



*** BYLAWS OF THE
DIVISION OF PHYSICAL CHEMISTRY
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
NAME AND OBJECTS**

Section 1. The name of this Division of the AMERICAN CHEMICAL SOCIETY (hereafter the "SOCIETY") is the Division of Physical Chemistry (hereafter the "Division").

Section 2. The principal objects of the Division, in addition to those of the SOCIETY as stated in the Charter and Constitution of the SOCIETY, are

- a. The advancement of knowledge in the field of physical chemistry.
- b. The advancement of knowledge in other fields of science that depend upon developments in physical chemistry.

Section 3. To attain its objects the Division

- a. Arranges programs of related papers at national meetings of the SOCIETY and at various special sessions.
- b. Provides symposia planned either to catalyze progress in certain fields or to acquaint larger audiences with the problems and achievements of specialized groups of workers.
- c. Renders to scientists generally, and especially to its own members, various services that facilitate research, reporting of the results of research, and the dissemination of knowledge. These services are usually provided by special committees appointed by the Chair of the Division as directed by the Division or its Executive Committee. They may include publication of data of general importance; lists of scientific symbols; recommendations concerning nomenclature, spelling, editorial policies, and other conventions; and other similar services. Expenses to be borne for such services must be approved by the Executive Committee.

***Effective January 27, 2010.** Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY.

- d. May own, sponsor, or administer appropriate journals in accordance with the provisions of the Constitution and Bylaws of the SOCIETY, if the members of the Division vote explicitly for a definite plan.

Section 4. Nothing in these bylaws shall be inconsistent with the Charter, Constitution and Bylaws of the SOCIETY.

BYLAW II MEMBERS AND AFFILIATES

Section 1. Membership in the Division is open to all members of the SOCIETY who enroll with the Division and who pay the established annual dues.

Section 2. A Society Affiliate of the SOCIETY may apply to the Secretary to become a Society Affiliate of the Division. Provided that dues established for Society Affiliates are paid, a Society Affiliate shall have all the privileges of membership in the Division except those of voting for or holding an elective position of the Division, voting on Articles of Incorporation and bylaws for the Division, or serving as a voting member of its Executive Committee.

Section 3. A person who is not a member nor a Society Affiliate of the SOCIETY, but who wishes to participate in the activities of the Division, may become a Division Affiliate, provided that person's application is approved by the Executive Committee and provided that dues established for Division Affiliates are paid. Application shall be sent to the Secretary of the Division. Division Affiliates have all the privileges of membership except those of voting for or holding an elective position of the Division, or voting on Articles of Incorporation and bylaws for the Division, or serving as a member of its Executive Committee or equivalent policy-making body, or voting for Councilors or Alternate Councilors.

Section 4. Members shall have the following privileges:

- a. They receive copies of the abstracts of scientific sessions of the Division and of certain symposia sponsored by the Division.
- b. They may purchase at reduced rates volumes containing abstracts of papers to be presented before all Divisions at national meetings of the SOCIETY.
- c. They are invited to suggest subjects for symposia. They receive the Secretary's circular letters to the Division in which are stated plans for symposia and future meetings and requirements to be met by authors submitting papers to be read before general sessions of the Division. Certain other notices and informative publications are sent to members from time to time.
- d. They may vote on Division matters. MEMBERS may hold elective position within the Division. It shall be the privilege and duty of members to send to the Nominating Committee, or to the Division Chair for transmission to that Committee, the names of MEMBERS whom they recommend for its consideration.

Section 5. Any person may resign from the Division by submitting a resignation in writing to the Secretary during a calendar year for which dues have been paid.

Section 6.

- a. The names of members and Society Affiliates who are in arrears in payment of dues by as much as one year shall be stricken from the rolls. Any name shall, at the individual's request, be restored to the rolls after arrearages have been paid.
- b. Division Affiliates shall retain affiliate status only so long as payment is made of Division dues. Names are to be stricken from the rolls as soon as individuals are in arrears in the payment of dues and may not be restored until such action is approved by the Executive Committee.

