



**APPROVED AS AMENDED\***

by the Committee on Constitution and Bylaws, acting for the Council of the American Chemical Society, under authority of Bylaws III, VII, and VIII.

*Paul Lewis*

Secretary of the Council

**\*BYLAWS OF THE  
DIVISION OF CHEMICAL INFORMATION  
OF THE  
AMERICAN CHEMICAL SOCIETY**

**BYLAW I  
Name and Objects**

Section 1. The name of this organization shall be the "Division of Chemical Information of the AMERICAN CHEMICAL SOCIETY", hereinafter referred to as the "Division" and the "SOCIETY," respectively.

Section 2. The objects of this Division shall be those of the SOCIETY as they apply to chemical information and computer sciences, which deal first with the fundamental concepts, relationships, theory, and methods pertaining to the collection, processing, communication, and utilization of chemical information and secondly, with the theory, design, and operation of systems that process chemical information. Chemical information processing is regarded as including the collection, manipulation, correlation, organization, storage, transmission, retrieval, display, reproduction, dissemination, analysis, and evaluation of chemical information. Information processing systems include computer systems, communication systems, reprographic systems, and other associated devices.

**BYLAW II  
Members and Affiliates**

Section 1. Membership in this Division shall be open to all members of the SOCIETY who indicate their wish to join the Division by paying annual dues. Such SOCIETY members shall be called "members" hereinafter. Application for membership shall be sent to the Membership Chair.

Section 2. A Society Affiliate of the SOCIETY may apply to the Membership Chair to become a Society Affiliate of the Division provided that dues established for Society Affiliates are paid.

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Section 3. A person who is neither a member nor a Society Affiliate of the SOCIETY but who wishes to participate in the activities of the Division, may do so as a Division Affiliate by applying to the Membership Chair and paying dues established for Division Affiliates.

#### Section 4. Privileges

- a. Members of the SOCIETY may hold an elective position in the Division, vote on Articles of Incorporation and bylaws for the Division, vote for all elective positions of the Division, and serve as members of its Executive Committee. An ASSOCIATE MEMBER of the SOCIETY may not hold the office of Councilor or Alternate Councilor or be designated as a Temporary Substitute Councilor.
- b. Division Affiliates may not hold elective positions or vote on Articles of Incorporation and bylaws for the Division, or vote for Councilor(s) and Alternate Councilor(s) from the Division, but they may vote for the Chair-Elect, Secretary, and Treasurer and may serve as members and chairs of committees except the Nominating Committee and the Executive Committee.
- c. Society Affiliates of the Division may not vote on Articles of Incorporation and bylaws for the Division, or vote for or hold an elective position of the Division, but may serve as members and chairs of committees except the Nominating Committee and the Executive Committee.
- d. Notices of proposed activities of the Division and such abstracts, preprints, and other information services as the Division may provide shall be directed to the last known address of each member, Division Affiliate, and Society Affiliate of the Division.

Section 5. Both Society Affiliates of the Division and Division Affiliates are hereinafter called "affiliates." A member or affiliate may resign from the Division by submitting a written resignation to the Membership Chair.

### **BYLAW III**

#### **Officers, Councilors, and Alternate Councilors**

Section 1. The officers of the Division shall consist of:

- a. Chair
- b. Chair-Elect
- c. Secretary
- d. Treasurer

Section 2. Duties of Officers

- a. The duties of the Chair shall be to preside at business meetings of the Division and of the Executive Committee; to carry into effect the decisions of that Committee and of the Division; to appoint committees; and to assume the other responsibilities usually associated with that office.

- b. The duties of the Chair-Elect shall be to perform the duties of the Chair in the latter's absence and to assemble and present to the Executive Committee at its fall meeting a budget for the Division for the ensuing year.
- c. In the absence of both the Chair and the Chair-Elect, the Secretary shall act as Chair.
- d. The Secretary shall handle Division correspondence and carry out all the other duties usually associated with that office and outlined in the Constitution and Bylaws of the SOCIETY (as specified in these documents). If the Secretary is newly elected, the outgoing Secretary shall prepare the annual report.
- e. The Treasurer shall have charge of the funds of the Division, collect dues and assessments, and, subject to the approval of the Executive Committee, make all disbursements. Officers and committee chairs may authorize disbursements within their respective approved annual budgets. The Treasurer shall carry out all the other duties usually associated with that office and outlined in the Constitution and Bylaws of the SOCIETY (as specified in these documents). If the Treasurer is newly elected, the outgoing Treasurer shall prepare the annual report.
- f. Additional information on the duties of officers is found in the Divisional Procedures Manual.

