

Additions
Deletions

DMP Bylaws

Date Approved by Council:
Date Ratified by Members:

(In the following text, "Society" shall signify the American Physical Society; "Council" and "~~Executive~~ Board" shall signify the **Council of Representatives** and the ~~Executive~~ Board of **Directors** of the Society, respectively; "~~Executive Officer~~ **CEO**" shall signify that **Chief Executive** Officer of the Society; and "Regular Meeting" shall signify the principal meeting held once a year by the Division.)

ARTICLE I - NAME

This Division of the American Physical Society shall be called the Division of Materials Physics.

ARTICLE II - OBJECTIVE

The objective of the Division shall be the advancement and diffusion of knowledge in materials physics. Materials physics attempts to apply fundamental condensed matter concepts to complex and multiphase media, including materials of technological interest. It seeks a basic physical description of the properties of materials and of the mechanisms underlying materials processing (i.e., the methods by which materials structures, forms, and properties are achieved).

ARTICLE III - ENABLING CONSTITUTIONAL PROVISION

Article VIII of the Constitution **and Bylaws** of the Society, ~~as said Article may be subsequently revised or amended, is~~ **and the associated Policies and Procedures of the Society, as may be subsequently revised or amended, are** hereby incorporated in these Bylaws by reference.

ARTICLE IV - MEMBERSHIP

The members of the Division shall consist of members of the Society who have indicated in accordance with procedures established by ~~Council~~ **the Board** their desire to join the Division and who retain membership from year to year by the payment of designated dues or by other method established by **Board and Council**

ARTICLE V - EXECUTIVE COMMITTEE

1. Governance. The Division shall be governed by an Executive Committee, which shall have general charge of the affairs of the Division.

2. Composition. The Executive Committee shall consist of the Officers of the Division, the most recent Past Chair, the Division Councilor, and six Members-at-Large elected to staggered three-year terms.

3. Executive Committee Meetings. The Executive Committee shall meet at least once a year during the Regular Meeting of the Division. Other meetings may be called by the Chair. Any member of the Executive Committee unable to attend a meeting may name a nonvoting alternate, **who is a Division member in good standing**, to represent him or her, subject to the approval of the Chair. ~~The Chair shall preside over Executive Committee meetings.~~ A majority of the voting members, including at least two Officers, shall constitute a quorum.

ARTICLE VI - OFFICERS AND DIVISION COUNCILOR

1. Officers. The Officers of the Division shall be a Chair, a Chair-Elect, a Vice-Chair, and a Secretary-Treasurer.

2. Duties of the Chair. The **Chair has overall responsibility for the operations of the Division and** shall preside at all meetings of the Executive Committee and Business Sessions of the Division. The Chair shall perform such other functions as may be explicitly provided in the Bylaws and may be mandated by the Society.

3. Duties of the Chair-Elect. The Chair-Elect shall act in place of the Chair if the latter is unable to perform his or her duties. The Chair-Elect shall perform such other functions as may be explicitly provided in the Bylaws.

4. Duties of the Vice-Chair. The Vice-Chair shall act in place of the Chair-Elect if the latter is unable to perform his or her duties. The Vice-Chair shall perform such other functions as may be explicitly provided in the Bylaws.

5. Duties of the Secretary-Treasurer. The Secretary-Treasurer shall maintain the records of the Division including minutes of the Executive Committee meetings and Business Sessions, and Division activities. The Secretary-Treasurer shall notify the Executive Committee of matters requiring the decision of said Committee and shall, **with the Chair**, prepare the agenda of Executive Committee meetings and Business Sessions and shall submit these minutes to each member of the Executive Committee and to the ~~Executive Officer~~ **Society's Corporate Secretary** within four weeks after each meeting. Following elections, such minutes are to include the results of the election and a roster of the current Executive Committee membership.

The Secretary-Treasurer shall be responsible for the preparation and distribution of newsletters to the Division membership on a timely basis.

The Secretary-Treasurer, **in conjunction with the Division Councilor**, shall keep the Council ~~and Executive Officer~~ of the Society informed of the activities and needs of the Division.

