

DBIO Bylaws Amendment Synopsis

- Amended for compliance with governance best practices, current APS internal procedures, and for consistency with other APS unit bylaws.
- Added two Early Career Members to the DBIO Executive Committee. (Article V, Section II)
- Amended Article VIII – Appointed Committees, changing the overall appointment responsibilities to the outgoing DBIO Chair, in consultation with the Executive Committee.
- Amended Article VIII, Section 4 – Selection Committee for the Delbruck Prize was added.

DBIO Bylaws

APPROVED BY COUNCIL: APRIL 22, 2021

APPROVED BY UNIT MEMBERSHIP: TBD

Preamble

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

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Article I - Name

This Division of the American Physical Society shall be called the Division of Biological Physics and abbreviated as DBIO.

Article II - Objective

The objective of the Division shall be the advancement and diffusion of knowledge of biological systems and of other aspects of the relationships between physics and biology.

Article III - Enabling Constitutional Provision

Article VIII of the Constitution and Bylaws, and the associated Policies and Procedures of the Society, as said Article and Policies and Procedures may be subsequently revised or amended, is 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 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.

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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, six Members-at-Large elected to staggered three-year terms, and two Early Career Members elected to staggered two-year terms. In addition, the Past Secretary/Treasurer is invited to all meetings during the first year of a new Secretary/Treasurer's term but does not have a vote.
3. **Executive Committee Meetings:** The Executive Committee shall meet at least once each year. This meeting shall be held during the Regular Meeting of the Division (typically in March). The Chair of the Division shall preside over the 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 operation of the Division and shall preside at all meetings of the Executive Committee and Business Session of the Division, when possible.
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 Executive Committee meetings and Business Sessions, Division activities, and membership lists. The Secretary/Treasurer shall notify the Executive Committee of matters requiring the decision of said Committee and shall decide with the Chair, the agenda of Executive Committee meetings s and Business Sessions s. The Secretary/Treasurer shall prepare minutes of Executive Committee meetings and Business Sessions and shall submit these minutes to each member of the Executive Committee within two weeks after each meeting, and publish the Business Session minutes via DBIO's unit web site. Following elections, such minutes are to include the results of the election and a roster of the current Executive Committee membership.

The Secretary/Treasurer, in coordination with the Division Councilor, shall keep the Council and CEO 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, with the concurrence of the Chair,

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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 Executive Committee 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.

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Article VII - Election and Tenure of The Officers, Executive Committee Members, and Division Councilor

- 1. Qualifications:** Officers, the Division Councilor, and Members-at-Large of the Executive Committee must be members of the Division for at least two years prior to nomination. The Early Career Members of the Executive Committee must be members of the Division and registered as Early Career Members of the APS at the time of their election to office. Early Career Members are defined by APS as individuals who have received their final degrees within the last five years.
- 2. Ballot:** The Vice Chair, Secretary/Treasurer, Division Councilor, Members-at-Large, and Early Career Members of the Executive Committee shall be elected by 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 term of the current Secretary/Treasurer, for the Division Councilor during the final year of the term of the current Division Councilor, and for each open position of Member-at-Large and Early Career Member of the Executive Committee. The Secretary/Treasurer shall invite Division members to suggest candidates for the various offices and Executive Committee positions. If as many as five percent of the total Division membership determined on 31 December of the year preceding the election suggests the same person for the same office, that person shall be deemed to have been nominated. 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-appointment is appropriate. The Nominating Committee shall provide the Secretary/Treasurer with a list of candidates not later than October 31 of each calendar year. The Secretary/Treasurer shall poll the Division membership by electronic ballot, with the election closing no later than December 1. Ballots shall be returned to and counted by the Secretary/Treasurer or his or her designate. In the case of an election when the Secretary/Treasurer is a candidate for a

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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 Corporate Secretary of the Society at least two weeks prior to the Regular Meeting and shall publish the results in a manner designated for official announcements.

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4. **Selection of Appointed Associates of the Executive Committee:** The Chair may appoint other non-voting Executive Committee Associates as needed, with the approval of the Executive Committee for example, appointed members of Ad Hoc Committees. These Associates may be re-appointed without term limits.

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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 for two years following his or her term of office on the Executive Committee.

7. **Terms of Office:** The terms of office of the Officers, Members-at-Large, and Early Career Members 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 four years. Members-at-Large of the Executive Committee shall serve three-year terms. Early Career Members of the Executive Committee shall serve two-year terms. In the event that a Member-at-Large or Early Career Member of the Executive Committee assumes a post as an elected Officer of the Division, the unexpired portion of his or her term shall be filled as hereinafter provided for a vacancy.

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

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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 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

Membership and Chair appointments for the following committees are made by the outgoing DBIO Chair, in consultation with the Executive Committee, at the regular annual [Executive Committee](#) meeting. [Terms of appointed committee members begin at the close of the Regular Meeting.](#)

1. Nominating Committee: [The Nominating Committee shall consist of four members plus a Committee Chair, who shall be the Past Chair of the Division. The Committee Chair shall appoint one member annually, in consultation with the Executive Committee, to serve a three-year term. One member shall be appointed by the APS annually, to serve a one-year term. The Chair of the Division shall provide the Corporate Secretary of the Society with the names of several candidates from which the APS appointment will be chosen.](#) Not more than two members of the Nominating Committee shall be members of the Executive Committee. The Nominating Committee shall prepare a slate of candidates for the positions of Vice Chair, Secretary/Treasurer, Division Councilor, Members-at-Large, [and Early Career Member](#) of the Executive Committee according to Article VII.3 of these Bylaws. The Nominating Committee shall advise the Chair on suitable candidates for Society committees, including relevant Society Prize and Award committees, and on candidates for Society offices.

