

# BY-LAWS OF THE ADVANCED SURFACE ENGINEERING DIVISION

## ARTICLE I: Name

Section 1. The organization shall be known as the Advanced Surface Engineering Division (ASED) of the American Vacuum Society, hereinafter designated as AVS.

## ARTICLE II: Objectives

Section 1. The objectives of the Division shall be: (1) to provide a continuing forum accessible to its members as well as to other persons active or interested in the field of advanced surface engineering for the purpose of fostering an improved understanding of advanced surface engineering technologies including deposition of coatings and films, and surface modification and characterization technologies, (2) to promote the dissemination of that understanding by the organization of conferences, symposia and workshops, by publication of original works and surveys in proceedings, technical journals and books, and by creation of web-site(s) related to the field, and (3) to participate actively in all phases of the AVS programs as presented in the AVS Constitution.

## ARTICLE III: Membership

Section 1. Divisional members are defined as members of all categories of the AVS in good standing who have applied for membership in the Division and have paid Divisional dues (if any are assessed).

Section 2. The Executive Committee of the Division may extend the courtesy of notification, Divisional publications and attendance at Divisional meetings to non-members by individual identification. None of the other rights and privileges of Divisional membership will be implied or accorded under any circumstances by this action.

Section 3. All categories of Members of AVS who are members of this Division shall be entitled to attend business meetings and vote. Student members of the AVS shall be entitled to the rights and privileges of all other AVS members but shall not have the right to hold office.

## ARTICLE IV: Officers

Section 1. The officers of the Division shall be:

Chair

Chair-Elect (Vice-Chair)

Secretary

Treasurer

Section 2. The officers of the Division shall hold office for the following terms:

Chair 1 year

Chair-Elect 1 year

Secretary 1 year

Treasurer 1 year

The Chair-Elect shall automatically assume the position of Chair at the end of his/her term. If the Chair is unable to fulfill his/her duties and obligations at any time in his/her term, then the Chair-Elect shall immediately assume the position of Chair.

Section 3. The Chair-Elect, Secretary, and Treasurer will normally be elected by the Divisional members by voting by correspondence (e.g. mail, facsimile or electronic mail). In the absence of such a vote, these officers may be elected at an annual meeting of the Division. The results of this ballot shall be announced at the annual meeting of the Division.

Section 4. In the event an annual meeting is not held and no mail balloting has occurred, the President of the AVS shall appoint a Chair of the Division considering the recommendations of the past Executive Committee.

Section 5. In the event that the Chair of the Division has been appointed by the President of the AVS, it is the responsibility of the Chair to appoint members of the Executive Committee, subject to the approval of the President of the AVS, considering the recommendations of the past Executive Committee.

Section 6. The term of office for the officers of the Division shall begin on January 1 in the year immediately following their election/appointment.

## **ARTICLE V: Management**

Section 1. The management of the Division will be the responsibility of the Executive Committee of the Division. The Executive Committee shall consist of:

1. The officers of the Division as specified in Article IV, Section 1 of the By-Laws.
2. The Immediate Past Chair. The former Chair serves as the Immediate Past Chair for one year following the year of his/her term of office.
3. Eight duly elected members of the Division, to be called Members of the Executive Committee. The members will be elected for two-year terms. The terms shall be staggered (four new members each year). The term of office for the eight elected members of the Executive Committee shall begin on January 1 in the year immediately following their election.

Section 2. In the event of a vacancy in an office, other than the Chair, caused by incapacitation, resignation, or removal, the vacancy shall be filled by appointment of the Chair and approved by majority vote of the Executive Committee. The incoming member filling a vacancy shall serve until the normal term of his or her predecessor has expired. In the event of a simultaneous vacancy in the offices of the Chair and Chair-Elect, the Executive Committee shall appoint a Chair to fill the unexpired term.

## **ARTICLE VI: Nominations and Elections**

Section 1. A Nominations Committee shall be formed as soon as practical following the beginning of the term of office for the officers. The Chair of the Nominations Committee shall be the Immediate Past Chair of the Division. The Chair of the Division shall appoint at least two additional members of the Division to the Nominations Committee for the purpose of nominating Division members for the position of Chair-Elect, Secretary, Treasurer, and the four members of the Executive Committee whose terms expire at the end of that year.

