

Councilor Bulletin

Volume 11 Number 3 December 2012

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“...for the benefit of earth and its people.”

Bassam Z. Shakhshiri, ACS President

“As president-elect and as president, I have initiated activities commensurate with our leadership roles as a scientific, education, professional, and learned Society.”



Peter Cutts Photography

The ACS Council is the heart of a robust and versatile organization. Our role as Councilors is to guide our members and staff toward the fulfillment of the ACS mission to “advance the broader chemistry enterprise and its practitioners for the benefit of Earth and its people.” ACS must show itself, the general public, and policy makers that the chemical sciences are major drivers of our economy and contribute hugely to prosperity, fairness and justice. Our performance as a Society is gauged by the creativity of our elected and appointed leaders and by the efficiency and productivity of our staff. The ultimate measure of everything we do is the influence we have on the vitality of the chemical enterprise and on society locally, across the Nation, and around the world.

As president-elect and as president I have initiated activities commensurate with our leadership role as a scientific, educational, professional, and learned Society. Our strength is much more than the sheer size of our membership, more than 164,000 worldwide—our strength is in the power of our principles and their manifestations. Our strength is in the power of our ideas and the effectiveness of all our offerings through Pub-

lications and CAS, international, national, regional, and local programming, communications, and advocacy. Our strength is the critical leadership role we play and *must* continue to play in advancing the chemical enterprise, serving society, and addressing global challenges.

Climate change and water management rank high among the grand challenges that face science and society, and ACS is poised to address both. At our San Diego National Meeting Council session we discussed the work of the ACS Presidential Working Group on Climate Science. At the Philadelphia meeting we began to address the water issues. These special topic discussions have helped guide the near completion of the ACS Climate Sci-

ence Toolkit, which is now available to our members at www.acs.org/climatescience and helped focus our thinking about the leadership role of ACS in matters related to water.

The ACS Climate Science Toolkit provides ACS members with the information and other resources necessary to develop a robust intellectual structure to communicate on this key topic. It explains the greenhouse gas effect, how the Earth’s heating mechanism works, how the vibrational energy from molecules changes into translational kinetic energy, and much more. The toolkit also provides a package of “Climate Science Narratives” and Power Point slides that can be adapted and per-

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Schedule of Business Sessions - Spring 2013 New Orleans, LA

Board of Directors

Sunday, April 7 - (12:00 - 1:00 p.m.)

Committee on Committees

Monday, April 8 - (1:30 - 2:30 p.m.)

Council Policy Committee

Tuesday, April 9 - (9:30 a.m. - 12:00 p.m.)

Council

Wednesday, April 10 - (8:00 a.m. - 12:00 p.m.)

Board Briefs

William F. Carroll, Jr., Chair



Peter Cutts Photography

As I'm writing this, we're all becoming aware of the level of devastation caused by Hurricane Sandy, and I want to wish all our ACS colleagues, and especially the Councilors from the East Coast, the very best in putting things back together. By now you all know the measures ACS instituted to maintain continuity of C&EN and access to the literature. Let's hope this was truly a once in 500 year occurrence.

At the beginning of the year, I said my watchwords for 2012 were convergence and member value. By convergence, I meant further advances in seeing the three pillars of ACS—Membership, Publications and Chemical Abstracts Service—work together to provide a more comprehensive and coordinated set of products and benefits. Two important advances here: starting in 2012, members receive 25 free downloads per year of articles from ACS Publications, and, if needed, more at a very reduced price. Now, maybe if you have all the literature at your desktop at work, you don't notice this benefit; however, many people—me included—have to buy individual subscriptions and articles as needed. For retired members or those acting as consultants, this is a significant benefit, and I'm happy Membership and Pubs have worked together to make this happen.

Additionally, you may have noticed a tighter coordination

between ACS Publications and CAS, including improved ability in SciFinder to more easily utilize both at the same time. The latest advance is called Reference Quick View, wherein readers of an HTML version of an

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ACS article can easily view abstracts of the cited articles. Coordination will only improve as there are plans in the works to more fully integrate the functions of Pubs and CAS, and make the job of the researcher easier as a result.

As to member value—and by that I mean both the value ACS provides to members and how we value the contribution members make—I see at least one big step forward. Last week I became a certified instructor in our new Career Pathways program and conducted my first “class.” Career Pathways is a series of six modules of four hours each designed to give the users grounding in the structure, employment and culture of academe, industry and government. In addition, there is a lot of help in how to structure a CV or resumé and an entire session on how to “ace the interview.”

Watching the employment situation, especially in big phar-

ma, has been like watching a slow-motion Sandy. ACS can't create jobs, stop the restructuring or put things back the way they were ten years ago; but we can help members refine and maintain their skills, create a network of professionals for support and communication, and offer help in searching for jobs if the time comes. Career Pathways is a great start. My class at Indiana University overwhelmingly felt the information was useful and timely. I'm looking forward to getting certified in a couple more modules next year.

