



**\*BYLAWS OF THE  
DIVISION OF CHEMICAL EDUCATION, INC.  
OF THE  
AMERICAN CHEMICAL SOCIETY**

**BYLAW I  
Name and Objects**

Section 1. The name of this organization shall be the Division of Chemical Education, Inc., hereinafter referred to as the "Division" of the AMERICAN CHEMICAL SOCIETY, hereinafter referred to as the "SOCIETY". The Division is incorporated under the laws of the District of Columbia.

Section 2. The objects of the Division shall be those of the SOCIETY as stated in the Charter and Constitution of the SOCIETY. In addition, the objects of the Division shall be to afford a meeting ground for teachers and students of chemistry, as well as for others who are interested in the larger aspects of chemical education, which include the training of professional chemists and indeed all the processes by which original knowledge and investigations are made understandable and usable to others. The Division will attempt to cooperate with all other Divisions of the SOCIETY and with related organizations, since its objects cut across all boundary lines of chemistry. The Division shall co-publish with the SOCIETY the *Journal of Chemical Education*, which shall be the official organ of the Division. It may, through special committees, conduct investigations and studies relating to any phase of chemical education.

Section 3. 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. Any member of the SOCIETY may join the Division by enrolling with the Division and paying the established annual dues. Application for membership shall be sent to the Treasurer of the Division.

---

\*Effective October 4, 2013. Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the American Chemical Society. (C&B: [bylaws@acs.org](mailto:bylaws@acs.org); [www.acs.org/bulletin5](http://www.acs.org/bulletin5))

Section 2. A Society Affiliate 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 that of voting for or holding an elective position of the Division, or of serving as a voting member of the Executive Committee, or of voting on Articles of Incorporation and bylaws.

Section 3. A person who is not a member or a Society Affiliate of the SOCIETY but who wishes to participate in the activities of the Division may become a Division Affiliate upon payment of dues established for Division Affiliates. A Division Affiliate shall have all privileges of membership in the Division as provided by these bylaws, except that of holding an elective position of the Division, or voting on Articles of Incorporation and bylaws of the Division, or serving as a member of the Executive Committee, or serving on either the Board of Publication of the *Journal of Chemical Education* (hereinafter referred to as the "Board of Publication") or the Board of Trustees of the Examinations Institute (hereinafter referred to as the "Board of Trustees"). Also, Division Affiliates may not vote for Councilors or Alternate Councilors, but they may vote for other elective positions in the Division.

Section 4. Division members have the privilege of receiving access free of charge, in advance of meetings, to the abstracts of papers to be presented before the Division and of accessing to purchase at reduced rates the abstracts of papers presented at the national meetings. In addition, members enjoy the customary privilege of voting and working on standing and special committees.

Section 5. A member may resign from membership in the Division by submitting a letter of resignation to the Treasurer of the Division during the year in which dues were paid.

Section 6.

- a. A member of the Division who is in arrears in payment of dues for one year shall be removed from the rolls. A member may be reinstated by requesting reinstatement and paying the current dues.
- b. A Division Affiliate or a Society Affiliate shall retain affiliate status only so long as Division dues are paid.

Section 7. A member of the Division who has accumulated at least twenty-five years of paid membership in the Division and has been certified for emeritus status in the SOCIETY may, upon request to the Treasurer, become an emeritus member of the Division. Such a member shall pay no membership dues and shall have all the privileges of membership.

Section 8. The rolls of the Division shall consist of Division members, Society Affiliates of the Division, and Division Affiliates.

### **BYLAW III**

#### **Officers**

Section 1. The officers of the Division shall be MEMBERS of the SOCIETY and MEMBERS of the Division and shall consist of a Chair, a Chair-Elect, the Immediate Past Chair, a Secretary, a Treasurer, and a Member-at-Large.

