

# THE SOCIETY FOR HISTORIANS OF THE EARLY AMERICAN REPUBLIC

## CONSTITUTION

[The following constitution was adopted by the Advisory Council on July 23, 1993, approved by a mail ballot of SHEAR members in June 1994, amended at the Annual Meeting on 18 July 1998, and amended by mail ballot in September 2004.]

### PREAMBLE: Mission Statement

The Society for Historians of the Early American Republic (SHEAR) is an association of scholars dedicated to exploring the events and the meaning of United States history between 1776 and 1861. SHEAR's mission is to foster the study of the early republican period among professional historians, students, and the general public. It upholds the highest intellectual standards of the historical profession and encourages the broad diffusion of historical insights through all appropriate channels, including schools, museums, libraries, electronic media, public programming, archives, and publications. SHEAR cherishes a democratic ethos in scholarship and cultivates close, respectful, and productive exchanges between serious scholars at every level of experience and recognition. SHEAR membership is open to all; most members are professional historians employed in colleges, universities, museums, and historical parks and agencies, as well as independent scholars and graduate students.

### ARTICLE I:

*Section 1:* The name of this organization is The Society for Historians of the Early American Republic.

*Section 2:* This Society is organized exclusively for educational purposes, including for such purposes the making of distributions to organizations that might qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Revenue Law). The Society shall act always to remain qualified as a charitable and educational association exempt from federal income tax as specified under the above Section of the Internal Revenue Code.

*Section 3:* No part of the net income of the Society shall inure to the benefit of, or be distributed to its members, officers, or other private persons, except that the Society shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in this Constitution. No substantial part of the activities of the Society shall be the carrying out of propaganda, or otherwise attempting to influence legislation, and the Society shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of these articles, the Society shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law) or (b) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

*Section 4:* Upon the dissolution of the Society, the Advisory Council shall, after paying or making provision for the payment of all of the liabilities of the Society, dispose of all of the assets of the Society exclusively for the purposes of the Society in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Revenue Law), as the Advisory Council shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the Society is then located, exclusively for such purposes or to such organization or organizations, as, said Court shall determine, which are organized and operated exclusively for such purposes.

*Section 5:* The specific objects of the Society are to foster and improve the study and teaching of the history of the United States, from the American Revolution to the outbreak of the Civil War.

## ARTICLE II:

*Section 1:* Membership in the Society shall be open to all persons interested in the history and civilization of the United States. Institutions, including departments, organizations, historical societies, etc., as well as individuals may be members.

*Section 2:* Active membership shall date from receipt by the Executive Coordinator or his/her agent of the annual dues fixed by the Advisory Council and specified in the Bylaws, and shall continue so long as the annual dues are paid. Dues are payable at the beginning of each calendar year.

*Section 3:* Only active members whose dues are paid shall have the right to vote or hold office in the Society.

*Section 4:* The Executive Coordinator shall prepare annually a list of members, which shall be open to inspection during business meetings of the Society and shall constitute conclusive evidence of membership.

*Section 5:* Members shall be entitled to receive copies of issues of the *Journal of the Early Republic* distributed during the calendar year of their dues.

## ARTICLE III:

*Section 1:* The officers and continuing staff of the Society shall be a President, Executive Coordinator, Treasurer, and such other officers as the Society may from time to time establish. The President, Executive Coordinator, Immediate Past President, President-Elect, Treasurer, Editor of the *Journal of the Early Republic* (hereafter known as the Journal Editor), and Editor of H-Shear, and a representative of the Philadelphia Consortium of sponsoring institutions (hereafter known as the Philadelphia Representative) shall serve as *ex officio* members of the Advisory Council. The Treasurer, Executive Coordinator, Journal Editor, and Editor of H-Shear, shall be appointed according to procedures established by the Advisory Council.

*Section 2:* The President shall carry out the duties and perform the functions customarily attached to the office and those which the Society may from time to time prescribe. She/he shall preside at meetings of the Society and the Advisory Council and shall appoint the members of any standing or special committees which may be established. She/he shall receive no salary or compensation for the discharge of the office but may be reimbursed for expenses of the office. In the year preceding the commencement of his/her presidential duties, the President-Elect shall serve a one-year term as an *ex-officio* member of the Advisory Council. After the conclusion of his/her term, she/he will, as immediate Past President, serve an additional one-year term as an *ex officio* member of the Advisory Council. The President shall serve on and chair the Executive Committee. The President may sign contracts with vendors, publishers, and other parties to undertake

the business of the Society, as assisted by the Advisory Council and Journal Editor according to the Bylaws.

*Section 3:* The Executive Coordinator, under the direction of the President, shall be responsible for keeping the records of the Society and coordinating the activities of the Society in pursuit of its business as described in the Bylaws.

