Constitutional Issues

At the Winter Board meeting, the Constitution and By-laws of ACUBE were discussed and reviewed. The Board recommends a number of changes to correct errors and to bring the Constitution in line with current practices. Due to the number of changes and corrects, the entire Constitution and By-laws are printed below. All the suggested changes are in **bold and underlined**. The changes and corrects will be presented for vote at the Fall 2002 annual meeting.

---

ACUBE: THE ASSOCIATION OF COLLEGE AND UNIVERSITY BIOLOGY EDUCATORS

CONSTITUTION

ARTICLE I - NAME

The name of this organization shall be “The Association of College and University Biology Educators” (ACUBE)

ARTICLE II - OBJECTIVES

The objective of this organization shall be: 1) to further the teaching of the biological sciences at the college and other levels of educational experience; 2) to bring to light common problems involving biological curricula at the college level and by the free interchange of ideas endeavor to resolve these problems; 3) to encourage active participation in biological research by teachers and students in the belief that such participation is an invaluable adjunct to effective teaching; 4) to create a voice which will be effective in bringing the collective views of college and university teachers of the biological sciences to the attention of college and civil government administrations.

ARTICLE III - MEMBERSHIP

There shall be five kinds of memberships; regular, honorary life, retired, sustaining, and graduate student. Any teacher in a college or university shall be eligible to become a regular member with full voting privileges. An honorary life membership in ACUBE may be conferred by vote of the Steering Committee on those individuals who have made outstanding contributions to the biological sciences and to biology teaching. Retired membership will be conferred on those regular members who request it following their retirement from active teaching. Regular members who, through change of position, no longer meet the criteria for such membership may continue their membership without loss of privilege. Business firms may become sustaining members on the payment of a sustaining membership fee. Sustaining members do not have the right to vote, but may have an exhibit at the Annual Meeting subject to such rules as may be determined by the host institution. Sustaining members may receive copies of membership lists with the approval of the Steering Committee. Any graduate student planning on a career in the teaching of biology at the college or university level is eligible to become a member.

ARTICLE IV - OFFICERS AND THEIR ELECTION

Section 1: The officers of the Association shall be president, president-elect, first vice-president, first vice-president-elect, second vice-president and secretary. These six officers, six members-at-large, and the most recent past-president shall constitute the Steering Committee. The Steering Committee shall appoint an executive secretary, Bioscene editors, and an historian, who shall be ex-officio members of the Steering Committee.

Section 2. Nominations for the offices of president-elect, secretary, and the members-at-large of the Steering Committee shall be made by a nominating committee of three members appointed by the president.

Section 3. The nominating committee shall present a slate of nominees consisting of not less than two names for each vacancy at the business session of the Annual Meeting of the Association.

Section 4. Nominations may be made from the floor after the committee has made its report.

Section 5. Election to office shall be on the basis of a simple plurality of the votes cast by the members present at the business session of the Annual Meeting.

Section 6. The president-elect shall automatically succeed to the office of president.

Section 7. The president-elect shall recommend and the Steering Committee shall appoint the first vice-president-elect. The first vice-president-elect shall automatically succeed to first vice-president the ensuing year.
Section 8. The second vice-president shall be from the host institution and shall be appointed by the Steering Committee after consultation with representatives from that institution.

Section 9. Vacancies in any office with the exception of that of president, president-elect, past presidents, secretary, and members-at-large of the Steering Committee, shall be filled by appointment by the Steering Committee.

Section 10. A vacancy in the office of president shall be automatically filled by the president-elect.

Section 11. A vacancy in the office of president-elect shall be left vacant until the next annual election. The vacancy shall then be filled by election of a president-elect.

Section 12. Vacancies which may occur in the position of member-at-large of the Steering Committee shall be left vacant until the next annual election.

Section 13. A vacancy in the office of secretary shall be filled temporarily by the past president or president-elect until an election at the annual meeting can fill the position.

ARTICLE V - ANNUAL MEETING

Section 1. An Annual Meeting of this Association shall be held at a place and time fixed by the Steering Committee in cooperation with the host school.

Section 2. Other meetings may be called at the discretion of the Steering Committee.

ARTICLE VI - GENERAL PROHIBITIONS

Notwithstanding any provision of the Constitution or By-Laws which might be susceptible to a contrary construction:

a. the Association shall be organized exclusively for scientific and educational purposes;

b. the Association shall be operated exclusively for scientific and educational purposes;

c. no part of the net earnings of the Association shall or may under any circumstances inure to the benefit of any private share-holder or individual;

d. no substantial part of the activities of the Association shall consist of carrying on propaganda, or otherwise attempting to influence legislation;

e. the Association shall not participate in, or intervene (including the publishing or distributing of statements) in any political campaign on behalf of any candidate for public office;

f. the Association shall not be organized or operated for profit;

g. the Association shall not:
   1. lend any part of its income or corpus, without the receipt of adequate security and reasonable rate of interest to;
   2. pay any compensation, in excess of reasonable allowance for salaries or other compensation for personal services actually rendered to;
   3. make any part of its services available on a preferential basis to;
   4. make any purchase of securities or any property, for more than adequate consideration in money and money’s worth to; or
   5. engage in any other transactions which result in substantial diversions of its income or corpus to; any officer, member of the Steering Committee, or substantial contributor to the Association.