The Secretary-Treasurer shall have responsibility for all funds in the custody of or placed at the disposal of the Division and, **in consultation with the Chair**, shall authorize disbursements from such funds for expenses in a manner that is consistent with the general policies of the Society and the Division. Financial records shall be kept on an annual basis consistent with the fiscal policies of the Society.

The Secretary-Treasurer shall present a financial report at each meeting of the Executive Committee and at the annual Business Session of the Division.

6. Duties of the Division Councilor. The Division Councilor shall serve as liaison between the Council of the Society and the Executive Committee of the Division. Following each Council meeting, the Division Councilor shall report to the Chair and the Secretary-Treasurer regarding Council actions that affect the status and operations of the Division. Reports shall be made to the entire Executive Committee during their regularly scheduled meetings.

ARTICLE VII - ELECTION AND TENURE OF THE OFFICERS, EXECUTIVE COMMITTEE MEMBERS, AND DIVISION COUNCILORS(S)

1. Qualifications. Officers, Division Councilor, and Members-at-Large of the Executive Committee must be members of the Division on the June 30 prior to the nomination.

2. Ballot. The Vice-Chair, Secretary-Treasurer, Division Councilor, and Members-at-Large of the Executive Committee shall be elected by mail **and/or** electronic ballot as hereinafter provided.

3. Nomination and Election of the Vice-Chair, Secretary-Treasurer, and Executive Committee Members. Each year the Nominating Committee shall nominate at least two candidates for the office of Vice-Chair, for Secretary-Treasurer during the final year of the current Secretary-Treasurer, and for open position of Members-at-Large of the Executive Committee. **In the case of nomination of any candidate for a second term, the Nominating Committee, in consultation with the Chair, will determine if the re-election is appropriate.** The Nominating Committee shall notify the Secretary-Treasurer of the results by 15 October. The election ballot shall contain those names and also those of other candidates nominated by petition of five percent of the membership of the Division (determined on the previous June 30) and received by the Secretary-

Treasurer by 1 October. Nomination by petition shall not preclude nomination of the same candidate by the Nominating Committee. Each year the Secretary-Treasurer shall remind the membership of the Division of the procedure for nominating by petition.

The Secretary-Treasurer shall poll the Division membership by mail **and/or** electronic ballot, with a closing date at least 7 weeks before the Regular Meeting. Ballots shall be returned to and counted by the Secretary-Treasurer or his or her designate. **In the case of elections when the Secretary-Treasurer is a candidate for a second term, the election shall be administered by a process determined by the Executive Committee.** Election shall be decided by a plurality of those voting. If there is a tie, the Executive Committee shall decide the election, with the Chair voting only in the case of a tie among the other Executive Committee members. The Secretary-Treasurer shall communicate the results of the election to the Chair **and to the Society's Corporate Secretary** at least one month prior to the Regular Meeting and shall publish the results in a newsletter.

4. Nomination and Election of a Division Councilor. During the final year of the term of the Division Councilor, the Nominating Committee shall nominate at least two candidates for the open position. Nomination may also be made by petition (see Article VII.3 of these Bylaws). The Secretary-Treasurer shall poll the Division by mail **and/or** electronic ballot. Ballots shall be returned to and counted by the Secretary-Treasurer or his or her designate. Election shall be by plurality of those voting. If there is a tie, the Executive Committee shall decide the election, with the Chair voting only in the case of a tie among other Executive Committee members. The Secretary-Treasurer shall communicate the results of the election to the Chair and to the ~~Executive Officer~~ **Society's Corporate Secretary** before 1 September of the year prior to that in which the new Councilor assumes office and shall publish the results in a newsletter.

5. Official Year. The official year shall extend from the close of one Regular Meeting to the close of the next Regular meeting.

6. Vice-Chair, Chair-Elect, and Chair. The member elected as Vice-Chair shall serve in that office for one year, then for one year as Chair-Elect, and then for one year as Chair. The Chair shall not be eligible for the office of Vice-Chair in the year following his or her term of office.

