment language provided below**
- Main idea: make Nominating Committee a standing committee, and broaden scope to include nominations for awards.

changes indicated in red

Constitution

ARTICLE V – Nomination and Election of Officers

Section 1

At a suitable time prior to an election, the President shall appoint a Nominating Committee consisting of between three to five members of The Society. The Nominating Committee shall operate under the guidelines outlined in Article V of the Rules. One of the ~~three~~ members of this Committee shall be designated by the President to act as Chair. If for any reason the President cannot take this action, the Executive Committee shall appoint the members and Chair of the Nominating Committee.

Rules

ARTICLE V – Nominating Committee ~~and Election Procedure~~

~~A~~ There shall be a standing Nominating Committee ~~shall be~~ appointed by the President. ~~biennially and~~ The Nominating Committee shall canvass nominees for elections and awards and shall function in accordance with the provisions of ARTICLE V of the Constitution.

4. Membership termination

- **Rules ARTICLE III; amendment below.**
- The issue of membership termination was identified by the committee, in cases where:
 - the member wishes to terminate membership (which is currently an issue)
 - the Executive Committee may wish to have the authority to terminate membership. Such language for termination of membership is now implemented in other societies; the language used below for termination is taken from the American Astronomical Society

changes indicated in red

Rules

ARTICLE III – Dues and Privilege

Section 2

Accepted applications for membership in The Society received prior to June 30 shall be considered as for the current year and back numbers of the current volume of The Society's Journals, hereinafter provided for in ARTICLE IX of the Rules, shall be furnished to said members. Applications accepted for membership after June 30 shall be applied to the following year, and Journals shall start with the first issue of the following year unless applicants specifically request the application to be applied to the current year.

Members delinquent in dues three months after the official date of renewal shall be declared not in good standing and their names removed from the official roster of The Society. Members not in good standing or resigned members may be reinstated without payment of back dues, by action of the Membership Committee.

Members may resign by notifying the Chair of the Membership Committee or the Secretary in writing. Membership in the Society may be suspended or terminated by vote of the Executive Committee for conduct adjudged to be detrimental to the interests of the Society.

Retired members of The Society may, upon application to the Secretary, remain as members of record of The Society without the payment of the Annual Dues, provided that they have been regular members for a period of at least 10 years at the time of the application. Such members of record shall be accorded all privileges of membership except that they shall not receive, as part of their membership, either printed or electronic subscriptions to the journals of The Society. Unemployed members who have been regular members for a period of 5 years at the time of application may, for a

maximum period of 3 years, retain all privileges of membership without payment of dues. Applications for waiver of dues for unemployed members shall be reviewed by The Secretary, with input from the Executive Committee, and shall be granted at the Secretary's discretion.

5. Additional minor changes

changes indicated in red

Constitution

ARTICLE X – Amendments to the Constitution

Amendments to this Constitution may be made by a 2/3 vote of those voting in a secret and secure ballot submitted to the membership after the members attending a regular meeting of The Society have voted to submit such amendments to a ballot. The Secretary shall notify and make ballots available to the membership within thirty days after this meeting. Ballots shall be returned to the Secretary or to the designate of the Secretary, and to be valid must be received ~~by~~ within sixty days after this meeting. Amendments so approved shall become effective immediately upon certification of approval by the Secretary to the Executive Committee and to the membership, except that amendments that change the status of officers shall become effective when the new officers are declared elected.

Rules

ARTICLE III – Dues and Privilege

Section 2

...

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members shall be reviewed by The Secretary, with input from the Executive Committee, and shall be granted at the Secretary's discretion.

Rules

ARTICLE IV – Membership Committee

There shall be a standing Membership Committee of at least three members appointed by the President. The Chair of the Membership Committee, or their designee, shall receive and pass upon all applications for membership with the advice of the Membership Committee and shall notify the Secretary of the action taken upon the applications.

The Membership Committee shall act on the status of members not in good standing as provided for in ARTICLE III of the Rules.