

CONSTITUTION AND BY-LAWS OF  
THE J. BRADLEY AUST SURGICAL SOCIETY

REVISED AND AMENDED JULY 1, 2023

PREAMBLE

In an endeavor to maintain a close and lasting relationship with the institution of our surgical training “The Program” and to continue our own education in the surgical sciences, we form this association to be governed according to this constitution and its by-laws.

PURPOSE

The purpose of this society shall be as follows:

1. To provide a setting for the members to maintain contact with the General Surgery faculty and The Program;
2. To provide an annual opportunity for continuing the surgical education of the members;
3. To provide an annual meeting allowing members to renew their friendships;
4. To provide funds for the annual meeting;
5. To provide six cash awards (three awards in each of two categories: Research and Clinical) for the best papers submitted by surgical residents, under the auspices of The Program, at the annual forum;
6. To underwrite, in part or completely, the expenses of annual activities to be held at San Antonio, at which new graduates of The Program are welcomed into the society;
7. To provide an annual gathering on the occasion of the fall Clinical Congress of the American College of Surgeons for residents and graduates of The Program;
8. To provide funds to be determined annually by the department to support a resident traveling fellowship(s);
9. To undertake any other endeavor for the benefit of the general surgical housestaff members of The Program deemed appropriate by the membership;

## NAME

The name of the association shall be “The J. Bradley Aust Surgical Society”. Name changes may be considered by the Executive Committee and referred to the general membership for approval as the passage of time and departmental change make appropriate.

## NATURE OF THE SOCIETY

The society is not organized for profit and no part of the net earnings shall inure to the benefit of any private member or individual.

## DISSOLUTION OF THE SOCIETY

Upon dissolution of the society, all assets then owned by this society shall be contributed to a corporation or corporations, organization or organizations, and/or foundation or foundations that 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 Internal Revenue code) or the assets may be contributed to the University of Texas Health San Antonio (UTHSA), for the benefit and use of the Department of Surgery and The Program.

## MEMBERSHIP

### A. Active

The active membership will be composed of general surgeons who have completed a senior residency in general surgery under the auspices of the University of Texas Health San Antonio. Each surgical resident will become eligible for membership upon completion of his/her formal training in general surgery.

### B. Honorary

Honorary membership shall be extended as deemed appropriate by the membership; a candidate will be admitted with an assenting vote from at least

three-quarters of the active membership replying to a ballot mailing. Honorary membership is ordinarily conferred as recognition for a significant benefit received from the honoree by members of the group in terms of surgical training or preparation for a surgical career. Honorary members shall not vote or pay dues or fees. An honorary member, to be proposed, shall be presented by their nominator at the annual meeting of the society and the nomination will be defended in open session. Upon the acceptance of the nominee, their name will be submitted to a ballot mailing for the entire active membership. They will be admitted with the assenting vote of at least three-quarters of the membership replying to that mailing.

C. Associate-Faculty

All present and future non-graduate members of the faculty of the Departments of Surgery, Transplant Surgery and Cardiothoracic Surgery at UTHSA, full or part-time, will be eligible for inclusion as Associate-Faculty Members. **Associate-Faculty** members shall not vote. Their dues shall be equal to that of the active members who are faculty in the Departments of Surgery. Each eligible member shall be presented at the Annual Executive Committee Meeting and defended. The name is then submitted to a vote of all the active members present at the annual meeting. Three-quarters of the membership present must approve. In extraordinary circumstances, the Executive Committee may independently extend such membership on behalf of the society.

D. Faculty Associate

All present and future UTHSA faculty surgeon members not residing in the Department of Surgery, full or part-time, will be eligible for inclusion as Faculty-Associate Members. **Faculty-Associate** members shall not vote. Their dues shall be less than the Active members. Each eligible member shall be presented at the Annual Executive Committee Meeting and defended. The name is then submitted to a vote of all the active members present at the annual meeting. Three-quarters

of the membership present must approve. In extraordinary circumstances, the Executive Committee may extend such membership on behalf of the society.