Section 7. A member of the SOCIETY in emeritus status, who has been a member of the Division continuously for ten or more years, is eligible for emeritus status in the Division. Such a member shall pay no Division dues and shall retain all those privileges of membership to which they were entitled prior to certification of emeritus status.

BYLAW III OFFICERS AND EXECUTIVE COMMITTEE

Section 1. Officers. The officers of the Division shall be MEMBERS of the SOCIETY and shall consist of a Chair, a Chair-Elect, a Vice-Chair, a Vice-Chair-Elect, and either a Secretary-Treasurer or a Secretary and a Treasurer. At the discretion of the Executive Committee, the duties of Secretary and Treasurer may be assumed by one individual occupying the office of Secretary-Treasurer.

Section 2. Duties of Officers.

- a. Chair. The duties of the Chair shall be to call and preside at meetings of the Executive Committee, to carry into effect the decisions of that Committee, to preside at stated meetings of the Division, to appoint committees, to advise them concerning policies and procedures, and to carry out those duties required by the Constitution and Bylaws of the SOCIETY.
- b. Chair-Elect. In the absence of the Chair, the Chair's duties shall devolve upon the Chair-Elect. It shall be the responsibility of the Chair-Elect to make all arrangements for symposia and the presentation of general papers during the term of office. This duty shall include the organization of new symposia when unforeseen conditions seem to warrant their addition. The Chair-Elect shall have the full cooperation and advice of the Executive Committee of the Division regarding the number and types of symposia to be held during the term of office.

The Chair-Elect, or such other person as is designated by the Executive Committee, shall receive abstracts and prepare programs from papers offered for presentation before sessions of the Division. The Chair-Elect shall notify authors about acceptance or rejection on program assignment.

- c. Vice-Chair. It shall be the duty of the Vice-Chair to take responsible charge of the planning of symposia for the following year during which the Vice-Chair is to be Chair-Elect. The

Vice-Chair shall have the full cooperation and advice of the Executive Committee of the Division regarding the number and types of symposia to be held during that year.

- d. Vice-Chair-Elect. It shall be the duty of the Vice-Chair-Elect to take responsible charge of the planning of symposia for the year during which the Vice-Chair-Elect is to be Chair-Elect. The Vice-Chair-Elect shall have the full cooperation and advice of the Executive Committee of the Division regarding the number and types of symposia to be held during that year.
- e. Secretary. It shall be the duty of the Secretary to keep a record of the proceedings of the Division, and of its Executive Committee, and to carry out all the duties outlined in the Constitution and Bylaws of the SOCIETY. In addition, the Secretary shall prepare or direct the preparation of the annual activities and financial reports of the Division to the Committee on Divisional Activities of the SOCIETY (to be submitted through the Executive Director of the SOCIETY in accordance with the Bylaws of the SOCIETY) and shall provide for the transmittal of a copy of that report to each member of the Executive Committee.

Elections and balloting shall be administered by the Secretary with the advice and cooperation of the Division Chair. If the Secretary is a candidate for office, Tellers may be appointed by the Chair to validate and count the ballots and to tally the votes.

- f. Treasurer. The Treasurer shall have charge of the funds of the Division; shall collect dues and assessments; shall make all disbursements, subject to the approval of the Executive Committee; and shall carry out such other duties as required by the Constitution and Bylaws of the SOCIETY. The Treasurer shall submit a report to the Division at its annual meeting and shall prepare the annual report required by the Collector of Internal Revenue Service. At five-year intervals, normally coinciding with the end of the Treasurer's term, the Executive Committee, or its designees, will inspect the financial records and activities by means which may include an external audit.

Section 3. Executive Committee.