Finally, thanks to all of you for your help last year in creating and this year in implementing the new strategic plan. I particularly appreciate those of you on committees that have taken this to heart and cast the work you do in its light. To me, a good strategic plan is the value proposition of the organization, and our goals associated with providing information, creating a professional network, advancing chemical education and advocacy for the discipline summarize the four most important things we do.

I'd like to close with thanks for everything you do for ACS in your local sections, divisions and as members of Council. Your volunteerism makes the organization what it is. Have a wonderful holiday season, and I look forward to a fun and productive 2013. See you in New Orleans.



ACS FREQUENTLY REQUESTED NUMBERS

Unless otherwise noted, first dial (800) 227-5558. When prompted, dial the extension given below. To contact other offices, dial the 800 number and ask for operator assistance, or visit the ACS website, www.acs.org.

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Divisions	x 4401
Education	
K-12 programs	x 4382
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National Chemistry Week	x 6097
Public Affairs	x 4386
Local sections	x 4611
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Meetings, regional	x 6129
Membership	
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A Letter from Madeleine Jacobs

ACS Executive Director and Chief Executive Officer



As the year draws to a close, I want to thank you, the Councilors of the American Chemical Society, and the local sections and technical divisions you represent for your collective hard work on behalf of the American Chemical Society and the chemistry enterprise. And I thank our many past presidents who as Councilors *ex officio* continue to be actively involved in “Improving people’s lives through the transforming power of chemistry.” ACS is fortunate to have a highly engaged volunteer leadership and membership whose commitment and dedication are essential to the Society’s success and that of the chemistry enterprise.

2012 has been a successful year for ACS, despite many challenges. The November 5 issue of C&EN highlights some of those challenges in an in-depth, and at times, poignant three-part series on employment. The story by C&EN reporter Linda Wang describing the plight of unemployed chemists broke my heart and brought back memories of a story I wrote in 1971 when I was a young reporter for C&EN (C&EN, Sept. 6, 1971, page 10; you can find it in the C&EN Archives). When I wrote that story, it was a truism that almost every 10 years, there was a recession in the U.S. During the recession, companies laid off employees and after the recession ended, companies began hiring again. However, since the Great Recession of 2008, there’s been a reset in the job paradigm, and jobs are not recovering in the traditional areas for chemistry, even

though other jobs requiring the talents of chemists are opening up. In my view, the situation today is a tragedy of national proportions, as we have talent that is not being utilized. This situation is devastating to individual lives, and it’s devastating to this country. It is the one thing that keeps me up at night, even though ACS has many programs to help unemployed chemists (see Bill Carroll’s column in this same issue). And it is the one thing that I think about all the time.

Besides the financial hardship that our members are experiencing, we have real problems in this country that we need chemists to solve. Chemists and chemistry are critical to the U.S.’s advancement. All of us should continue to encourage the best and brightest students to enter the chemical sciences because there is no way to solve the great global challenges—providing clean water, providing sustainable energy, providing enough food, curing disease, protecting the homeland, protecting the environment—without the contributions of chemists and chemical engineers. But we must do a better job of preparing our students for the future.

And that is where the ACS can and does play a major role. ACS will continue to focus on career resources to ensure that students and seasoned professionals have the best tools and networks to thrive in the global marketplace. If you have ideas on how ACS can do a better job

in this area, I would love to hear from you. Also, President-Elect Marinda Wu is providing food for thought in her soon-to-be completed task force report, *Vision 2025: Helping ACS Members Thrive in the Global Chemistry Enterprise*. In addition, the *ACS Presidential Commission on Advancing Graduate Education in the Chemical Sciences*, formed by

“ACS is fortunate to have a highly engaged volunteer leadership and membership whose commitment and dedication are essential to the Society’s success and that of the chemistry enterprise.”

ACS President Bassam Shakhshiri, is providing a set of recommendations that also addresses many of these issues.

ACS is fortunate to have the financial resources to help our members in their careers and to undertake educational and public advocacy programs. ACS is able to do so largely because of the success of our information services, CAS and ACS Publications. In 2012, the ACS Board of Directors asked me to undertake a strategic assessment of these units. This study took nearly a year and was extremely thorough. It reaffirmed the units’ missions and strategic directions and suggested a number of recommendations, now being implemented, to meet future needs and trends.

Just a few final thoughts for the year: In my conversations with members, I often hear that they wish ACS would do more to advocate for the profession, R&D funding, and public understanding of chemistry. We do a huge amount, but somehow we are not doing a very good job of communicating all we do. In the coming year, we’re going to find ways to

ensure that our members know more about the activities of the Office of Public Affairs and how they can get more actively involved.