E. Associate

A surgeon who does not otherwise qualify for membership, but who, by virtue of training along with members of the society, close association, or similarity of interest, may be proposed by any active member for inclusion in this category of membership. Graduating residents and fellows from Cardiothoracic Surgery, and any ACGME accredited fellowship within the Department of Surgery will be eligible for inclusion as Associate Members. Associate members shall not vote. Their dues shall be less than that of the Active members. Each eligible member shall be presented at the Annual Executive Committee Meeting and defended. The name is then submitted to a vote of all the active members present at the annual meeting. Three-quarters of the membership present must approve. In extraordinary circumstances, the Executive Committee may independently extend such membership on behalf of the society.

F. Retired/Senior

Members may assume this status within the society upon retirement from active primary surgical practice. Notification of retirement must be made to the secretary-treasurer in writing prior to the start of the next fiscal year.

Active members only are delegated the privilege of proposing additional members to the society.

Charter membership will be extended to all eligible persons who have paid or have pledged payment of dues on or before July 1, 1974.

Membership is effective upon payment of dues and shall be annually renewed.

## ORGANIZATION AND OFFICERS

### A. Executive Committee

The society shall be administered by a governing board, the executive committee, which will consist of (1) a president, (2) a president-elect, (3) a vice-president, (4) a secretary-treasurer, (5) a senior member at large and (6) a junior member at large. Presidents shall retain membership on the governing board for a two-year term after their presidency in the role of past president and immediate past president.

An orderly progression of officers through the Executive Committee shall be established such that the vice president will be recruited annually from the more senior individual serving as a member at large of the governing board. The sequence of junior member at large to senior member at large, senior member at large to vice-president, vice-president to president-elect, and president-elect to president will pertain.

The chairman of the department of surgery at the UTHSA shall sit as an ex officio member of the executive committee. The residency program director of the department of surgery at the UTHSA shall sit as an ex officio member of the executive committee.

### B. Nominating Committee

Subsequent to 1999, a nominating committee will replace all prior methods of soliciting nominations for office. This committee will be composed of the immediate five (5) past presidents.

### C. Program Committee

Subsequent to 1999, a program committee will determine the annual program and activities. This committee shall include: (1) the senior member at large of the executive committee (chair), (2) the president, (3) the president-elect, (4) the

department of surgery chairman and (5) the surgical residency program director(s) of the UTHSA.

D. Judging Committee

Subsequent to 1999, a judging committee will determine the winners in the resident competition. This committee will include: (1) the president, (2) the visiting guest lecturer, (3) the chairman of the UTHSA department of surgery, (4) the surgical residency program director(s) of the UTHSA and (5) the senior member at large of the executive committee.

E. Finance Committee

This committee is responsible for overseeing the finances of the Society, recommending changes to its construct, and approving proposed distributions from SAAF Trust Funds. Decisions made by this committee must be approved by the Executive Committee but do not require general membership approval. This committee will be comprised of the (1) president, (2) immediate past president, (3) past president, (4) secretary-treasurer and (5) chairman of the department of surgery.

F. Speaker Selection Committee

This committee is responsible for providing the incoming president with an ample list of recommended guest speakers. The creation of this list will take into account the incoming president's clinical area of interest and the history of past guest speakers. This committee will be comprised of the chairman of the department of surgery and the four most senior members in the department of surgery.

G. Secretary-Treasurer

The secretary-treasurer shall be elected by a majority vote of the membership for a five-year term of office. Ordinarily this post will be filled by a full-time

member of the faculty in the Department of Surgery at the UTHSA. Nominations for this post will be made by the Nominating Committee.

H. Terms of Office

All other terms of office shall extend from July 1 through June 30 of the appropriate years.

I. Initial Officers

The initial officers of the society shall be selected from names presented to the eligible active members by the committee organizing the society. A mail ballot will be used.