- a. The Executive Committee shall consist of the officers of the Division, the Immediate Past Chair, six other elected MEMBERS, the Division Councilors, the Division Alternate Councilors, and the elected officers (Chair, Chair-Elect, Vice-Chair, and Secretary) of the Subdivisions. It is the duty of the Committee to provide for the care of funds not needed for current operations of the Division, to oversee the planning of symposia and special meetings, to oversee all activities of the Division and in general, to further the purposes of the Division and protect its welfare.
- b. The Executive Committee shall direct the Division Chair or the Chair-Elect or the Vice-Chair or the Vice-Chair-Elect to provide for the selection of a Chair for each symposium. If possible, each Chair of a symposium should be invited to serve at least eleven months before the date of the meeting for which the symposium is planned.
- c. The Executive Committee shall transact its business either in meetings (usually at the time of meetings of the SOCIETY) or by other means of communication.

Section 4. Elections. At least four weeks before the spring meeting of the SOCIETY, the Chair shall appoint a Nominating Committee of three members, whose duty shall be to nominate MEMBERS

who have consented to serve as elected members of the Executive Committee, officers of the Division, Councilors, or Alternate Councilors.

A complete slate of candidates shall consist of one candidate for Vice-Chair-Elect, candidates for membership on the Executive Committee, and separate lists consisting of one candidate each for Councilor and Alternate Councilor when appropriate. When vacancies arise, one candidate each for Secretary and for Treasurer, or alternatively one candidate to serve as both Secretary and Treasurer, shall be part of the slate of candidates.

The Nominating Committee shall nominate only one complete slate unless the Executive Committee then in office has directed that for specific positions two MEMBERS shall be nominated.

The Nominating Committee shall present its nominations to the Secretary and Chair of the Division in the manner and at the time requested by the Chair. The names of candidates may be read as the Chair directs at any Division session or sessions.

The Secretary shall distribute the list of nominees to all members of the Division. Additional nominations may then be made as follows: each nominee or slate of nominees must be supported by signatures of not less than four percent of the members of the Division in good standing. No signature shall be valid if it appears on more than one nominating petition for the same vacancy during the same calendar year. A letter shall be submitted from each nominee stating willingness to be a candidate for election and to serve the Division for a full term if elected. No nominee may be a candidate for more than one vacancy. If nominated for more than one vacancy the nominee must choose which nomination to accept.

Councilors and Alternate Councilors shall be elected by ballot in accordance with the Constitution and Bylaws of the SOCIETY.

The Secretary shall distribute to each member of the Division a ballot containing the name of all candidates for positions of Councilor and Alternate Councilor, and for each other vacancy for which more than one candidate has been nominated.

All valid ballots received by the Secretary shall be counted by the Secretary or by Tellers appointed for the purpose by the Division Chair. A candidate shall be elected if the candidate has received a majority of the votes cast for the office for which the candidate was nominated, or if the candidate has received a plurality of such votes and at least five-fourths ($5/4$) as many votes as the nearest competitor.

If no candidates have received a sufficient number of votes for election, the Secretary shall distribute a second ballot to all members of the Division. On it shall appear the names of the two candidates receiving the most votes for each vacancy still unfilled. The return of this second and final ballot shall complete the election.

The following time schedule for the conduct of election shall be observed:

- a. The list of candidates nominated by the Nominating Committee shall be distributed to all members of the Division no later than one week following the fall meeting of the SOCIETY.

- b. Three weeks from the date of distribution shall be allowed for additional nominations to be received by the Secretary. All valid nominations received within that period will be included in the ballot.
- c. If more than one name has been proposed for any vacancy, the complete ballot should be distributed within two weeks after the close of the period allowed for additional nominations.
- d. Four weeks shall then be allowed for ballots to be returned to the Secretary.
- e. If a second shorter ballot must be prepared, it should be distributed within two weeks of the close of the period allowed for return of the final ballot.
- f. An additional period of at least three weeks shall be allowed for return of the final ballot.

