

AMERICAN ASSOCIATION OF PHARMACEUTICAL SCIENTISTS

**OPERATING CONDITIONS OF THE
FOCUS GROUP**

These Operating Conditions are effective the ____ day of _____, 200__ (the “Effective Date”) and agreed to by the American Association of Pharmaceutical Scientists (“AAPS”), a District of Columbia nonprofit corporation, and the _____ Focus Group.

1. NATURE OF RELATIONSHIP

1.1 Focus Group. The focus group is a component and part of the AAPS Corporate entity which functions to further the tax exempt purposes of AAPS. The focus group has been granted limited autonomy solely for such tax exempt purposes and is subject to these Operating Conditions (including Attachments), the mission and requirements of the AAPS Articles of Incorporation and Bylaws, and the policies and procedures adopted by the AAPS Executive Council. The focus group is subject to the same legal restrictions as AAPS with regard to permissible purposes and activities, lobbying activities, a prohibition against engaging in any political activity, and other matters as outlined in the guidelines established by AAPS. The focus group agrees to comply with certain Procedural Guidelines (set forth in Attachment A), and may also adopt specific program goals, objectives, and unique procedures for its internal operations (set forth in Attachment B, if any). The focus group’s goals, objectives, and procedures must be consistent with AAPS guidelines, approved by the Executive Council through the Member Groups Coordination Committee, and maintained as current at all times in the AAPS materials and files (including on the Extranet) by the focus group leadership.

1.2 Intellectual Property. The focus group acknowledges that all AAPS names, logos, copyrights, trademarks, books, records, publications, mailing lists, membership lists, and related material are the sole property of AAPS, and all use of such intellectual property by the focus group shall be subject to approval by AAPS and to guidelines established by AAPS. All right, title, and interest, including but not limited to copyrights and all rights subsumed thereunder, in and to materials or property that may be prepared or developed by the focus group or its volunteers pursuant to these Operating Conditions are owned by and assigned to AAPS; provided, however, that the focus groups may copy, revise, distribute, modify, and otherwise use materials created by the focus groups for focus group purposes, in accordance with accepted AAPS policies and procedures.

1.3. Confidential Property. The focus group acknowledges that it may be exposed to certain information, materials, and property related to AAPS that may be considered confidential or proprietary, including but not limited to financial information, trade secrets, written material, membership lists, and mailing lists. The focus group and its members agree not to use or disclose, or to cause to be used or disclosed, at any time during or after the effective term of these Operating Conditions, any confidential or proprietary information, materials, or property of the other, except as may be specifically authorized in writing by AAPS. This material must be identified by AAPS.

1.4. Financial Support. In its discretion, AAPS may provide funds to support the focus group's programming and organizational functions. The focus group may request funding from the AAPS office through its staff liaison. Upon submission, requests may be approved or denied by the AAPS Executive Council.

2. MEMBERSHIP

At least fifty (50) AAPS members are needed in order to start a focus group. The chair must be a current AAPS member. Verification of membership status will be done annually.

3. OBLIGATIONS OF AAPS

The AAPS staff in Arlington, Virginia shall to the extent practical assist the focus group in administering and planning its activities, helping with mailings, sending relevant publications to focus group officers, and providing other assistance as agreed.

4. OBLIGATIONS OF THE FOCUS GROUP

The focus group's obligations include the following:

4.1 Record Keeping and Reporting. Each newly proposed focus group shall define the scope of its function, and if there is potential overlap with other focus groups, the proposal must clarify how the focus group's scope would differ from other current focus groups.

The focus group shall submit to AAPS on an annual basis a summary of activities the focus group has undertaken during the year. This summary of activities should include a schedule of upcoming meetings, conferences, and seminars, as well as copies of newsletters, minutes, press releases, and other materials describing focus group activities. All such activities and publications, including any uses of the AAPS name, logo, or copyrights, are subject to prior review and approval in accordance with accepted AAPS policies and procedures. The activity reports are due at the annual meeting.

4.2 Activities and Affiliations. The focus group shall submit at least one programming idea which furthers and serves the purposes of the AAPS each year. Furthermore, the focus group must have at least one program approved every three years. This includes programming for annual meeting symposia, roundtables, seminars, and workshops, short courses, or themed meetings. The focus group shall use its best efforts to ensure that such programs are of the highest quality with respect to program content, materials, and logistical preparation. The focus groups must be affiliated with at least one section.

Any focus group programming held outside of the AAPS Annual Meeting or the AAPS National Biotechnology Conference needs to be approved by the AAPS Program Coordination Committee or the AAPS International Affairs Committee. If approval is not obtained from AAPS, the focus group may not use the focus group's name or AAPS' name. Sponsorships for such programming must be obtained through the AAPS Associate Director of Meetings and Expositions. Meeting registration fees must be collected through AAPS due to tax implications.

4.3 Contractual Authority. The focus group must adhere to the policies and procedures adopted by the AAPS Executive Council in connection with the engagement of consultants. All engagements and/or contractual arrangements, including but not limited to contracts to engage consultants or to hold or reserve facility or hotel space, must be directed through the staff liaison to AAPS for advance written approval of the AAPS Executive Council. AAPS is not responsible for the acts or omissions of any parties engaged by the focus group or for the contractual obligations of the focus group.