## Section 2.

- a. The duties of the Chair shall be to preside at the meetings of the Division and its Executive Committee and to carry into effect their decisions and recommendations. The Chair shall appoint the members of all committees whose membership is not otherwise provided for in these bylaws.
- b. The duties of the Chair-Elect shall be to assume the duties of the Chair when the latter is absent.
- c. It shall be the duty of the Secretary to keep a record of the proceedings of the Division, of the Executive Committee, and of the Board of Publication, and to carry out all the duties of this position as outlined in the Constitution and Bylaws of the SOCIETY. The Secretary shall submit a report to the Division at its spring business meeting and also submit the annual report of the Division to the Council Committee on Divisional Activities. It shall also be the duty of the Secretary to send to the Executive Director of the SOCIETY the names of all officers and committees of the Division within three weeks of their election or appointment, and to notify that officer of any changes in officers and committees during the year.
- d. The duties of the Treasurer shall be to have charge of the funds of the Division, to collect dues and assessments, to make such disbursement as are authorized by the Executive Committee, to maintain a list of members and affiliates, and to distribute such notices as the business of the Division may require. The Treasurer shall submit a report to the Division at its spring business meeting. The Treasurer shall also prepare an annual financial report required by the Bylaws of the SOCIETY as part of the annual report of the Division that is submitted by the Secretary to the Council Committee on Divisional Activities.
- e. The duties of the Member-at-Large shall be to represent the membership-at-large at Executive Committee meetings and to provide leadership in the area of membership recruitment and retention.
- f. In addition to duties listed above, the officers shall perform any other duties required by the Constitution and Bylaws of the SOCIETY, and to carry out such additional duties as may from time to time be requested by the Executive Committee of the Division.

## Section 3. Elections

- a. All Councilors, Alternate Councilors, and officers, except the Chair and the Immediate Past Chair, shall be elected by a plurality vote of the qualified electors of the Division, voting by ballots distributed by the Secretary not later than September 1. To be validated and counted, ballots must be received by the Secretary or designated surrogate by October 1. Tie votes for any elected position shall be resolved by a secret vote of the Executive Committee.
- b. The Chair-Elect shall succeed to the position of Chair and the Chair shall succeed to the position of Immediate Past Chair.
- c. Nominees for other elected positions to be filled shall be selected by the Committee on Personnel and Nominations. This committee shall distribute a list of at least two candidates for each office at the business meeting of the Division held during the spring meeting of the SOCIETY, after having ascertained that nominees are willing to serve. If other nominations are made from the floor at the business meeting, and the willingness of the nominee to serve

is ascertained, the additional nominees shall be included on the ballot, along with the nominees presented by the committee. The committee's list shall be distributed to or made available to members, and any written nominations received by the Secretary from members of the Division prior to May 15 shall be included on the ballot. The list of all nominees shall be distributed to or made available to members at least two weeks prior to the election on September 1. The ballot shall be distributed to voting members and affiliates in a manner that ensures (1) fair balloting that is open to all eligible members, (2) anonymity, (3) protection against fraudulent balloting, (4) ballot archiving, and (5) timely reporting and archiving of balloting results.

#### Section 4. Term of Office

- a. The Chair, the Chair-Elect, and the Immediate Past Chair shall each serve one year, or until their successors are qualified.
- b. The Secretary, the Treasurer, the Member-at-Large of the Executive Committee, the Councilors, and the Alternate Councilors shall each serve three-year terms. The election of the Secretary and the Member-at-Large of the Executive Committee shall be held in years divisible by three, and that of the Treasurer in the next year following. If the number of Councilors is exactly divisible by three, an equal number shall be elected each year. If the number of Councilors is divisible by three with a remainder of one, the extra election shall be held in years divisible by three, and if the remainder is two, the extra elections shall be held in years divisible by three, and in the next year following. The scheduling of elections for Alternate Councilor shall be done similarly.
- c. The terms of officers shall begin on January 1 following the election.
- d. In the event of a vacancy in the office of Chair, the Chair-Elect shall assume the added duties of the Chair for the unexpired term. All other vacancies in any elected position shall be filled by the Executive Committee via a secret ballot, to constitute an interim appointment for the period up to the next annual election, at which time the Division shall elect a MEMBER to fill out the unexpired term, if any.

### **BYLAW IV Councilors**

Section 1. There shall be equal numbers of Councilors and of Alternate Councilors as allotted in accordance with the provisions of the Constitution and Bylaws of the SOCIETY to represent the Division in the Council of the SOCIETY.