If the dates of the meetings of the SOCIETY or if other conditions make it impossible to follow the schedule here outlined, the Executive Committee shall have the power to decrease or increase the time allowed for the return of ballots. The time actually to be allowed must be clearly stated on the ballot or in a notice which accompanies it.

Section 5. Terms of Office

- a. The term of the Chair shall extend from the close of one fall meeting of the SOCIETY through the fall meeting of the following year.
- b. The term of the Chair-Elect shall extend from the close of one fall meeting of the SOCIETY until the beginning of the term as Chair one year later.
- c. The term of the Vice-Chair shall extend from the close of one fall meeting of the SOCIETY until the beginning of the term as Chair-Elect one year later.
- d. The term of the Vice-Chair-Elect shall extend from the close of one fall meeting of the SOCIETY until the beginning of the term as Vice-Chair one year later.
- e. The terms of the Secretary and of the Treasurer shall begin at the close of one fall meeting of the SOCIETY and terminate at the close of the fall meeting five years later.
- f. The term of each elected member of the Executive Committee shall begin at the close of one fall meeting of the SOCIETY and end at the close of the fall meeting three years later. Terms shall be set in a manner to produce rotation so that the terms of two elected members to the Executive Committee expire each year.
- g. If a successor shall not have been elected, the term of any officer or member of the Executive Committee shall extend until an election of a successor shall have been completed in a manner to produce rotation.

Section 6. Vacancies. Vacancies in any office shall be filled by appointment by the Chair, subject to confirmation by the Executive Committee. The incumbent so selected shall serve the unexpired portion of the predecessor's term, except that in the cases of Councilors and Alternate Councilors, the appointees shall serve only until the next annual election.

BYLAW IV COUNCILORS

It shall be the duty of the Division Councilors or their Alternate Councilors to represent the Division in the Council of the SOCIETY. Councilors and Alternate Councilors will be voting members of the Executive Committee and will participate in all activities of the Committee.

Councilors and Alternate Councilors shall be elected for terms of three years, beginning January 1 following their election. In order to provide for an overlapping of terms, the starting dates of the terms of Councilor/Alternate Councilor pairs shall be staggered.

If a Councilor is unable to attend a meeting of the Council, then the Alternate Councilor of that Councilor/Alternate Councilor pair shall be authorized to act on behalf of said Councilor in accordance with the Bylaws of the SOCIETY. Should that Alternate Councilor also be unavailable, then the Chair shall designate one of the remaining Alternate Councilors to act in that capacity.

BYLAW V RECALL OF ELECTED OFFICIALS

Section 1. The elected officials of the Division (officers or elected Executive Committee members) and elected officials of any Subdivisions formed by the Division are subject to recall for neglect of duties or conduct injurious to the SOCIETY. Recall procedures are not applicable to Councilors and Alternate Councilors elected by the Division.

Section 2. The recall of an official shall be initiated when a signed petition, indicating in writing the specific charges and reasonable substantiating evidence, is submitted to the Chair from at least five voting members of the Division. In the event the Chair is the official in question, the Chair-Elect shall receive the petition and shall assume the duties of the Office of Chair with respect to this issue until the issue is resolved.

Section 3. The Chair shall without delay determine that the petitioners are aware of the gravity of their actions and the procedures to be followed. The Chair shall seek an alternate resolution to the problem and a withdrawal of the petition at this time. In the absence of a resolution to the problem, the Chair shall notify the members of the Executive Committee and call a special meeting within thirty days.

- a. The Executive Committee shall promptly continue the removal process or dismiss the petition as ill-founded or find an alternative solution to the problem. The Chair shall promptly inform the petitioners and the official of the decision of the Executive Committee.
- b. If the proceedings continue, the Chair shall assign the duties of the official to another MEMBER of the Division until the issue is resolved.
- c. If the proceedings continue, the official shall be offered an opportunity to answer the allegations in the petition before the Executive Committee.