NOMINATIONS

Nominations for officers of the society may be made by the membership, in addition to those recommended by the Nominating Committee, by a petition bearing 10 signatures of active members in good standing.

DUTIES

The president will preside over the annual meeting and will assist in planning yearly activities.

The vice-president will assist the president and secretary-treasurer in all their activities and will constitute, with the president, the president-elect, secretary-treasurer, the members at large, and the two past presidents, the governing board. The vice-president will perform the functions of the president in their absence.

The secretary-treasurer will manage the daily business of the society between annual meetings, plan annual meetings and social activities, collect dues and administer funds as directed by the membership, maintain a permanent file of all

members, their addresses and current status, present all business to the annual meeting and inform members of past and future activities of the society.

The members-at-large will form, with the designated officers, the governing board.

Decisions of the society requiring an affirmative vote of a given number of the active members may be canvassed by the secretary-treasurer by means of a mailed ballot. He/she shall be required to report such decisions at the next succeeding annual meeting.

### DUES AND FEES

The fiscal year of the society shall run from July 1-June 30 of the next succeeding year.

Effective July 1, 2023, annual dues shall be:

\$600 for all Active members in the Department of Surgery at UTHSA

\$600 for Associate Faculty members in the Department of Surgery at UTHSA

\$600 for Associate Faculty members in the Department of Cardiothoracic Surgery at UTHSA

\$600 for Associate Faculty members in the Department of Transplant Surgery at UTHSA

\$350 for all non-faculty Active members who have held membership for >2 years; effective July 1, 2024, annual dues for all non-faculty Active members who have held membership for >2 years will be \$400

\$175 for all Associate and Faculty Associate members who have held membership for >2 years

\$100 for all members in their 1<sup>st</sup> year of membership

\$150 for all members in their 2<sup>nd</sup> year of membership

All dues are payable on or before January 1 of each year. Failure to pay dues may result in inactivation of membership. Payment of the previous year's dues and the current year's dues will be required before reinstatement of active membership.

Dues of \$10.00 per year will be assessed so long as an eligible active member remains in an ACGME accredited post graduate training program (fellowship).

Lifetime dues may be paid by any member, at any time, using the formula:  $(70 - \text{age}) \times (\text{dues} \times 85\%)$ . This should routinely come as a one-time payment, but split payments may be arranged with the secretary-treasurer.

Dues will not be levied on honorary members or those in retired/senior status.

Dues will not be levied on members providing care abroad if their term of duty requires residence outside of the United States for more than six months during that academic year.

In exceptional circumstances, dues may not be collected from active or associate members without prejudice to membership where a situation has arisen which precludes their ability to pay even though their intention and desire to do so is manifest.

A registration fee will be levied for the annual meeting at a rate to be determined each year.

All members, except Retired/Senior and Honorary members of the society, will pay a registration fee for the annual meeting.

Retired/Senior members of the society will not pay a registration fee for the annual meeting; they will pay a charge based on those events attended and the number attending.

\$5,000 Trust contributors, once they have fulfilled the entire pledge, will not pay a registration fee for the annual meeting.

Residents will be exempt from any registration fees.

In extraordinary circumstances, the secretary-treasurer may exempt an individual from registration costs.

Changes in dues and registration fee schedules may be recommended by the executive committee. Such an action must be taken to the general membership at the next annual meeting or by a ballot mailing for ratification.

#### CONSTITUTIONAL CHANGE

Changes or amendments to this constitution may be offered to the membership over the signature of ten active members in good standing or by the executive committee of the organization. The secretary-treasurer is required to bring such amendments before the next annual meeting or to have canvassed the membership by mail ballot. After open discussion at the annual meeting, the decision to amend the constitution may be made by members attending. If a mail ballot is used, an affirmative vote of three-quarters of the members returning the ballots will be required to effect a change. Changes, in the interest of reflecting growth and development of the department and its affiliations, will be made by the secretary-treasurer and offered via ballot mailing to the membership for ratification.