I also want our members to know that ACS has the unique ability to provide unbiased information and bring together disparate views and has been doing so since 1995 through the *ACS Science & the Congress Project*. In that time, ACS has partnered with 70 organizations to organize and host 191 public briefings held both on Capitol Hill and in other locations on a wide array of scientific and engineering topics. In nearly 20 years, more than 16,000 people have attended and benefited from these educational sessions, without which most would not have been able to access this level of in-depth information and cutting-edge scientific knowledge. The briefings draw a wide array of the general public: congressional staff, members of Congress, leaders from trade organizations and professional societies, scientists, engineers, students, interns, reporters, analysts from policy organizations and think tanks, academicians, and managers from federal agencies. Through these briefings, ACS provides a unique public service, and our members are often featured at these briefings.

Finally, I had the honor of speaking at two local sections recently. I gave an address at the 100th anniversary of the New Haven Local Section and also spoke at the meeting of the Northeastern Local Section, where members who have had 50 and 60 years of membership in ACS were hon-

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President, Cont'd

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sonalized when ACS members have the opportunity to speak publicly about climate science. Additional dissemination strategies will be announced soon including a Presidential Challenge Grant Program for local sections and divisions. Our audiences include students, schoolteachers, college and university faculty, industrial scientists and business leaders, civic and religious groups, professional science and educational organizations, and elected public officials at all levels and in all branches of government. This ACS Climate Science Toolkit is a living dynamic resource with expectations for appropriate modifications. I express deep thanks to Dr. Jerry Bell and the members of the Working Group for their excellent work.

The Council Policy Committee task force studying the duties and responsibilities of CPC also explored the role of ACS in water issues. I am grateful to this group who under the leadership of CPC Vice Chair Dr. Carolyn Ribes has developed an outline for possible action by ACS. We shall expect to hear more from this group in early 2013. Also, I have organized a half-day symposium featuring leading national experts on water at the 2013 spring ACS national meeting in New Orleans.

On the occasion of the Sesqui-centennial of the Morrill Land Grant Act, we marked the contributions of chemistry and chemists. I invite you to watch the press conference <http://www.ustream.tv/recorded/24868049>. The papers presented will be published next year in the *Bulletin for the History of Chemistry*.

The ACS Presidential Commission on Advancing Graduate Edu-

cation in the Chemical Sciences under the leadership of Dr. Larry Faulkner is addressing the two major questions I gave them as a charge: "What are the purposes of graduate education in the chemical sciences?" and "What steps should be taken to ensure that important societal issues as well as the needs and aspirations of students are addressed in graduate programs?" The Commission has formed



seven working groups to address current strengths and weaknesses of graduate education at all types of institutions, the profile of graduate students and their employment opportunities, support mechanisms for graduate education, the length of the Ph.D. and postdoctoral programs, and other considerations related to innovations in Ph.D. degree programs, diversity and talent development, and the aspirations of graduate students. The Report of the Commission is due late in 2012 and I will distribute it to all Council members.

Chemistry and chemists have contributed significantly to the quality of life we enjoy now. However, science and society still face daunting challenges. Today our biggest challenge is to help sustain Earth and its people in the face of: population growth, finite resources, malnutrition *and* obesity,

spreading disease, deadly violence, war, climate change, and *the denial of basic human rights, especially the right to benefit from scientific and technological progress*. A specific challenge for ACS is to clearly articulate our leadership role in both the domestic and international arenas and to devise appropriate strategies to fulfill our mission. Both the Council and the Board of Directors share responsibilities in this matter.

I take this opportunity to express my sincere thanks and appreciation to the Council for the true cooperative spirit exhibited during my term as presiding officer of the Council. We must expand our efforts in working together with our members toward the fulfillment of the ACS mission. As 2013 ACS Immediate Past President, I look forward to further collaboration with you and all of ACS. Thank you for joining me in doing our best for ACS, for science, and for society.

CEO, Cont'd

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ored. At the latter meeting in Waltham, Massachusetts, the local section also honored a 70 year member! That's dedication and loyalty! And that is the dedication and loyalty that I see all the time in the ACS Council.

So once again, thank you for all you do for ACS and I wish you and your family a very happy holiday season.