Every reasonable effort shall be made to contact the official throughout this procedure. That effort shall include a certified letter to the last known address on the official SOCIETY membership rolls. Upon notification, the official shall have thirty days to make a written response to the allegations. The Executive Committee shall decide whether to proceed after studying the official's response. The Chair shall inform the official and the petitioners of the decision of the Executive Committee.

If no contact with the official can be made after a reasonable effort, the Executive Committee may remove the official in question with a two-thirds (2/3) vote of the remaining members.

d. If the proceedings continue, the official in question shall choose one of the following options:

(1) The official may resign.

(2) The official may request a recall vote in the same manner as the original election, which must be consistent with the Division bylaws. The voting membership shall be informed, through brief written statements prepared by the Executive Committee and the official, of the issues involved with the recall vote. Both statements shall be distributed to the voting membership before the vote is taken.

(3) The official may request a hearing and recall vote by the remaining members of the Executive Committee. A two-thirds (2/3) vote of the remaining members of the Executive Committee shall be required to recall the official.

(4) The official may choose not to respond and thus forfeit the position.

Section 4. The vacancy provisions of the bylaws shall be used to fill a vacancy caused by a recall process. The membership of the Division and the Executive Director of the SOCIETY shall be informed of the results of the recall process and replacement of the official.

BYLAW VI COMMITTEES

The Chair, with the advice of the Executive Committee, may appoint such committees as are necessary to carry on the business of the Division.

BYLAW VII DUES

Section 1. Members and Society Affiliates of the Division shall pay annual dues, the exact amount to be decided annually by the Executive Committee. Dues of members and Society Affiliates are payable in advance.

Section 2. Division Affiliates shall pay annual dues equal to or greater than those of members, but not less than \$2.00. The exact amount is to be decided by the Executive Committee. Dues of Division Affiliates are payable in advance.

BYLAW VIII MEETINGS

Section 1. The Division shall meet at each national meeting of the SOCIETY, unless the Executive Committee votes otherwise.

Section 2. The annual business meeting of the Division shall be held at the fall meeting of the SOCIETY. Division business requiring vote of the membership shall not be conducted at any other meeting but may be transacted by distributed ballot.

Section 3. Special meetings of the Division may be called by the Executive Committee if notice is distributed to the membership or published in the official organ of the SOCIETY at least two months in advance. If business is to be conducted at such a meeting, the notice of the meeting shall state the exact nature of the business to be considered and no other business shall be transacted at that meeting.

Section 4. Five percent of the members of the Division shall constitute a quorum for the conduct of business. Changes in the bylaws may be proposed and discussed, but the final voting shall be conducted by a ballot distributed to the members.

Section 5. The fee for registration at any special meeting of the Division shall be decided by the Executive Committee in accordance with the Bylaws of the SOCIETY.

Section 6. The most recent edition of *Robert's Rules of Order Newly Revised* shall be the parliamentary authority for procedural matters not covered in these bylaws or in the SOCIETY's documents.

BYLAW IX PAPERS SUBMITTED FOR PRESENTATION

Section 1. It shall be the duty of the Chair-Elect, or such other person designated by the Executive Committee, to receive papers and abstracts of papers submitted to the Division for presentation at its sessions and to arrange them in programs and provide a suitable Chair for each session. The Chair-Elect shall reject any paper that is not appropriate for a program of the Division and may submit any paper of doubtful suitability to a reviewer (chosen by the Chair-Elect) or to a committee appointed by the Chair of the Division.

Section 2. The rules for papers presented before meetings of the SOCIETY as outlined in the Bylaws and Regulations of the SOCIETY shall govern the Division.

Section 3. Each title, whether for an invited paper or not, must be accompanied by an abstract of about 200 words.

Section 4. The Executive Committee may impose additional requirements.

BYLAW X SUBDIVISIONS

Section 1. Composition. To achieve its objects, the Division may sponsor Subdivisions devoted to specialized fields within the area of Division interest. Membership or affiliation in the Division shall be a requirement for membership or affiliation in a Subdivision. Each such Subdivision shall operate in conformity with the bylaws of, and shall be responsible to, the Division.

