

Report of the Bylaws Review Committee July 2005

STAR Council on 24 February 2005 established a Bylaws Review Committee.

The Collaboration was informed by the Council Chair on 23 March 2005 that the members of the Committee were Bob Cadman, Mort Kaplan, John Nelson (Chair), Paul Sorensen and James Sowinski who had been given the following charge:

1. Review the current bylaws and suggest changes as deemed necessary.
2. Solicit input from the whole collaboration concerning changes to the bylaws
3. Provide draft of suggestions in email by 1 July to allow informed discussion at the coming collaboration meeting.

On 29 March the Committee wrote to STAR Members and requested comments and suggestions on changes to the bylaws that should be considered. We thank those who have responded and have taken account of their comments. Where we have not done so, reasons have been provided.

The Committee's report was discussed at the Council meeting held in Warsaw on 29th July 2005. Council agreed on a number of modifications which have been included in this report.

The modified report is given below and contains all sections of the current STAR bylaws as well as proposed amendments together with our reasoning. We now invite the Council to consider each change on its merits. The original wording of any paragraph is provided before the proposed change, which is numbered for ease of reference, and is also indented in the text.

I Collaboration Membership

1 Members

Scientists, graduate students, engineers and other technically-oriented persons intending to make a significant contribution to this collaboration over a period of at least one year are eligible to be members. Members of other RHIC collaborations will not be members of this collaboration without permission from the Council.

Proposed change 1: graduate students are also scientists. The original wording does not require collaboration members to belong to a STAR institution. Members who leave for another institution which is not participating in STAR can be associated with one that is, (with consent). The question of author list, in that case, is suggested to be a matter for the Publications Policy Committee to rule.

Scientists including graduate students, engineers and other technically-oriented persons intending to make a significant contribution to this collaboration over a period of at least one year are eligible to be members. Members of other RHIC collaborations will not be members of this collaboration without permission from the Council. Members will be associated with an institution which has been admitted to the STAR collaboration.

2 Institutions

Institutions (universities or laboratories) are admitted to the Collaboration by the Council upon recommendation of the Spokesperson. Normally an institution will have at least two PhDs who are eligible to be members. Each institution is responsible for its list of members and for designating a contact person who will receive and disseminate collaboration information within that institution.

Proposed change 2: it is not sufficient for an institution to have two eligible PhDs – they must also be applying to be members. The general responsibilities of STAR institutions should be explicitly stated.

A change suggested by a STAR member: that the bylaws state that only those who have taken shifts should be on the author list. The view of the Committee is that this should be a matter for the Publications Policy Committee.

Institutions (universities or laboratories) are admitted to the Collaboration by the Council upon recommendation of the Spokesperson. Normally an institution will have at least two PhDs who are eligible and are applying to be members. Each institution is responsible for its list of members and for designating a contact person who will receive and disseminate collaboration information within that institution. In addition, each institution will ensure that its members participate in shift work and a share of service work as required by the Council.

Proposed addition 3: there is no mention of termination of membership. The Council should have guidance on how to proceed.

The Council should review collaboration membership at every meeting.

Member institutions may submit their intention to withdraw from the collaboration to the Spokesperson. Following the review of collaboration membership, should it be deemed necessary or appropriate that an institution be removed from the STAR Collaboration, the Council may request the Spokesperson to contact the relevant institutional representative to consider withdrawal. This matter will be reviewed at the following Council meeting. A vote of 3/4 of Council members will be required to remove an institution from the collaboration after the aforementioned review.

Proposed addition 4: The Committee recommends an additional paragraph concerning the status of institutions which have reduced in size.

The Council may recommend that institutions which have reduced in size below that required for membership of STAR may be accorded special status with continued Council membership, but without voting rights.

II Council

1 Membership

The Council will consist of one member from each collaborating institution who will represent the membership from that institution. Institutions are admitted to the Collaboration by the Council upon recommendation of the Spokesperson and upon receiving an affirmative vote of at least 75% of the Council. Each institution will select its representative. Institutions may also be admitted to the Collaboration without Council membership. Such an

institution should be affiliated with another institution which has Council membership and may be given its own Council membership at a later time by a vote of the Council. The Spokesperson and Deputy Spokespersons will be ex-officio members of the Council. The Council may add extra members.

Younger members of the collaboration will be represented by up to three at-large Council members with no more than five years experience beyond PhD at least one of whom should be a graduate student. Candidates for at-large positions can be either self-nominated or nominated by others after a call for nominations by the Spokesperson. The at-large representative will be elected by those members of the collaboration with no more than five years experience beyond the PhD. Elections should take place at least every two years.

Proposed change 5: the section on younger members requires clarification. “Junior members must be defined. Since this paragraph refers to membership of the Council, it is more appropriate that matters should be organised by the Council Chair and not the Spokesperson. It is thought that nominations should be restricted to juniors and not the entire collaboration.