#### Section 2.

- a. Councilors and Alternate Councilors shall be elected by the members of the Division as described elsewhere in these bylaws.
- b. One of the Councilors shall be elected to serve both as a Councilor and as the Secretary of the Division, the two terms running concurrently. On the ballot this position shall be listed as "Councilor and Secretary".

**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. 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**

### Section 1. Executive Committee

- a. The Executive Committee shall consist of the officers of the Division, the Councilors and Alternate Councilors, the Editor of the *Journal of Chemical Education*, the Director of the Division's Examinations Institute, the Chair of the Board of Publication, the Chair of the Board of Trustees, and the Chair of the Division Program Committee. The Editor of the *Journal of Chemical Education* and the Director of the Examinations Institute shall be non-voting members of the Executive Committee.
- b. The Executive Committee shall manage the affairs of the Division and perform any other work delegated to it by the Division. The Executive Committee shall appoint members of the Board of Publication and members of the Board of Trustees as specified elsewhere in these bylaws. Funds of the Division shall not be spent nor expense incurred by any officer or committee unless the money is appropriated or expense authorized in advance by the Executive Committee.
- c. The Editor of the *Journal of Chemical Education* and the Chair of the Board of Publication shall recuse themselves from all Executive Committee meeting discussions and votes regarding appointments to the Board of Publication. The Director and the Chair of the Examinations Institute shall recuse themselves from all Executive Committee meeting discussions and votes regarding appointment to the Board of Trustees. The Chair of the Program Committee shall be recused from all Executive Committee meeting discussion and votes regarding appointments to the Program Committee.
- d. A majority of the Executive Committee members shall constitute a quorum at Executive Committee meetings.

Section 2. The Division shall have the following standing committees: (1) Committee on Personnel and Nominations and (2) Program Committee. The Executive Committee or the Chair of the Division may establish additional committees and task forces as needed.

Section 3. The Chair of the Committee on Personnel and Nominations shall be appointed by the Executive Committee for a term of three years.

Section 4. The Chair of the Program Committee shall be appointed by the Chair of the Division in consultation with the existing Program Committee Chair. Appointments shall be for three-year terms beginning in years following those divisible by three.

**BYLAW VII**  
**Dues**

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

Section 2. The annual dues of Society Affiliates and Division Affiliates shall be set by the Executive Committee in accordance with the Constitution and Bylaws of the SOCIETY. Failure to pay such dues shall terminate the affiliation.

Section 3. Divisional dues shall be on a calendar year basis.

**BYLAW VIII**  
**Meetings**

Section 1. The Division shall meet at the spring and fall national meetings of the SOCIETY, unless the Executive Committee votes otherwise, provided that the requirements for a minimum number of sessions as specified in the Bylaws of the SOCIETY shall be met.

Section 2. A business meeting of the Division shall be held at the spring meeting of the SOCIETY as specified above. Division business requiring a vote of the membership shall be conducted only at the business meeting held at the spring national meeting of the SOCIETY. Nine members of the Division shall constitute a quorum for the conduct of business.

Section 3. The order of business shall be substantially as follows: reading of minutes, report of Secretary, report of Treasurer, report of Executive Committee, reports of special committees and discussions, and miscellaneous business.

Section 4. Special meetings of the Division may be called by the Executive Committee if notice is distributed to the members at least ten calendar days in advance and no more than sixty days 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 such special meetings. Special meetings of the Division may be held by means of electronic communications technology that permits those in attendance to read or hear the proceedings substantially concurrently with their occurrence, to vote on matters submitted, to pose questions, and to make comments.

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

Section 6. For business and committee meetings, the most recent edition of *Robert's Rules of Order Newly Revised* shall be the parliamentary authority for all matters not covered in these bylaws or in the SOCIETY's documents.

**BYLAW IX**  
**Papers Submitted for Presentation**

Section 1. All papers intended for presentation before the Division are to be submitted to the Chair of the Program Committee, who is empowered to accept or reject the same.

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.

**BYLAW X**  
**Management of Journal of Chemical Education**

Section 1. The Board of Publication shall manage the *Journal of Chemical Education*.

Section 2.