The prohibitions contained in this subsection (g) do not imply that the Association may make such loans, payments, sale or purchases from anyone else, unless such authority be given or implied by other provision of the Constitution or By-Laws.

ARTICLE VII - DISTRIBUTION ON DISSOLUTION

Upon dissolution of the Association, the Steering Committee shall distribute the assets and accrued income to one or more organizations as determined by the Committee, but which organization or organizations shall meet the limitations prescribed in Sections (a)-(g) inclusive of Article VI, immediately preceding.

ARTICLE VIII - AMENDMENTS

Section 1. Amendment to this Constitution may be made by a three-fourths majority of the votes cast by the members present at the business session of the Annual Meeting.

Section 2. Proposed amendments must be submitted to the Steering Committee on or before the winter meeting of the committee. The Steering Committee may recommend passage, recommend non-passage or suggest modification of the proposed amendment. All proposed amendments shall be submitted in writing to the membership at least two weeks prior to the Annual Meeting.

Section 3. Articles VI and VII of the Constitution shall not be amended in any way without the recommendation of legal counsel as to the exact wording of the amendment.

BY-LAWS
ARTICLE I. TERMS & DUTIES OF OFFICERS
SECTION 1. The term of office of the president, president-elect, first vice-president-elect and second vice-president shall be for one year. The term of office of the secretary shall be for two years. The election for secretary shall be held in odd numbered years. All terms of office will begin immediately following election. The executive secretary shall serve for a minimum of three years and a maximum of five years at the discretion of the Steering Committee.
SECTION 2. The president shall preside at all Association meetings; chair the Steering Committee; appoint the nominating committee and such other committees as are necessary; and perform all other duties pertaining to the office of president.
SECTION 3. The president-elect shall perform the duties of the president in the absence or at the request of president, recommend to the Steering Committee a nominee for the office of first vice-president elect, and work with the first vice-president elect on preliminary plans for the program for the year she/he serves as president.
SECTION 4. The first vice-president shall be in charge of the program; organize discussion groups, obtain speakers, and take care of any other details of programming. The first vice-president is expected to attend the Steering Committee meetings, be the fall program chair and fulfill duties as outlined in the Steering Committee Handbook.
SECTION 5. The first vice-president elect shall make preliminary plans for the program for the year in which he/she will serve as first vice-president. The first vice president-elect is expected to attend the Steering Committee meetings and will be responsible for the program the following year and fulfill duties as outlined in the Steering Committee Handbook.
SECTION 6. The second vice-president is expected to attend the Steering Committee meetings, serve as the chair of the local arrangements committee at the host institution and fulfill duties as outlined in the Steering Committee Handbook.
SECTION 7. The secretary is expected to attend the Steering Committee meetings, keep minutes of the Association and Steering Committee and fulfill duties as outlined in the Steering Committee Handbook.
SECTION 8. The executive secretary is expected to attend the Steering Committee meetings, provide information about the state of the organization and fulfill duties as outlined in the Steering Committee Handbook. The executive secretary is a non-voting member of the Steering Committee.
SECTION 9. The past president is expected to attend the Steering Committee meetings, evaluate the currency of the constitution and fulfill duties as outlined in the Steering Committee Handbook.
SECTION 10. The association historian shall maintain a permanent archive of Association publications, minutes and other memorabilia. The historian is a non-voting member of the Steering Committee.

ARTICLE II-ANNUAL MEETING
SECTION 1. The Annual Meeting shall be held at a place and time selected by the Steering Committee.
SECTION 2. The president will accept invitations for the meeting sites for the succeeding years. Final determination of the meeting sites shall be the responsibility of the Steering Committee.

ARTICLE III-DUES
SECTION 1. To defray the cost of operating the business of the Association, all regular members shall be assessed annual dues as recommended by the Steering Committee and approved by a majority vote of the membership at a business session at the annual meeting.
SECTION 2. The annual fee for a sustaining member shall be determined by a vote of the Steering Committee and assessed by the Executive Secretary.
SECTION 3. These assessments are due and payable on January 1 of each year and shall cover the calendar year of January 1 to December 31. Payment of dues is required to receive Bioscene issues for the year. If payment is received during the year (after some Bioscene issues have been mailed), the member will receive only subsequent issues. Back issues will not be issued.
SECTION 4. Non-members wishing to attend sessions of the Annual Meeting shall be charged a registration fee determined by the Steering Committee.

ARTICLE IV-AFFILIATIONS
The Association may affiliate with such other scientific organizations as may be recommended by the Steering Committee and approved by a vote of the majority of the membership voting at an Annual Business Meeting.

ARTICLE V-PARLIAMENTARY AUTHORITY
On all questions not settled by the Constitution and By-Laws, Roberts Rules of Order shall govern.

ARTICLE VIII-AMENDMENTS
Amendments to these By-Laws may be made by a three-fourths majority of the votes cast by the members present at the business session at the Annual Meeting.