Section 2. Formation. Formation or discontinuance of a Subdivision shall be at the discretion of the Executive Committee of the Division. Steps to initiate a Subdivision may be made by petition of a group of Division members to the Executive Committee or by the action of the Executive Committee. Prior to formation or discontinuance of a Subdivision, the membership will be notified and its opinions sought. The scope of the activities of any Subdivision shall be defined by the Executive Committee.

Section 3. Officers. Upon approval of the formation of a Subdivision, the Executive Committee of the Division shall appoint a Chair, Chair-Elect, Vice-Chair, and optionally a Secretary, who are MEMBERS and will be members in the Subdivision, and who shall serve for the organizational year or until the next regular election of the Division. Thereafter, the Chair-Elect shall succeed to the office of Chair, the Vice-Chair shall succeed to the office of Chair-Elect, and the members of the Subdivision shall nominate and elect the remaining officers, who must be willing to serve in these positions. The officers, who shall be MEMBERS of the SOCIETY, shall be elected in accordance with election procedures for Division officers and their terms shall coincide with those of their counterparts at the Division level. If the Subdivision has a Secretary as one of its officers, the term of office of the Secretary shall be five years.

Section 4. Funds. The necessary expenses for each Subdivision shall be authorized by the Executive Committee of the Division from Division funds and shall be paid by the Treasurer of the Division upon the usual authentication.

Section 5. Representation. The officers of a Subdivision shall serve as members of the Executive Committee of the Division. The officers of each Subdivision shall constitute a Steering Committee for the Subdivision and shall report through the Subdivision Chair and shall be responsible to the Executive Committee of the Division.

BYLAW XI AMENDMENTS

Section 1. A proposal for amendment shall first be submitted in writing to the Secretary of the Division by either a majority of the members of the Executive Committee or not less than 25 members of the Division. The Executive Committee shall examine and formulate a report on each proposal. The Division Secretary shall transmit the report to the sponsors of the proposal, who in turn shall notify the Division Secretary within two weeks of their acceptance or rejection of any recommendations for modification. If a majority of the sponsors accept recommendations for modification, the proposal as modified becomes the proposal for amendment. The Division Secretary or other designated member of the Executive Committee may submit this proposal to the Committee on Constitution and Bylaws for preliminary review, and any changes required as a result of this preliminary review shall be incorporated into the final language of the proposal for amendment. This final proposal, together with the report thereon of the Executive Committee, shall be distributed by

the Division Secretary to each member of the Division. The Division Secretary shall include an appropriate ballot, and a statement of the time at which the vote will be declared complete and the ballots subject to counting.

Under normal circumstances, proposals for changes in the bylaws should be distributed after the spring meeting either with the list of candidates proposed by the Nominating Committee or with the complete ballot for officers. These proposals may be distributed with the annual letter of the Secretary if the Division Chair so directs. If in the opinion of the Executive Committee a rapid vote is necessary, a special balloting may be conducted to facilitate immediate action on proposed amendments to the bylaws.

When an interval of four weeks is allowed for return of ballots, a two-thirds (2/3) majority of those voting shall be sufficient for adoption of an amendment. Regardless of the time allowed for return of the ballots, the amendment shall be valid if approved by a two-thirds (2/3) majority of the members of the Division.

Ballots may be counted by the Secretary or by Tellers, as the Division Chair directs.

Section 2. Amendments to these bylaws shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council, unless a later date is specified.

BYLAW XII DISSOLUTION

Upon dissolution of the Division, any assets of the Division remaining thereafter shall be conveyed to such organization then existent as is dedicated to objects similar to those of the Division and the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY, so long as whichever organization is selected by the governing body of the Division at the time of dissolution shall be exempt under section 501(c)(3) of the Internal Revenue Code of 1954 as amended or under such successor provision of the Code as may be in effect at the time of the Division's dissolution.