- a. The Board of Publication shall consist of three MEMBERS of the Executive Committee serving ex officio and six other MEMBERS of the Division to be appointed by the Executive Committee for terms of three years each so as to provide rotation and for two of those MEMBERS to be appointed each year, if possible. Ex officio members shall be: (1) the Chair-Elect, Chair, or Immediate Past Chair whose election occurred in a year divisible by three; (2) the Chair-Elect, Chair, or Immediate Past Chair whose election occurred in a year divisible by three with a remainder of one; and (3) the Secretary of the Division.
- b. The Board of Publication shall hold its annual meeting at the time of the fall national meeting of the SOCIETY.
- c. The Board of Publication shall elect from its appointed members its own Chair, to serve for a period of two years.
- d. In the absence of the Chair of the Board of Publication, the Chair of the Division shall convene the Board of Publication. If the current Chair of the Division is not a member of the Board of Publication, then the Immediate Past Chair of the Division shall convene the Board of Publication.
- e. The Secretary of the Division shall serve as Secretary of the Board of Publication.
- f. The Board of Publication shall appoint the Editor of the *Journal of Chemical Education*.

**BYLAW XI**  
**Management of the Division's Examinations Institute**

Section 1. The Division shall establish an Examinations Institute whose purpose shall be to promote the development of examinations in all fields of chemistry.

Section 2. The Board of Trustees shall manage the Examinations Institute and shall establish policies for all aspects of its operations, including fiscal management and appointment of the Examinations Institute Director.



### Section 3.

- a. The Board of Trustees shall consist of three MEMBERS of the Executive Committee serving ex officio and six other MEMBERS of the Division to be appointed by the Executive Committee for terms of three years each so as to provide rotation and for two of these MEMBERS to be appointed each year, if possible. Ex officio members shall be: (1) the Chair-Elect, Chair, or Immediate Past Chair whose election occurred in a year divisible by three with a remainder of two, (2) the Member-at-Large, and (3) the Treasurer of the Division.
- b. The Board of Trustees shall hold its annual meeting at the time of the spring national meeting of the SOCIETY.
- c. The Board of Trustees shall elect from its appointed MEMBERS its own Chair, to serve for a period of two years.
- d. In the absence of the Chair of the Board of Trustees, the Chair-Elect, Chair, or Immediate Past Chair of the Division, whoever is a member of the Board of Trustees, shall convene it.
- e. The Board of Trustees shall elect from its members its own Secretary. The duties of the Secretary shall include keeping records of all meetings of the Board of Trustees.
- f. The Board of Trustees shall appoint an Examinations Institute Director, who shall carry out the day-to-day activities of the Examinations Institute, in accord with policies established by the Board of Trustees.

## **BYLAW XII Amendments**

### Section 1. These bylaws shall be amended as follows:

- a. The proposed amendment(s) shall have been first submitted to the Executive Committee by at least five members, or shall have been raised by the Executive Committee, and shall have been evaluated and approved by a majority of the members of that Committee.
- b. If a dispute arises regarding approval of said amendment(s), the Executive Committee may resolve the issue by majority vote of the Committee after hearing discussion of the issue at a regular meeting of the Division, or the Committee may decide to hold a special election to resolve it.
- c. The Division Secretary shall send the proposed bylaw amendment(s) to the SOCIETY's Committee on Constitution and Bylaws for a preliminary review. After receipt of the review, the Executive Committee will then make appropriate changes, as necessary. The Secretary shall then distribute to all Division members a suitable explanation of the bylaw amendment(s).
- d. The bylaws may be amended at any annual meeting of the Division by a two-thirds (2/3) affirmative vote of members present, provided that two weeks' notice of the proposed amendment with the text thereof has been distributed to members of the Division. Alternatively, the bylaws may be amended by ballot by a two-thirds (2/3) affirmative vote of

those voting, provided that the deadline for receipt of ballots is at least thirty days after the texts of the proposed amendment and the ballot have been sent.

- e. At least two-thirds (2 /3) of votes cast shall be required to approve the amendment(s).

Section 2. Regarding the amendment(s), the Secretary shall distribute the outcome of the vote or ballot to the Division members and within the specified time period, shall distribute the results and all required items to the SOCIETY's Committee on Constitution and Bylaws for final review and approval.

Section 3. Amendments to these bylaws shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council of the SOCIETY, unless a later date is specified.

### **BYLAW XIII** **Dissolution**

Upon the 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.