*Section 4:* The Executive Coordinator, under the direction of the President, shall be responsible for dues collection and the routine business and fiscal affairs of the Society, as described in the Bylaws. She/he may be authorized to conduct business in the name of the Society with such vendors, publishers, and other parties as the President directs, and she/he may, at the direction of the President and Treasurer, name appropriate staff to assist with these routine duties.

*Section 5:* The Editor of the *Journal of the Early Republic*, appointed through procedures established by the Advisory Council, shall be responsible for the editorial content of the Society's journal, as described in the Bylaws. Production, promotion, and distribution of the journal may be contracted to such publishers or other parties as the Editor may recommend and the President and Advisory Council approve.

*Section 6:* The Editor of H-Shear, appointed through procedures established by the Advisory Council, shall be responsible for coordinating activities and communications between SHEAR and the H-SHEAR list members and H-NET organization.

*Section 7:* The Treasurer, appointed through procedures established by the Advisory Council, shall be responsible for fiscal oversight of SHEAR, including the investment of surplus assets and the compiling and filing all financial reports required by government agencies, and such other duties described in the Bylaws.

#### ARTICLE IV:

*Section 1:* There shall be an Advisory Council to advise the President from time to time at his/her request. The membership and terms of the Advisory Council shall be as prescribed in the Bylaws.

*Section 2:* The President, President-Elect, Immediate Past President, Treasurer, Executive Coordinator, Journal Editor, and Editor of H-Shear, shall serve as *ex-officio* members of the Advisory Council.

*Section 3:* There shall be a Nominating Committee to present to the membership for election candidates for the offices of President and for membership on the Advisory Council and the Nominating Committee. The membership, terms, and selection of the Nominating Committee shall be prescribed in the Bylaws.

*Section 4:* There shall be an Executive Committee to conduct such business of the Society as cannot conveniently be laid before the Advisory Council at its annual meeting, as described in the Bylaws. The President, President-Elect, Immediate Past President, Treasurer, Executive Coordinator, Journal Editor, and the Philadelphia Representative shall constitute the Executive Committee.

#### ARTICLE V:

*Section 1:* There shall be an annual election of officers as prescribed in the Bylaws.

*Section 2:* The Bylaws shall be considered as supplemental to this Constitution and are adopted upon ratification of the Constitution. Individual Bylaws may be established, amended, or repealed by a majority vote of Society members in a mail canvass supervised by the Executive Coordinator or by a majority of those voting at any business meeting.

*Section 3:* Any member of the Society may suggest in writing to the Executive Coordinator proposed amendments to the Constitution or Bylaws; such proposals shall include reasons and justifications for the amendment. The Executive Coordinator shall present such proposals to the Advisory Council by mail or at their next meeting. If approved by the Advisory Council, the Executive Coordinator shall then conduct a mail canvass of the members to approve or disapprove of the proposed amendment.

*Section 4:* To become valid, amendments to the Constitution must be ratified by a majority of those members responding to a mail canvass as specified by the Bylaws.

## BYLAWS

1. *Dues* - The annual dues of the Society shall be fixed by the Advisory Council payable to the Executive Coordinator or his/her agent. Dues are payable January 1 each year.

2. *Reimbursement of Expenses* - The President, other officers, and staff shall be reimbursed for reasonable expenses in carrying out the duties of their offices. If funds are available from outside sources, members who serve on committees or carry out special functions approved by the President may be reimbursed for expenses, but no member shall receive fees for professional services except under specific authorization by the President and Advisory Council.

### 3. *Duties of the President*

A. Presiding over the meetings of the Advisory Council and general meetings of the Society, setting the agendas for these meetings, and ensuring implementation of these bodies' decisions.

B. Delivering a presidential address at the annual meeting that concludes his/her term.

C. Overseeing with the Advisory Council an annual evaluation of the offices of Executive Coordinator, Editor of the *Journal of the Early Republic*, and Editor of H-Shear.

D. Overseeing the Society's processes for elections and for amending its Constitution and Bylaws.

E. Serving on and chairing the Executive Committee, whose duties are outlined below.

F. Appointing Treasurer, Conference Coordinator, And Book Prize Committee members for such terms as the Advisory Council shall determine

G. Overseeing any special committees that she/he and the Advisory Council might appoint for specific purposes.

#### 4. *Duties of the Executive Coordinator*

A. Maintaining membership records including records of payment of dues.

B. Receiving, acknowledging, and depositing in some convenient account all gifts to SHEAR and other revenues from the publisher, subscription agency, or other sources.

C. Coordinating ongoing relations and fiscal transactions between the Society, its members, the Journal Editor, or any publishers, vendors, or other parties contracted to conduct the business of the Society.