5. TERM

These Operating Conditions shall be in effect as long as the focus group is in existence and must be signed yearly by the chair.

6. REVOCATION OF STATUS

AAPS, through its Executive Council, shall have authority to revoke the focus group's status at its discretion, including but not limited to those situations in which membership in the focus group falls below fifty (50) persons or the Executive Council determines that the conduct of the focus group is in violation of these Operating Conditions, the provisions of the AAPS Bylaws, or policies or procedures adopted by the AAPS Executive Council. In such event, the focus group shall not continue to represent AAPS members in the designated area and all rights to use of the AAPS name, logo, and copyrighted materials shall end. Members of a revoked focus group will be notified about the change in status via the AAPS listserv.

The representatives of AAPS and the focus group agree to these Operating Conditions, which are effective until terminated by AAPS but are reconfirmed by the chair every two years.

Chair, (INSERT NAME OF FG)

Date

Executive Director, AAPS

Date

Attachment A

Procedural Guide **of the _____ Focus Group**

1. **Membership.** At least fifty members in good standing of AAPS are required before the focus group may be formed. Subsequent to these initial formation requirements, any individual whose interests are related to the purposes of the focus group shall be eligible to join the focus group, whether or not they are also members of AAPS. All individuals shall apply for membership through the AAPS national office. All members of the focus group in good standing shall be eligible to vote.

2. **Officers.** The Officers of the focus group shall be a chair, chair-elect, and a past chair. These individuals shall constitute the executive committee of the focus group. All officers must be members in good standing of AAPS.

The term of office for all officers shall be one or two years and each focus group must establish a succession plan. At the end of his or her term, the chair-elect shall assume the office of the chair. The chair of a newly established focus group must serve a two year term. After serving as chair, a member is no longer eligible to be an officer of the focus group. If a vacancy in an office occurs, the focus group steering committee may appoint a replacement for the remainder of the term of that office.

3. **Duties of Officers.**

A. **Chair.** The chair shall represent the focus group at AAPS meetings; direct the focus group and preside at its meetings; appoint committee members and committee chairs as necessary.

B. **Chair-elect.** The chair-elect shall act as chair in the absence of the chair or as necessary.

C. **Past Chair.** The past chair shall act as an adviser to the chair and chair-elect.

4. **Steering Committees.** Each focus group shall form a steering committee that consists of focus group members appointed by the chair. Small focus groups may consider their steering committee to be the chair, chair-elect, and past chair. All steering committee members report to the chair and should also be prepared to respond directly to AAPS. The role of the steering committee is to ensure that the goals and objectives of the focus group are fulfilled.

5. Nominations and Election of Officers.

A focus group nominations committee shall develop a slate of nominees for each elective office, and notify AAPS and the leaders of the section with which the focus group is affiliated. The focus group nominations committee shall then submit the names to the members of the focus group for vote by email ballot or at the focus group business meeting (held at the AAPS Annual Meeting), with each member having one vote for each office. The candidate receiving a plurality of votes shall be elected.

6. AAPS Meetings. The focus group must send one representative to the spring National Biotechnology Conference Jamboree, the summer Annual Meeting Jamboree, and other meetings as requested by the AAPS Executive Council.

7. Focus Group Annual Meetings. The focus group's annual meeting shall be held in conjunction with the AAPS Annual Meeting.

8. Communications. The focus group should communicate all activities with the primary and secondary sections (e.g., email, section leadership conference calls and meetings). The focus group should also communicate activities with other focus groups that have similar interests to develop joint programming. Focus groups are also encouraged to work with discussion groups to offer assistance and develop programming in order to support AAPS members regionally.

9. Finances. Generally, the focus group will be given an allocation based on the approved annual budget. At its discretion, AAPS may provide funds to support the focus group's programming and organizational functions. The focus group may request funding from the AAPS office through its staff liaison. Upon submission, requests may be approved or denied by the AAPS Executive Council.

10. Amendments. Any proposed amendments to this procedural guide must be in writing and submitted to the membership for vote, and approval shall require a two-thirds vote of the members. The amendments must be submitted to the Member Groups Coordination Committee for approval.

11. Miscellaneous.

A. The establishment of a new focus group must first be approved by the primary section. The Member Groups Coordination Committee will evaluate new focus group proposals and make recommendations to the AAPS Executive Council on the proposals. The AAPS Executive Council will make the final decision on all focus group proposals.

Each focus group shall be affiliated with one primary AAPS Section and no more than two secondary AAPS Sections, and the chair of each focus group shall meet with section leaders at least once annually. The Member Groups Coordination Committee shall initiate a review of the focus group at least every three years, and the focus group shall use its best efforts to assist the committee in this review. Recommendations from this

review will be communicated directly to the focus group chair and the primary affiliated section. The focus group shall have an opportunity to appeal the recommendations from the review to the Member Groups Coordination Committee by sending the appeal in writing to this committee. The Member Groups Coordination Committee will make the final decision on all appeals.

B. Issues not covered by this procedural guide will be governed by the AAPS Bylaws and other applicable AAPS policies and procedures.

C. The focus group may not enter into any contracts or other agreements.

Attachment B

**Specific Program Goals, Objectives, and Procedures of the
Focus Group**