GREAT CHEMISTRY HAPPENS AT REGIONAL MEETINGS 2013

Central Regional Meeting (CERM)
May 14-17
Mt. Pleasant, MI

Great Lakes Regional Meeting (GLRM)
June 5-8
La Crosse, WI

Northwest Regional Meeting (NORM)
July 21-24
Corvallis, OR

Western Regional Meeting (WRM)
October 2-5
Santa Clara, CA

Midwest Regional Meeting (MWRM)
October 16-19
Springfield, MO

Northeast Regional Meeting (NERM)
October 23-26
New Haven, CT

Southeastern Regional Meeting (SERMACS)
November 13-16
Atlanta, GA

Southwest Regional Meeting (SWRM)
November 17-20
Waco, TX

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For more information, link to the individual meeting sites at www.acs.org/meetings/regional

From the Immediate Past President

Nancy B. Jackson



Peter Cutts Photography

The most important lesson that I learned from my three years on the ACS presidential succession can be summarized in a sentence: *Chemical scientists and engineers have much to contribute to society and society needs much from us.*

I was lucky enough to be at the presentation of the ACS Historical Landmark for Rachel Carson on October 26. It was a sober reminder that chemicals are not often used wisely. Carson was the first to bring the ecological point of view to the general public – the view that on planet earth, we are all in this together. After having travelled to about 25 countries on five continents, many of them numerous times, for my presidential succession activities and my “day job”, I personally have a sense of how connected we all are. I have travelled to many, many mega-cities (Manila, Jakarta, Rio de Janeiro, Cairo, Nairobi, and more) and when I think about feeding, clothing, and providing energy to all these individuals in all these cities, it becomes clear what a daunting task that is. We are at the limits of what the world can provide in a sustainable manner. The image that haunts me is from a museum I visited in South Africa at the site where many early humanoid skeletons were found. It said in big letters across one wall, “Is this the sixth mass extinction?” The acidification of the oceans and the warming of our planet, the deforestation of land, and the pollution of our earth and water from

chemicals and waste have taken their toll on many species including the human kind.

It is this large ecological challenge – many humans on a limited planet – where we need scientists and engineers to direct their creativity and

innovations in order to create sustainable solutions that allow us to feed humanity and provide the energy needed for a comfortable, meaningful life. I remember that during the closing ceremony of the International Year of Chemistry, several young scientists talked about the amazing medical capabilities they thought we would have in

50 years. Next was a professor who started his talk by saying, “We won’t have any use for that medicine if we don’t find more sustainable energy sources before then.”

I have met enough scientists and engineers to know that we have the creative abilities to come up with remarkable solutions to provide sustainability for this planet. It will take a

lot of work and will require scientists and engineers from all continents, working together and providing and collaborating on promising ideas. I believe that scientists and engineers could make a profound impact. Of course, “political will” is an essential compo-

nent necessary to meet the ecological challenges we face. My wish for ACS in the future is that we will facilitate international collaboration, support sustainable development, and contribute meaningful knowledge to the public and policy makers to urge forward the political will.

This may be a very high hope for ACS, but most members who I have been lucky to meet in my past 33 years of membership are wonderful, smart, motivated, and caring people. If they can’t make an impact, I don’t know who could. It has been an honor to represent ACS these past three years, and I thank you for all you do to improve the lives of others -- not just through the transformational power of chemistry, but also through the essential impact of dedication.

“I have met enough scientists and engineers to know that we have the creative abilities to come up with remarkable solutions to provide sustainability for this planet.”



NEW ACS COUNCILORS

We Hope to See You on Saturday in New Orleans!

The ACS Council Policy Committee will be hosting the 2013 New Councilor Orientation and Reception for all newly elected Councilors and Alternate Councilors

Saturday, April 6 - 3:30 p.m.

Councilors will have an opportunity to meet with other ACS leaders, learn more about the Society, receive information about ACS committees, and establish mentoring relationships. This will also be a good time to ask questions regarding your new role. **If you are a new Councilor or an Alternate Councilor, please mark your calendars for this event and plan to attend.** If you know of someone who has just been elected, please share this with them so they can plan to arrive at the National Meeting in time for this event. More details regarding the orientation program will be sent to new Councilors and Alternate Councilors in January 2013 and posted to the Councilor Group on the ACS Network.

Leadscope Wrap-up

Flint H. Lewis, ACS Secretary and General Counsel

Over the past few years, I have updated the Council periodically regarding the long-running litigation known as ACS v.

Leadscope. This case has now been concluded. On September 18, 2012, the Supreme Court of Ohio handed down its decision in the *Leadscope* case, reversing in part and affirming in part the lower court's judgment against ACS. ACS came within a single vote of prevailing on all issues before the Court.

Although the parties had further appellate options available to them, on September 28, 2012, all parties agreed to settle the case. As a provision of the settlement, the parties have agreed that all right, title, interest and ownership in the *Leadscope* software and products that were the subject of the litigation belong exclusively to *Leadscope*. ACS has paid \$22,633,377.00 in exchange for a full and complete release of all claims.