D. Mailing and receiving of all communications between the Society and its members, such as reports, ballots, billings, announcements, and other assigned duties.

E. Preparing budgets (in cooperation with the Journal Editor) and providing appropriate financial data for the use of the President, Treasurer, Journal Editor, Advisory Council, and any other officers or agents of the Society

F. Authorizing and tracking routine disbursements for budgeted expenditures

G. Supervising any Administrative Assistant or Business Manager appointed to assist her/him in the performance of these duties.

H. Reporting annually to the Advisory Council such summary of activities as the Council shall require.

#### 5. *Duties of the Editor, Journal of the Early Republic*

A. Performing all responsibilities associated with the management of the *Journal of the Early Republic*, including relations with the *Journal's* host institutions, authors, the Editorial Board, direct supervision of any editorial staff, and coordination with any publishers, vendors, or other parties contracted to produce and distribute the *Journal*.

B. Recruiting and appointing, with the advice of the President and Advisory Council, members of the Editorial Board to assist with the development of content for the *Journal*

C. Recruiting and appointing, with the advice of the President and Advisory Council, a Book Review Editor for the *Journal*.

D. Appointing an annual prize committee for Best Article Prize.

E. Representing the *Journal* in all deliberations of the Society as an ex-officio member of the Advisory Council and Executive Committee..

F. Reporting to the President and the Advisory Council, and submitting an annual report to the Council.

## 6. *Duties of the Treasurer*

- A. Holding, managing, and investing Society assets other than those operating funds assigned to the *Journal* or Executive Coordinator.
- B. Preparing, in cooperation with the Executive Coordinator and Journal Editor, overall budgets and financial reports for the Society.
- C. Preparing financial reports required by governmental agencies.
- D. Arranging for audits of the Society's financial records.

## 7. *Advisory Council*

- A. The Advisory Council shall consist of from six to twelve members, elected by mail ballot of the membership for three-year terms, one-third of the Council being elected each year. Nominations for the Advisory Council will be determined by the Nominating Committee.
- B. The Advisory Council is charged with the responsibility of working with the President to develop and implement all phases of the Society's efforts to fulfill its mission as a learned society. For this reason, all members of the Advisory Council, beginning with those elected in 1993, will be expected to attend all annual Council meetings, as will all *ex officio* members.
- C. No member of the Nominating Committee may serve concurrently on the Advisory Council.

## 8. *Executive Committee*

- A. The Executive Committee shall consist of the President, President-Elect, Immediate Past President, Treasurer, Executive Coordinator, Journal Editor, and the Philadelphia Representative.
- B. The Executive Committee may speak for and take action for the Society pending review by the Advisory Council at the next annual meeting, provided that no action of the Executive committee shall commit resources in excess of assets in hand nor bind the Society past the time of the next annual meeting without consent of the Advisory Council by means of mail, phone, or electronic poll. The Executive Committee shall report any such activity or decisions by mail or email to the Advisory Council as soon as practicable. The Executive Committee shall report all such activities to the Advisory Council as soon as practicable.
- C. The charge of this committee may be altered or expanded by majority vote of the Advisory Council at any annual meeting.

## 9. *Election of Officers - Nominating Committee*

- A. Elections for President-Elect and for vacancies on the Advisory Council and Nominating Committee shall be held annually by mail ballot of the membership
- B. The six members of the Nominating Committee will be elected in pairs of two to serve overlapping three-year terms.
- C. Nominees for election to the Nominating Committee will be put forward by that Committee after soliciting suggestions from the membership as a whole. Members of the Advisory

Council may not serve concurrently on the Nominating Committee.

D. Each vacancy on the Nominating Committee will be filled through an election by the voting membership of the Society. There will be two candidates nominated for each vacancy.

E. The duties of the Nominating Committee shall be:

- 1) To nominate annually for the approval *of* the membership a candidate for the position *of* President-Elect.
- 2) To nominate on a regular basis pairs *of* candidates for election by the membership to the Advisory Council.
- 3) To nominate on a regular basis pairs *of* candidates for election by the membership to the Nominating Committee itself.
- 4) To make nominations consistent with the Society's membership diversity in gender, race, geographical area, type *of* organization represented, historical field, and time period.

10. *Vacancy in Office:*

A vacancy in the office *of* the Executive Director, Business Manager, or Editor *of* the *Journal of the Early Republic* shall be filled by appointment by the President with the consent of the Advisory Council. A vacancy on the Advisory Council shall be filled by the remaining members of the Council until the next regular annual election for Council members. A vacancy in the office of President shall be filled by the President-Elect, who shall immediately contact the Advisory Council and inform them of the vacancy. The Advisory

Council may select a President *pro tem* to serve until the next regular annual election.