Junior members of the collaboration comprise all graduate students and those with no more than five years post-PhD experience. They will be represented on the Council by up to three at-large junior members at least one of whom should be a graduate student. Candidates for at-large positions can be either self-nominated or nominated by other juniors after a call for nominations by the current junior members of the Council. The election will be conducted by a committee appointed by the current junior members of Council. The at-large representatives will be elected by junior members of the collaboration. Elections should take place at least every two years. The normal term for junior representatives will be two years.

2 Function

The Council will deal with general issues which concern the collaboration. Examples include the organization and governance of the Collaboration, adoption of bylaws and amendments thereto, the policy on admission of new members and institutions to the Collaboration, and publication policy. In addition, the Council is responsible for election of the Spokesperson and for approval of Deputy Spokesperson appointments.

3 Governance and Meetings

The chairperson of the Council is elected by a majority vote of the Council from among its ranks. The term of office is two years, and is not renewable. At the end of the Chairperson's first year in office, a deputy is elected who will become the chairperson's successor. After the end of the chairperson's term of office, the chairperson will serve yet another year as deputy.

Proposed change 6: the position of the Council Chair is unnecessarily convoluted. Advice has been sought from, amongst others, the current Chair and Chair-elect. The nature of the task is not such that a year's shadowing is necessary. The Spokesperson is entitled to appoint his/her deputies (with Council approval) and there is no reason why the Council Chair should not also be free to do so, when necessary. The requirement to continue as Deputy after the term of office is unnecessary. Council appoints the Chair to lead its meetings. There is no obvious reason why the Council

should be constrained not to re-elect the sitting Chair should it wish to do so.

This section is about Governance and Meetings. Rules about voting for the Council Chair should be moved to the next section on Voting.

The chairperson of the Council is elected by a vote of the Council from among its ranks. The Council chair may select a deputy from among Council members, subject to Council's approval. The term of office is nominally two years.

Normally, Council meetings will be held during collaboration meetings. At the discretion of the Council Chair, additional meetings can be called with at least two weeks notice. Any Council member unable to attend a given meeting can name a substitute representing the same institution or group. All Council meetings will include a closed session, without the Spokesperson and Deputy Spokesperson(s) present. Elections by the Council, of Spokesperson or Council Chair or Deputy Chair, must be announced publicly to the entire collaboration at least two weeks in advance of the meeting at which the elections will take place.

Proposed change 7: when a Council member is unable to attend, his/her representative should come from the same group. The word "representing" is changed to "from". The final agenda and any associated documentation should be made available ahead of time so that members, in particular those who will not be able to attend, will have an opportunity to read them.

Council meetings will normally be held during collaboration meetings. The final draft agenda for the meeting and any associated documentation should be made available to Council members at least two weeks before the meeting so that members have the opportunity to add items to the agenda. Those issues which require votes should be clearly stated on the agenda. At the discretion of the Council Chair, additional meetings can be called with at least two weeks notice. Any Council member unable to attend a given meeting can name a substitute from the same institution or group. All Council meetings will include a closed session, without the Spokesperson and Deputy Spokesperson(s) present. Elections by the Council of Spokesperson or Council Chair, must be announced publicly to the entire collaboration at least two weeks in advance of the meeting at which the elections will take place.

Proposed addition 8: this provides some formality to the taking of minutes.

The Council Chair shall see that minutes of meetings are taken and published within two weeks of the meeting date.

4 Voting

The Council will make decisions on all issues except elections and admission of new institutions based on a simple majority of all voting members. Any member may call for a secret ballot. Votes on adding extra members, admitting new institutions, or amending these bylaws must be announced ahead of time. Proxies to the Council chairperson are allowed for non-election votes, as are electronic meetings and ballots.

Proposed change 9: "ahead of time" is ambiguous, so "two weeks" is inserted. Clarification is given concerning "voting members and proxies."

The Council will make decisions on all issues except elections and admission of new institutions or removal of current institutions, based on a simple majority of all Council members who have voted. Any member may call for a secret ballot. Votes on adding extra members, admitting new institutions, or amending these bylaws must be announced two weeks ahead of time. Proxies to the Council chairperson are allowed for non-election votes, as are electronic meetings and ballots. An absent member may appoint another member of Council, or the Council Chair as a proxy. An absent member can specify how his/her vote is to be cast, or, leave this decision to the member who has been appointed. In any case, an absent member who appoints a proxy should give his/her name to the Council Chair. Absent members who do not appoint proxies will be deemed to have abstained. Meetings via tele- or video-conferencing are permitted.

Proposed method of election of the Council Chair 10

The election of the new Council Chair will take place at a Council meeting nominally 6 months before the end of the current Chair's term of office. The chairperson shall appoint a nominating committee consisting of a chair and 2 Council members, and will present this for Council approval 6 months prior to the election. The nominating committee will solicit nominations from the Council, actively seek candidates as needed, and prepare and oversee the counting of the ballots. The Council chair is elected by a simple majority of the votes cast by those present at the Council meeting. The sitting Chair may be re-elected for one additional consecutive term only.