As I have described in my prior Updates, the ACS Board of Directors as the legal representatives of the Society authorized the filing of this case in April of 2002. A year earlier, in response to *Leadscope*'s pending patent application, the Society's then-General Counsel, together with a team of legal and technical experts, including specially retained outside patent counsel, had initiated an extensive review to determine whether *Leadscope* and the three former ACS employees had violated, and were continuing to violate, the Society's intellectual property rights, and if so, what steps, if any, the ACS should take.

The results of this effort were presented to the ACS Governing Board for Publishing on March 13, 2002. The Governing Board for Publishing (which has delegat-

ed authority from the ACS Board of Directors to oversee the operations of CAS and the ACS Publications divisions) and the ACS Board of Directors reviewed counsels' recommendations and reached their decisions based on the best available information available at that time.

Members of the Governing Board urged the Society to seek an amicable resolution of the dispute, but in the event such efforts failed, the Governing Board voted

to recommend to the ACS Board of Directors that ACS pursue legal remedies against *Leadscope* and its found-

ers, who were former employees of the ACS's Chemical Abstracts Service division. At its April 4 - 7, 2002, meeting, the ACS Board of Directors approved the Governing Board's recommendations, voting to authorize ACS "to pursue such legal remedies in regards to *Leadscope* as are necessary and appropriate to protect the Society's interests."

Litigation is almost always founded upon profound differences of opinion. Although ACS rarely files lawsuits, I strongly believe that ACS's sole motivation in bringing this suit back in 2002 was its belief that it had important legal claims against *Leadscope* and its founders. In response to ACS's complaint, the *Leadscope* defendants brought counterclaims against ACS based upon Ohio state law. They claimed that ACS had brought its suit in bad faith, had engaged in "malicious litigation," and had defamed the defendants.

At trial, ACS supported its claims with significant evidence – including the testimony of several

respected experts. During the trial, the *Leadscope* defendants moved for judgment on ACS's claims, arguing that ACS's evidence was insufficient as a matter of law. The trial judge denied that motion and ruled that ACS had presented legally sufficient evidence for the claims to be decided by the jury. Although ACS believed in the merits of its suit, the Colum-

bus, Ohio, jury that heard the case during the nearly eight-week trial found against the ACS on all its claims.

In addition, the jury found in favor of *Leadscope* and its three founders on four of their counterclaims against ACS, awarding the *Leadscope* defendants \$26.5 million in damages.

In November 2008, ACS filed an appeal in the Ohio Tenth District Court of Appeals, seeking review of the judgment on the defendants' counterclaims. That court rendered its decision on June 15, 2010, and affirmed the 2008 judgment. Although the ACS Board of Directors did not seek to prolong this litigation or its costs needlessly, it believed that further review by the Supreme Court of Ohio of the substantial judgment that had been entered against ACS was warranted.

To the knowledge of ACS, there had never before been a case where an Ohio court had awarded damages based upon a theory of "malicious litigation." The right of a party to petition the courts and to

bring claims supported by substantial evidence is a central feature of our American system of justice, even if those claims ultimately are not successful. ACS believed that the statements it made about its claims were not defamatory and that defendants failed to prove any damages resulting from the statements alleged to be defamatory. ACS believed that these were important legal issues.

On October 27, 2010, the Supreme Court of Ohio granted ACS's request and agreed to hear the ACS appeal. As the Society's appeal moved forward, ACS was supported by five prominent "amicus curiae" (friends of the court) supporters: (1) The Ohio Attorney General (on behalf of the State of Ohio); (2) The Ohio State Bar Association; (3) The Ohio Chamber of Commerce; (4) Ohio Manufacturers' Association and (5) the Ohio Council of Retail Merchants.

By the time of the Ohio Supreme Court's decision, the trial court's judgment, including the jury's verdict, interest, and fees, exceeded \$45 million. This included the original jury verdict of \$26.5 million, the trial court's award of \$7.9 million for the *Leadscope* defendants' legal fees, and approximately \$11 million in interest.

The Ohio Supreme Court, in a 5-2 vote, found that ACS did not defame the defendants and vacated the lower court's award of \$15 million of damages on that

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"On September 18, 2012, the Supreme Court of Ohio handed down its decision in the Leadscope case, reversing in part and affirming in part the lower court's judgment against ACS."

ACS Strategy Café: A New Tool for Talking About What Matters

Carolyn Ribes, Vice Chair, Council Policy Committee

The New Councilor Orientation has been successful in informing and connecting the Society's newest national leaders to the people and resources they need to be successful. A key component of that success has been the "Strategy Café", which is conducted by the Council Policy Committee (CPC) and its Long-Range Planning Subcommittee (LRP).

The café's activities are designed to engage all newly elected Councilors and Alternate Councilors in discussion of key questions around the Society's goals and to provide an opportunity for them to link their ideas on how their local sections, divisions, or committees can contribute to fulfilling these goals. Councilors are left

with a clearer understanding of the approaches their Local Sections and Divisions can take as they develop strategic plans and realize their role in the Society's strategic goals and direction.