7. Terms of Office. The terms of office of the Officers and Members-at-Large of the Executive Committee shall begin at the close of the Regular Meeting of the Division following their election. The Secretary-Treasurer shall serve for a term of three years and may not serve more than two consecutive terms. The tenure of a Member-at-Large of the Executive Committee shall terminate in the event of his or her assumption of a post as an elected Officer of the Division, and the unexpired portion of his or her term shall be filled as hereinafter provided for a vacancy.

The term of office of the Division Councilor shall begin at the beginning of the calendar year following his or her election. **The** Divisional Councilor shall serve for a term of four years and may not serve more than two consecutive terms unless otherwise specified by Council.

8. Vacancies in Offices. If a vacancy occurs in the office of Chair, the Chair-Elect shall succeed and complete the term and shall serve as Chair also in the following year. The Vice-Chair shall serve simultaneously as Chair-Elect during the remainder of the term and shall continue to serve as Chair-Elect in the following term.

If a vacancy occurs in the office of Chair-Elect otherwise than through advancement to Chair, the Vice-Chair shall become the Chair-Elect. In this case, and also if the office of Vice-Chair becomes vacant for other reasons, the office of Vice-Chair shall remain vacant for the remainder of the term. In the next scheduled election, candidates for both Chair-Elect and Vice-Chair shall be nominated.

If vacancies occur in the offices of both the Chair and the Chair-Elect, the Vice-Chair shall become Chair and shall complete the term. In this case, a special election shall be held to fill the offices of Chair-Elect and Vice-Chair. The members so elected shall continue to serve as officers in the normal succession order.

Vacancies in any other elected office shall be filled (or left unfilled) by the Executive Committee until such time as the vacancy can be filled by regular election procedures.

ARTICLE VIII - APPOINTED COMMITTEES

1. Nominating Committee. The ~~immediate past~~ Chair of the Division shall be ~~Chairman~~ **Chairperson** of the Nominating Committee. In addition, the Nominating Committee shall consist of four members appointed by the **immediate Past** Chair to staggered two-year terms and one member appointed by the Council for a one-year term. The **immediate Past** Chair shall ascertain through the ~~Executive Officer~~ **CEO** the identity of this member. The Nominating Committee shall prepare a slate of candidates for the positions of Vice-Chair, Secretary-Treasurer, and Members-at-Large of the Executive Committee according to Article VII.3 and Article VII.4 of these Bylaws. The Nominating Committee shall advise the Chair **of the Division** on suitable candidates for Society committees, including relevant Society Prize and Award committees, and on candidates for Society offices. The Nominating Committee shall perform such other duties as described in the Bylaws.

2. Program Committee. The Chair-Elect shall be Chairperson of the Program Committee. The Program Committee shall consist of the Executive Committee; it

may be augmented by other members of the Division selected by the Chairperson. The Program Committee shall have the responsibility of assisting the ~~Executive Officer~~ **Society's Director of Meetings**, or his or her designate, in arranging the meetings of the Society. This activity shall include the selection, arranging, and scheduling of focused sessions (symposia of invited and contributed papers) and sessions of invited papers and the scheduling of contributed papers within the areas of interest of this Division. For meetings of the Division, including the Regular Meeting, the Program Committee shall be responsible for the solicitation and selection of invited and review papers and for the arrangement of the programs of such meetings.

3. Fellowship Committee. The Fellowship Committee shall consist of the Vice-Chair and four other members appointed by the Executive Committee, upon recommendation of the Chair, to a one-year term. The Vice-Chair shall serve as Chair of the Fellowship Committee. The Fellowship Committee shall promote the nomination of candidates for Fellowship, shall review the qualifications of such candidates, and shall report its recommendations to the Executive Committee for approval before submission is made to the ~~Executive Officer~~ **Honors Program Director of the Society**.