2. Program Committee: The Program Committee shall consist of the [DBIO](#) Chair-Elect, the [DBIO](#) Chair, the [DBIO](#) Vice Chair, the Secretary/Treasurer, and three Members-at-Large appointed by the [outgoing DBIO](#) Chair, upon the recommendation of the Chair-Elect, to staggered three-year terms. The Chair-Elect shall serve as Chair of the Program Committee, with the Vice Chair as [committee Co-Chair](#) (with fewer responsibilities). The Program Committee shall have the responsibility of assisting the [Society's Director of Meetings](#), or his or her designate, in arranging the meetings of the Society.

3. Fellowship Committee: The Fellowship Committee shall consist of [four members plus a Committee Chair, who shall be the Vice Chair of the Division. The outgoing DBIO Chair shall appoint two members annually, in consultation with the Executive Committee, to serve two-year terms. Each year at least two members of the Fellowship Committee shall be Members-at-Large and at least](#)

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two members (including the Committee Chair) shall be APS Fellows. The Fellowship Committee shall promote the nomination of candidates for Fellowship, shall review and rank the qualifications of candidates using pre-established criteria, shall themselves not be candidates, and shall report its rankings and recommendations to the Chair and the Secretary/Treasurer who will in turn report to the Executive Committee for the Division's final recommendations and submission to the Honors Program Manager of the Society.

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4. **Selection Committee for the Delbruck Prize:** The Delbruck Prize Selection Committee shall consist of five or six members, including the Committee Chair. The Committee members shall be recommended by the outgoing DBIO Chair, in consultation with the Executive Committee, and appointed according to Society policies. Members shall include the Committee Chair, the previous year's awardee(s) (if available to serve), a member of the previous year's Committee, and two others. Overall, the Committee shall have at least one member who is an Executive Committee member and at least one member who is not. The DBIO Chair shall attend meetings in an ex officio capacity and will only vote in the case of a tie. The Committee Chair shall appoint a Co-Chair from amongst the Committee members.

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5. **Selection Committee for the Shirley Chan Travel Award:** The Shirley Chan Travel Award Selection Committee shall consist of three members appointed by the outgoing DBIO Chair from amongst the Members-at-Large and Early Career Members of the Executive Committee, with at least one appointee being an Early Career Member.

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6. **Selection Committee for the Outstanding Doctoral Thesis Research in Biological Physics Award:** The Outstanding Doctoral Thesis Research in Biological Physics Award Selection Committee shall consist of four members appointed by the outgoing DBIO Chair including the Secretary/Treasurer, the Vice Chair, one Member-at-Large, and one Early Career Member of the Executive Committee.

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7. **Ad Hoc Committees:** Ad hoc committees shall be appointed, as necessary, whose members shall serve only during the appointing Chair's term.

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Article IX - Meetings

1. **Regular Meeting:** One meeting of the Division, to be known as the Regular Meeting, shall be held annually at such time and place as shall be ordered by the Executive Committee, subject to coordination with the Society's Director of Meetings. Whenever it shall be feasible and not to the disadvantage of the members of the Division, the Executive Committee may order this or any other meeting to be held jointly with a Meeting of the Society or of another society, conference, or group, so long as such joint meeting does not conflict importantly with the schedule of Meetings of the Society as determined by the Society's Director of Meetings. The registration fee for the Regular Meeting, when not held jointly with a Meeting of the Society, shall be fixed after consultation with the

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Society's Director of Meetings. Non-members of the Society shall pay a surcharge equal to the society membership dues.

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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 program of the Division shall be presented simultaneously with the Business Session. The Secretary/Treasurer shall notify the Division members of the agenda for the Business Session no later than three weeks prior to the Regular Meeting.

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 Society's Director of Meetings. 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.

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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 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, except as otherwise directed by the Executive Committee. These allotments of time shall be consistent with the Constitution and Bylaws of the Society and with the Policies and Procedures of Council.

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Article X - Dues

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

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Article XI - Official Announcements

Official announcements shall be made in the *APS News* (at the discretion of the APS News Editor) and in such other publications as the Executive Committee may direct.

Article XII - Procedure of Amendment of Bylaws

Proposal of an Amendment to these Bylaws may be made by the Council, by the Society 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. However

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initiated, revisions or amendments must be reviewed by the Society Governance Committee and approved by Council before further action can be taken. Following Council approval, the Secretary/Treasurer shall distribute copies of 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. Unless a special election is scheduled, the Secretary/Treasurer shall again distribute copies of the proposed Amendment to the membership at the next regularly scheduled election with adequate information regarding acceptable voting procedures. Adoption of the Amendment shall require a two-thirds vote by those voting.