Voting for Spokesperson will be carried out by secret ballot, and without proxies, at publicly announced Council meetings. A quorum of 60% of Council members must be represented at the meeting for a valid vote. A candidate for Spokesperson can be elected in the first round of voting only if he or she receives more than 50% of all votes cast, including abstentions. If no candidate obtains this absolute majority, runoff rounds will be conducted for the top vote-getters until one candidate obtains more than 50% of the votes cast, not counting abstentions. The re-election of a sitting Spokesperson requires a 2/3 majority of the voting representatives present at the meeting.

Suggested change from a member of the collaboration: Voting for the spokesperson should be done by the entire collaboration. View of the Committee: it is not practical for every member of the collaboration to be present at a meeting, and therefore email votes will have to be permitted. However, it is likely that run-off voting will be needed and therefore more than one round of voting will be required which will considerably delay the process if the entire collaboration is to vote again. This is not in the interests of good governance.

At present, every Council vote carries the same weight irrespective of the size of the institution. If this were to change to reflect the size of the institution, then in principle, the voting member could cast votes for more than one candidate, depending on the internal decisions of the institution. This effectively is a one-person one-vote scheme without having to organise an electronic scheme for all collaboration members. However, it still does not help in the case of a run-off, unless Council members had previously discussed all permutations with their institutional colleagues.

Should Council wish to extend voting to a wider constituency, the Committee suggests that a special group be convened to consider how this would be implemented.

Proposed changes 11: concern has been expressed that a deadlock can occur where a sitting spokesperson receives more than 50% of the vote but less than the 2/3 required for re-election. The present bylaws do not suggest a resolution and, in the interests of good governance, a solution should be sought. The Council at its meeting on 29 July 2005 decided to remove the requirement that the sitting Spokesperson should have 2/3 majority before being re-elected. An additional proposal 12, was added.

Voting for Spokesperson will be carried out by secret ballot, and without proxies, at publicly announced Council meetings. A quorum of 60% of Council members must be represented at the meeting for a valid vote. A candidate for Spokesperson can be elected in the first round of voting only if he or she receives more than 50% of all votes cast, including abstentions. If no candidate obtains this absolute majority, runoff rounds will be conducted for the top vote-getters until one candidate obtains more than 50% of the votes cast, not counting abstentions.

Proposed addition 12:

If the sitting Spokesperson is re-elected, then he/she will not be eligible for re-election to a third consecutive term of office.

Candidates for Spokesperson can be nominated by any member of the collaboration. An ad hoc nomination committee consisting of the Council Chair and two Council members appointed by the Chair will solicit nominations at least 30 days before the election, and will prepare and oversee the ballots.

Proposed changes 13: it is felt that the nominating committee should actively seek candidates and that the committee should be approved by the Council. The conclusions of the nominating committee should be available 30 days in advance, rather than the process commencing 30 days in advance.

Candidates for Spokesperson can be nominated by any member of the collaboration. An ad hoc nomination committee will be established at the Council meeting nominally 6 months before the election of the Spokesperson. The committee, consisting of the Council Chair and two Council members appointed by the Chair and approved by the Council, will actively seek candidates and solicit nominations. The nomination committee will present the list of candidates to the collaboration at least 30 days before the election. Further nominations may be made by members of the collaboration until the closing date for nominations which will be two weeks before the election. The nomination committee will prepare and oversee the ballots when the election takes place.

III Spokesperson

1 Selection

The Spokesperson is elected by the Council and serves at its discretion. The normal term of office is 3 years.

The Council can decide to terminate the Spokesperson's term of office at any time and to request new elections. Such a termination requires a 3/4 vote of the representatives present at a Council meeting with a quorum of at least 2/3 of the members represented.

2 Function of the Spokesperson

The Spokesperson will be the representative of the Collaboration in scientific, technical, and managerial concerns. The Spokesperson will be concerned not only with the design and construction of the detector and its upgrades, but also with all other preparations required to operate the experiment efficiently and to publish results in a timely and responsible fashion, and with continued leadership of the Collaboration.

3 Deputy Spokespersons

There will be up to two deputy spokesperson. The spokesperson and the deputies must all belong to different institutions. The deputy spokesperson will be appointed by the Spokesperson subject to the approval of the Council. The deputy spokespersons provide support and assistance to the Spokesperson in the management of the experiment and collaboration. They may be appointed by the Spokesperson to act on his behalf and to represent the Collaboration.

IV Adoption

These bylaws were adopted by Council on 21 June 1991 and amended on 16 November 1991, 21 April 1993, 7 November 1995 and 28 November 2001

If these bylaws are modified, then Section IV will be modified to reflect this.