4. Publications Committee. The Publications Committee shall consist of six members appointed by the Chair to staggered three-year terms. The Chair shall appoint the Chair of the Publications Committee from among the members. The Publications Committee shall solicit articles for Physics News, shall interact with the editors of the Physical Review and Physical Review Letters on matters of interest to the Division, and shall serve as the Divisional interface with editors and publications for the popular press, **in consultation with the APS Office of Public Affairs**.

5. Terms of Office of Appointed Committee Members. The terms of committee members appointed or recommended by an incoming Chair shall commence at the beginning of the year in which he or she assumed office.

6. Ad Hoc Committees. The Chair shall appoint other ad hoc committees as necessary, which shall serve only during his or her term as Chair.

ARTICLE IX - MEETINGS

1. Regular Meeting. One meeting of the Division, to be known as the Regular Meeting, shall be held annually at the March Meeting of the Society. The regulations and registration fees set by the Society for the March Meeting shall apply for this Regular Meeting

2. Annual Business Session. Each year the Division shall hold a Business Session which shall be a session of the Regular Meeting. This Business Session shall be devoted exclusively to the reports of officers and committees, election

results, and the transaction of business affairs. No scientific program of the Division shall be presented simultaneously with the Business Session. A majority vote of those Division members present at the Business Session shall be sufficient for approval of actions.

3. Other Meetings. Meetings of the Division, other than the Regular Meeting, may be initiated by the Executive Committee or by petition of twenty percent of the members of the Division, subject to approval by the ~~Executive Officer~~ **Council**. Special conferences may be sponsored in whole or in part by the Division, subject to the rules and regulations specified in the Society Constitution and Bylaws **and associated Policies and Procedures**.

4. Papers at Meetings. Programs of meetings of the Division may provide for the inclusion of both invited and contributed papers. When a meeting of the Division is held in conjunction with a meeting of the Society, the rules of the Society shall apply to submitted papers. When a meeting of the Division is not held in conjunction with a meeting of the Society, the Executive Committee shall prescribe the subject and character of the meeting, which may include limitations on the subject matter of submitted papers. The Secretary-Treasurer shall fix the deadline date for receipt of titles and abstracts, in consultation with the ~~Executive Officer~~ **Society's Director of Meetings**, and shall designate the place to which they should be sent. The amount of time to be allowed for the presentation of a paper at the Regular Meeting shall be determined by the Program Committee. These allotments of time shall be consistent with the Constitution and Bylaws of the Society and ~~with regulations of Council~~ **associated Policies and Procedures**.

ARTICLE X - DUES

Dues for maintenance of membership in the Division shall be established by the Board.

ARTICLE XI - OFFICIAL ANNOUNCEMENTS

Official announcements shall be made in the official newsletter of the American Physical Society (at the discretion of the *APS News* Editor), on the Division website and/or in a unit newsletter.

ARTICLE XII - PROCEDURE OF AMENDMENT OF BYLAWS

Proposal of an Amendment to these Bylaws may be made by the Council, **by the Society's Governance Committee**, by the Executive Committee, or by a petition to the Chair signed by not fewer than ten percent of the members of the Division. ~~If the proposed amendment originates within the Division, it~~ **However initiated, a proposed Amendment** must be **reviewed by the Society's Governance Committee** and approved by Council before further action can be taken. Following Council approval, the Secretary-Treasurer shall publicize the proposed

Amendment to all members of the Division not less than three weeks before the Regular Meeting and opportunity shall be given for discussion during the Business Session. ~~The Secretary-Treasurer shall incorporate a vote on the proposed amendments in the next unit election. Adoption of the Amendment shall require a two-thirds vote by those voting.~~ During the Business Session and by a majority vote of the Executive Committee, a special election may be called to consider the proposed Amendment. Within 30 days following the Regular Meeting, the Secretary-Treasurer shall distribute to all members of the Division copies of the proposed Amendment, accompanied by ballot forms. If a special election is not held, the Secretary-Treasurer shall distribute to all members of the Division copies of the proposed Amendment, accompanied by ballot forms, in conjunction with the next regularly scheduled election and a vote on the proposed Amendment taken at that time. In either case adoption of the Amendment shall require a two-thirds approval vote of those voting.