### Section 3. Councilors and Alternate Councilors

It shall be the duty of the Division Councilors (Alternate Councilors in the absence of the Councilors) to represent the Division on the Council of the SOCIETY.

### Section 4. Term of Office

- a. Officers shall assume the duties of their respective offices on the first day of January following their election and shall continue for the slated term of the office or until their respective successors are selected, whichever period is longer.
- b. The Chair and Chair-Elect of the Division shall serve for a term of one year. The Chair-Elect shall succeed to the office of Chair on the first day of the second January following election or upon a vacancy in the office of Chair.
- c. The term of office of the Secretary shall be two years, beginning January 1 of even-numbered years.
- d. The term of office of the Treasurer shall be two years, beginning January 1 of odd-numbered years.
- e. The term of office of each of the Councilors and Alternate Councilors shall be three years, and the terms of Councilors and Alternate Councilors, respectively, shall partially overlap. One Councilor and one Alternate Councilor shall be elected at the expiration of the terms of one Councilor and Alternate Councilor. If more than two Councilors are permitted, then more than one Councilor and more than one Alternate Councilor may be elected in any year to fill the quota.

## **BYLAW IV Elections**

### Section 1. Nominations

- a. Each year, not later than March 1, the Chair of the Nominating Committee shall solicit nominations for the officers who are to be elected that year. Any 10 members may by petition nominate to any office any eligible member who agrees to serve if elected. Nomination ballots and petitions shall be returned not later than April 1.
- b. The Chair shall select a Nominating Committee of at least three members, which shall review the nomination ballots when returned. It shall solicit from each nominee agreement to serve if elected. It shall prepare an election slate consisting of candidates for each position to be filled and including the name of each member nominated by petition. There shall be at least one more candidate per position than required to fill that position, and Councilor and Alternate Councilor shall be a single slate as specified in these documents. The Nominating Committee shall forward promptly the election slate to the Secretary. The Chair shall select a Teller Committee of at least three members, no member of which shall have served on the Nominating Committee during the same year. No candidate for elected office may be a member of either the Nominating Committee or the Teller Committee.

### Section 2. Voting

- a. All balloting shall meet the requirements of (1) fair balloting which is open to all eligible members of the division, (2) anonymity, (3) protection against fraudulent balloting, (4) ballot archiving, and (5) timely reporting of results.
- b. Not later than June 1, the Secretary shall cause to be sent to each member and to each Division Affiliate an election ballot bearing the names of the candidates for each office for which they may vote, arranged in alphabetical order under each office. On each ballot there shall be a blank line under each office for “write-in” votes.
- c. Elections shall be held by a preferential ballot according to the Hare system (*Webster’s Third New International Dictionary Unabridged*) or such other method of counting preferential ballots as the Executive Committee may adopt.
- d. In case of a tie, a majority vote provided by the members of the Executive Committee, based on a quorum as defined in these documents, shall decide the winner. Prompt notification of election results shall be made to the candidates by the Secretary.

### Section 3. Councilors and Alternate Councilors

Councilors and Alternate Councilors shall be elected from a single slate of candidates, with the person(s) receiving the highest number(s) of votes filling the Councilor seat(s) and the person(s) receiving the next highest votes filling the Alternate Councilor seat(s). The election of Councilor(s) and Alternate Councilor(s) shall be contingent upon the number of Councilor(s) and

Alternate Councilor(s) authorized for the Division for the ensuing year by the official determination of representation set by the SOCIETY. In the case of a decrease in the number of Councilor(s) and Alternate Councilor(s), the election shall be null and void; or in the event two or more Councilors and Alternate Councilors are elected, the persons receiving the lowest number of votes shall be eliminated. In the case of an increase in the number of Councilor(s) and Alternate Councilor(s), the Alternate Councilor(s) receiving the highest number of votes shall fill the newest Councilor seat(s), and the person(s) receiving the next highest votes shall fill the newest Alternate Councilor seat(s).