It is essential that the café activities engage its audience, as

such; they are usually short and separated into groups on each of the plan's goals.

Participants rotate among each group and share ideas to develop the goals. The results of these activities have been very valuable to the Board Standing Committee on Planning and the ACS Strategy Development staff during re-

"CPC invites all Councilors to review the Strategy Café toolkit and identify ways to introduce it into their Local Section meetings."

visions of the Society strategic plan.

CPC recently began exploring the possibility of extending the structured conversations of the Strategy Café beyond the New Councilor Orientation. The café would prove valuable if con-

ducted by ACS volunteer leaders within local sections. A draft "Toolkit", containing a presentation and facilitators' guide [outline](#) were created to communicate the

essential elements required to engage a broad range of ACS members. In order to support a rollout of the toolkit to local sections, CPC LRP has partnered with the Local Section Activities Committee and the

Board Standing Committee on Planning.

CPC invites all Councilors to review the Strategy Café Toolkit and identify ways to introduce it into their local section meetings. Councilors are also invited to share experiences on how Strategy Cafes are working in their sections. Share your experiences at the "[Strategy Café Toolkit](#)" discussion in the Councilor network group.

For more information on how you too can conduct a Strategy Café, please see the online toolkit or email strategy@acs.org.

Leadscope Wrap-up, Cont'd

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issue. As to the defendants' claim of unfair competition, the Court acknowledged ACS's First Amendment right to seek judicial review of its original claims. The Court also agreed with ACS's legal arguments that the trial court had improperly instructed the jury on that claim. Nevertheless, the Court, by a 4-3 vote, on issues neither briefed, nor even raised on appeal, affirmed the decisions in favor of the defendants on the unfair competition claims. Essentially, the Supreme Court found that the trial court had erred in permitting ACS to submit its claims to the jury. We believe there is a very good chance that had the jury been properly instructed, ACS would have successfully defended itself against all the Leadscope Defendants' counter claims.

Although ACS had hoped to prevail on all issues before the Ohio Supreme Court, ACS was gratified that the Ohio Supreme Court struck down the defamation finding. Similarly, ACS was relieved that as a result of the Court's opinion, the Society's financial exposure decreased from nearly \$50 million to \$22.6 million.

As an organization that relies in large part on intellectual property, ACS takes the protection of its intellectual property very seriously. The Leadscope litigation was a very large undertaking, involving over 600,000 pages of written discovery, hundreds of trial exhibits, and dozens of depositions. Over the course of the 10 years that the Leadscope matter has been pending, ACS has expended more than \$8 million in attorneys' fees and costs. As a

result of its insurance, ACS has already been partially reimbursed for its attorneys' fees, and is seeking further reimbursement. Although incurred over a decade, these attorney's fees are a cost to ACS in addition to the \$22.6 million settlement.

Member dues have never been used in this case, nor were they used to pay the settlement. As the result of many years of prudent financial stewardship, ACS was able to satisfy the full settlement amount with a portion of its cash and investments. Therefore, the settlement will not impact the Society's member dues; extensive products, programs and services advancing chemistry; staffing levels; or the ability of ACS to achieve its mission.

And finally, we can report that ACS Member Services and

other ACS staff members who interact with our members routinely have received very few emails, letters, or calls about the matter since the settlement was announced. I know that ACS is thankful to have this case behind us. ACS has a long and proud record as well as a noble vision and mission—we are all pleased to look forward to continuing to fulfill that vision and mission.

To review the Supreme Court of Ohio decision click here:

<http://www.supremecourt.ohio.gov/rod/docs/pdf/0/2012/2012-ohio-4193.pdf>

To read a summary of the case prepared by the Supreme Court of Ohio's Office of Public Information, click here: <http://www.courtnewsOhio.gov/cases/2012/SCO/0918/101335.asp#.ULV AUIZhXgc>

ACS Leadership Development System™ Strategic Planning Retreats

Amber Hinkle and Carol Duane, Leadership Advisory Board

Earlier this year, the ACS Leadership Development System™ (ACS LDS) launched a new initiative to offer 1-1/2 day strategic planning retreats for ACS committees, local sections, divisions and other interested governance groups. The strategic planning retreats expand on the principles covered in the ACS LDS *Strategic Planning* course and provide participants with the opportunity to learn and apply the strategic planning process for their group. Over the course of a weekend, participants confirm or define their group's mission statement and develop a portfolio of goals along with a prioritized list of strategies to meet these goals. Most importantly however, the retreat provides an opportunity for group leaders to coalesce around an actionable strategic plan and a clear direction to move forward as a team.