#### Section 4. Vacancies

Any vacancies occurring shall be filled by a vote by the members of the Executive Committee unless the method of succession is otherwise provided for, except that the office of Chair-Elect may remain vacant until the next election of officers. Vacancies in the office of Councilor or Alternate Councilor are to be filled by the Executive Committee until the next annual election. A majority of the members of the Executive Committee shall constitute a quorum for this purpose. At that election, a MEMBER shall be elected to serve the remainder of the original three-year term. If this remainder is less than one year, a MEMBER may be elected for the remainder of the original term, plus a new three-year term.

### **BYLAW V**

#### **Recall of Elected Officials**

Section 1. The elected officials of the Division (officers or elected Executive Committee members) are subject to recall for neglect of duties or conduct injurious to the SOCIETY.

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 30 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 30 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 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 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 given 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 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**

### Section 1. Executive Committee

- a. Voting members of the Executive Committee shall be the officers of the Division, Councilors and Alternate Councilors, the Immediate Past Chair, the Program Committee Chair, the Membership Committee Chair, and the Chair of each Subdivision. Additional persons, such as chairs of other committees, may attend Executive Committee meetings in an advisory capacity, when invited by the Chair.
- b. The Executive Committee shall conduct the business of the Division and shall control expenditures of Division funds.

- c. This Committee shall meet whenever the Division meets at a national meeting of the SOCIETY, may meet at other times as called by the Chair, and may meet by various media.
- d. A simple majority of the voting members of this Committee shall constitute a quorum for the transaction of business, whether present at a regularly called meeting of the Committee or replying to a mail ballot. In the latter case, the ballot shall be considered closed two weeks after its mailing if response has been received from a quorum, or as soon thereafter as a quorum has responded.

## Section 2. Other Committees

- a. Inter alia, there shall be a Nominating Committee, a Teller Committee, a Program Committee, a Membership Committee, and an Award Committee. The Chair shall appoint all committees and committee chairs, except that the Program and Membership Committee Chairs shall be appointed with the consent of the Executive Committee.
- b. The Nominating Committee shall be appointed by February 1.
- c. Members of all committees shall serve no more than three successive one-year terms. Committee chairs may serve three additional one-year terms after having been committee members for as many as three consecutive terms.
- d. Appointments to committees shall be made on the basis that at least one-third of the members of each committee shall be new each year.

## Section 3. Archives

- a. The Chair shall appoint an Archivist for an initial term of three years. The Archivist may thereafter be appointed to an unlimited number of one-year terms.
- b. The Archivist shall maintain the archives of the Division in a place and in a manner approved by the Executive Committee.
- c. Each officer and committee chair shall maintain and retain the records necessary to the conduct of office.

## **BYLAW VII** **Meetings**

Section 1. The Division shall meet at each national meeting of the SOCIETY unless the Executive Committee votes otherwise, provided that the requirement for a minimum number of meetings as specified in the SOCIETY's Bylaws shall be met. Those members of the Division who are present at a regularly scheduled meeting of the Division shall constitute a quorum for the transaction of business.

Section 2. Special meetings of the Division may be called by the Executive Committee, if notice is given to the membership in a special bulletin or by a publication of the Division or in the official organ of the SOCIETY at least two months in advance. The fee for registration at any special meeting shall be decided by the Executive Committee, in accordance with the Bylaws of the SOCIETY.

### **BYLAW VIII Presentation of Papers**

Section 1. The Program Committee Chair shall be responsible for the selection of papers to be presented at meetings 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 this Division.

### **BYLAW IX Dues**

#### Section 1. Payment

Dues shall be payable annually in an amount to be decided by the Executive Committee. Members, Division Affiliates, and Society Affiliates shall remain in that status so long as their dues are paid. A person whose SOCIETY membership is terminated through nonpayment of dues shall simultaneously cease to be a member of the Division.

#### Section 2. Members

Dues for members shall be at least \$3.00 per year.

#### Section 3. Affiliates

Dues for Division Affiliates and Society Affiliates shall exceed dues for members by at least \$1.00 per year and shall be at least \$4.00 per year, except that a regularly matriculated student specializing in a chemical science who has not taken a baccalaureate degree in a chemical science may be accepted as a Division Affiliate with student status on payment of at least \$2.00.

#### Section 4. Members in Emeritus and Retired Status

- a. A member of the Division shall be eligible to become a member in emeritus or retired status in the Division, respectively, upon certification to the Chair of the Membership Committee of emeritus status in the SOCIETY or of permanent retirement from active professional employment.
- b. Dues for members in emeritus or retired status shall be remitted or reduced in the same proportion as SOCIETY dues for such members.
- c. A member in emeritus or retired status shall have all the privileges of membership.



## Section 5. Unemployed Members

Upon request by members or affiliates who declare themselves unemployed, payment of dues may be deferred according to regulations adopted by the Executive Committee.

### **BYLAW X Amendments**

A proposal to amend these bylaws may be initiated by the Executive Committee and also by a petition to the Executive Committee signed by at least 10 members. In either case, the Executive Committee shall distribute a ballot detailing the proposed amendments, with its recommendation to the members, and shall specify a deadline for return of ballots which shall be between four and six weeks after the date of submission. If a two-thirds majority of the ballots cast is affirmative, the amendments shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council.

### **BYLAW XI Parliamentary Authority**

These bylaws are subordinate to the Constitution and Bylaws of the SOCIETY. The rules contained in the most recent edition of *Robert's Rules of Order Newly Revised* shall govern the Division in all cases to which they are applicable and in which they are not inconsistent with the Constitution and Bylaws of the SOCIETY or the bylaws of the Division.

### **BYLAW XII Subdivisions**

#### Section 1. Composition

The Division may sponsor Subdivisions devoted to specialized fields within the areas of divisional interest. Membership or affiliation in this Division shall be a requirement for participation in a Subdivision as members or affiliates, respectively.

#### Section 2. Formation

Formation or discontinuance of a Subdivision shall be at the discretion of the Executive Committee. Steps to initiate a Subdivision may be made by petition of a group of 50 Division members to the Executive Committee or by the action of the Executive Committee.

- a. The scope of the activities of a Subdivision shall be defined by the Executive Committee.
- b. The Executive Committee shall appoint an advisor to the Subdivision to ensure that the Subdivision shall operate in conformity with the bylaws of, and shall be responsible to, the Division.

### Section 3. Officers

- a. Upon approval of the formation of a Subdivision, the Executive Committee shall appoint for a period not to exceed one year a Chair, a Secretary, and a Membership Secretary as officers for the Subdivision. Only members may be officers of the Subdivisions.
- b. The Chair of a Subdivision shall submit an annual report for the preceding calendar year to the Chair and to the Secretary of the Division not later than January 31.

### Section 4. Elections

- a. The regular annual election cycle for officers of the Subdivision shall start in the year following the formation of a Subdivision.
- b. The Membership Secretary of the Subdivision, together with a Nominating Committee appointed by the Chair of the Subdivision, shall solicit nominations, prepare ballots, and carry out all other actions necessary to conduct annual elections. The elections for Subdivision officers shall follow the applicable procedures as specified in these documents, except that Subdivision officers shall carry out all functions required of Division officers as specified in these documents.
- c. Only members and Division Affiliates of the Subdivision may vote for officers of the Subdivision.
- d. The officers of a Subdivision shall serve for a term of one year beginning January 1.

### Section 5. Funds

Not later than August 1, the Chair of a Subdivision shall submit to the Chair-Elect of the Division a budget for the ensuing year for review and approval by the Executive Committee.

### Section 6. Representation

The officers of a Subdivision shall constitute a steering committee for the Subdivision and shall report through the Subdivision Chair to the Executive Committee.

### Section 7. Dissolution

Upon dissolution of a Subdivision and discharge of its debts and the settlement of its affairs, any property of the Subdivision remaining thereafter shall be conveyed to the Division for the general purpose of the Division.

## **BYLAW XIII** **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.