Strategic planning is not rocket science; anyone can do it and there is no one best planning process. However, the LDS facilitated strategic planning retreat provides ACS groups with an understanding of the disciplined, creative strategic planning process that is utilized and executed by the Society. The retreat provides a foundation to inform group decisions and attunes the group's goals to those in the ACS Strategic Plan. ACS members serving as facilitators and peer mentors guide the group in developing an actionable, customized strategic plan.

"The materials were customized to our [situation] and we were able to come away with a 3-5 year Strategic Plan for immediate implementation that has allowed us to hit the ground running and not lose the momentum achieved in the energizing weekend event. ...The facilitators [understand] how ACS works and [can identify] the resources available to help us meet our goals." Lisa Houston, ACS Division of Energy and Fuels

The value of the strategic planning retreats is threefold:

- Synergistic and greater impact results: Planning teams engage in a process that aligns group goals with the ACS Strategic Plan.
- Plans ready for immediate start: Planning teams take away their own goals and actionable strategic plan.
- Transportable skills: Individual participants build skills that can be applied in their professional and other endeavors.

The retreats are a partnership between the participating group and the ACS LDS with both stakeholders making a financial investment and contributing significant time and energy in the planning process. Current resources will allow the ACS LDS to offer up to six planning retreats in 2013. However, the Leadership Advisory Board (LAB) is seeking to build capacity and increase its bandwidth to expand this program in the coming years. Interested groups should contact leaders@acs.org for more information.

ACS Welcomes New Committee

Dawn A. Brooks, Chair, Committee on Committees

The Committee on Committees (ConC) is pleased to announce that the Council and Board of Directors have now officially voted the establishment of the Joint Board-Council Committee on Senior Chemists (SCC), effective January 1, 2013. The age demographics of the ACS powerfully illustrated the need for a Senior Chemists Committee. Of its more than 164,000 members, 37.10% are over the age of 50* and this segment of the Society is one of the fastest growing groups.

The SCC will be a group of highly professional, volunteer chemists whose mission is to enrich the educational, technical, and cultural lives of the ACS membership while ministering to and employing the talents of senior ACS members (over the age of 50) by:

- sharing with ACS members of all ages a rich variety of personal experiences and expertise gained over many years of professional service;

- fostering interest and participation in the science of chemistry through community outreach, especially in grades K-12;

- acting as science advisers/ambassadors for the purpose of cultural exchange at home and abroad;

- providing senior ACS members with challenging, diverse, and enjoyable professional experiences that enable them to contribute to the cultural experiences of their communities; and

- recommending policies that address issues of interest to senior chemists.

The SCC will initially consist of 15 members and such associates and consultants as the President and Chair of the Board of Directors deem necessary. And as stipulated in the Bylaws for such committees, SCC will be "subject to review by the Committee on

Committees no less often than every five years...and who shall advise Council whether it should be continued."

The Senior Chemists Task Force (SCTF) had formally requested that ConC review and evaluate their request for the

"The committee will hold its first meeting in New Orleans on Monday, April 8, 2013."

constitution of an ACS Committee on Senior Chemists (SCC) as a Joint Committee of the Board and Council. This task force had been functioning as a quasi-committee for three years, and was the culmination of more than a decade of task forces examining the need for a senior chemists committee.

ConC acted on this request and brought a specific recommendation to Council in Philadelphia that Council approve the establishment of such a committee subject to the concurrence of the Board of Directors.

The SCTF believed the committee could serve two constituencies within the ACS: (1) sen-

iors who are still active either as full-time or part-time employees, consultants, or those who still wish to stay closely connected to the ACS and its spectrum of activities; and (2) younger members and students who have questions about a chemistry based career or who have started careers but are looking for guidance in how to progress. Examples are mentoring, career guidance and counseling, job training seminars and webinars, alternate career selection, problem support, workshops, and tutorials.

The new committee will hold its first meeting in New Orleans on Monday, April 8, 2013. If you are interested in serving on the SCC, please contact secretary@acs.org.

*Numbers as of Dec 2011 year-end.

2012 Fall ACS National Election Results

The certified election results of the ACS 2012 Fall National Election are in and they are reported as follows.

For **President-Elect 2013**, the top vote-getter is Thomas J. Barton who received 14,258 total votes, while Luis A. Echegoyen received 8,773 votes. Barton will begin his term as President on January 1, 2014.

For **Director-at-Large 2013 - 2015**, the two candidates receiving the most votes were Ingrid Montes at 225 and Valerie J. Kuck at 183.

Montes and Kuck will fill 2013-2015 terms on the Board. Candidates Helen (Bonnie) A. Lawlor and Carol A. Duane received 150 and 143 votes, respectively.

The **District I** membership elected Thomas J. Gilbert to fill a 2013-2015 term with a vote count of 1,622 vs. Neil D. Jespersen at 1,504 votes.

The membership of **District V** elected John E. Adams with 1,697 votes, while Peter K. Dorhout received 1,692 votes. Adams also will fill a 2013-2015 term on the Board.

The total number of valid votes cast for President-Elect was 23,031. The total voter turnout was more than 14% of all eligible voters. (Last year, approximately 15% of eligible voters voted). Of the votes cast for President-Elect, more than 77.6% were cast via the Internet - up slightly from 77% last year.



*The Office of the
Secretary and
General Counsel
wish you and your
family a very safe and
Happy Holiday
Season!*

Budget & Finance Committee Announces an UPDATED FAQ Section

Pat Confalone, Chair, Budget & Finance Committee

Bonnie Charpentier, Chair, Budget & Finance Subcommittee on Communications

Have you ever pondered, what is the ACS Petroleum Research Fund? Have you questioned what is an IRS Form 990? Ever wondered how the Society was doing against its Board-established financial guidelines or even what those guidelines were? Have you ever wondered how to ask a question of the Society Committee on Budget and Finance?

To provide answers to these and other burning questions that the Society's members ask each and every day, the Society Committee on Budget & Finance (B&F), through its Subcommittee on Communications, is pleased to announce an updated and enhanced on-line feature to address ACS members' frequently asked questions (FAQs). This update

went live on October 19, 2012 and the questions relate to topics such as Budget & Finance Committee communication, Society finances, national meeting registration fees, member dues, staff compensation, investments, financial guidelines and legal matters.

These FAQs are provided in response to member questions that have arisen over the past few years during briefings of division and Councilor caucuses at ACS national meetings, as well as questions that have been posed to the ACS Board

and B&F by other ACS members. Answers were developed by appropriate ACS staff and reviewed with the B&F Subcommittee on Communications and the full B&F Committee.

"Answers were developed by appropriate ACS staff and reviewed with the B&F Subcommittee on Communications and the full B&F Committee."

The FAQs are located on the ACS public website

(www.acs.org)

under the "About Us" tab. From there, members can click on the

"ACS Financial Information" link and go to the link with the "Financial Resources" heading. The "Financial FAQs" are located immediately under this heading.

While the topics cited above

cover a wide array of topics, the B&F Committee asks members with questions that are not addressed to submit them via email directly to the B&F Committee at b_feedback@acs.org. Going forward, the FAQs will be updated after each ACS national meeting as approved by the B&F Subcommittee on Communications.

The Society Committee on Budget & Finance encourages all ACS members to review the *Financial FAQs*. The committee hopes ACS members find this new resource useful and welcomes comments and suggestions. Please let us know what you think at b_feedback@acs.org.

Committee on Professional Training Revises Guidelines

Anne B. McCoy, Chair

A significant activity of the Committee on Professional Training (CPT) is the development and administration of the [ACS Guidelines for Bachelor's Degree Programs](#). In January 2012, we began the process of revising these guidelines, with an anticipated release date of mid-2014 for the new edition. The committee held a special retreat last summer that was solely dedicated to the Guidelines revisions and an analysis of the results from a survey on the impact of the 2008 ACS Guidelines. Based on the discussions at this meeting, the revisions to the Guidelines are expected to be much less extensive than the previous release. The changes will be focused on specific issues where additional clarity is needed in the

Guidelines or where changes in chemistry education require a re-evaluation of the specific requirements. We have already contacted some ACS committees with a request for comments on some of the issues under consideration.

Increasing the clarity of expectations and the roles of non-tenure track faculty in ACS-approved programs is one of the areas to be addressed in this revision. We have also discussed how the Guidelines should evolve based on changes in technology. This includes changes in the way content is delivered as well as changes in the skills that students need to have as they interact with instrumentation or the chemical literature. While we do not anticipate

significant changes in the curricular requirements, we are continuing to discuss the balance between the need for students to be exposed to specific topics in the five traditional subdisciplines in chemistry in contrast to the need for students to be educated in more specialized topics. Additional information about plans for the Guidelines revision can be found in our comment columns in the January 2 and September 24 issues of C&EN. Future updates will be published on the [CPT web page](#) and in the [CPT Newsletter](#).

We are interested in your thoughts as well as those of the communities you repre-

sent. Please send your responses by email to cpt@acs.org. If your schedule permits, CPT will hold a symposium at the ACS national meeting in New Orleans, as part of the Division of Chemical Education (CHED) programming, during which more information on the proposed Guidelines revisions will be presented. We have set aside a significant fraction of the symposium for both small and full group discussion of issues surrounding the Guidelines revisions. The CPT open meetings at both ACS national meetings in 2013 will focus on discussion related to the Guidelines revisions.