Section 2. The Nominations Committee shall recommend at least one candidate for each office. The nominations shall be submitted to the Secretary at least 14 weeks prior to the Annual Business Meeting of the Division. The Secretary shall submit this slate of candidates to the AVS National Office for inclusion in the AVS electronic ballot. The Nominations Committee shall assure itself and the Division that the nominees are voting members in good standing of the Division and are willing to serve.

Section 3. Additional nominations by petition shall be submitted to the Secretary at least 14 weeks prior to the Annual Business Meeting. Valid petitions must be signed by at least 10 members in good standing of the Division. The slate of candidates presented to the AVS National Office shall include names submitted by the Nominations Committee as well as those submitted by qualified petitions.

Section 4. The AVS National Office conducts the election, the result of which will be transmitted to the Secretary at least six weeks before the Annual Business Meeting. The candidate receiving the largest number of votes for a given office shall be elected to that office. If more than one position in the Executive Committee is to be filled, the candidates shall be elected in the order of the number of votes received. If a tie vote occurs for the fourth position, the outgoing Chair will decide the tied election by chance. If a tie vote occurs for the Chair-Elect, Secretary, or Treasurer, the outgoing Chair will decide the tied election by chance. The Secretary shall announce the election results in the Annual Business Meeting of the Division.

## **ARTICLE VII: Duties of the Officers and Executive Committee Members**

Section 1. Chair - To preside at all business meetings of the Division; at his/her discretion to serve as a member of any committee of the Division; to submit to the Board of Directors of the AVS an annual report concerning the activities of the Division; to appoint chairs of all necessary Standing Committees; to appoint Special Committees; to authorize expenditures as provided in the budget; and to perform such other functions necessary of a chair of an organization. He/she shall make sure that the date on which the Annual Business Meeting of the Division will be held is determined before August 1st of each year.

Section 2. Chair-Elect - To carry on all duties of the Chair in the event of the Chair's absence, illness, resignation, or incapacity; to carry out such other duties as may be assigned by the Chair.

Section 3. Secretary - The Secretary shall be responsible for recording the minutes of ASED annual business and executive committee meetings, transmitting these minutes to AVS for archival storage, maintaining division records, conducting email ballots, and any other responsibilities as assigned by the Chair."

Section 4. Treasurer - The Treasurer shall keep a strict accounting of all income and expenditures. The Treasurer may pay out such funds as authorized by the Chair or Executive Committee to meet all obligations of the Division. The Treasurer shall issue a report of the financial standing of the Division at the Annual Business Meeting or whenever requested by the Chair. The Treasurer may be bonded at the expense of the Division. The Treasurer will submit an annual Divisional Financial Report with the AVS Treasurer on or before the date specified by, and in the format established by, the AVS Treasurer.

Section 5. Members of the Executive Committee shall act as representatives of the division membership in matters pertaining to the objectives of the Division, meetings, dues, organization, policy, and such other matters that preserve the integrity of the Division and make it responsive to the needs and wishes of its membership.

## **ARTICLE VIII: Duties of the Executive Committee**

Section 1. The annual Divisional budget and all motions must be approved by a majority of the Executive Committee.

Section 2. The minutes of all meetings and financial reports of the Executive Committee shall be filed promptly with the Clerk of the AVS. All budgets and financial reports required by the AVS Board of Directors shall be submitted in a timely manner. The Division shall be authorized to incur only such expenses as approved by a majority of the Executive Committee.

Section 3. The Executive Committee will provide management oversight for the conduct of the annual ICMCTF and any other conferences, workshops, and meetings sponsored by the Division.

## **ARTICLE IX: Committees**

Section 1. Standing Committees - There shall be three Standing Committees as follows: Program Committee, Nominations Committee, and Awards Committee.

A person appointed by the current Division Chair will chair the Program Committee. The members of the Program Committee will be chosen from the current members of the Executive Committee plus as many additional members as selected by the Chair from the Society as a whole. The purpose of the Program Committee is to coordinate and organize the ASED sessions and jointly sponsored sessions at the AVS Annual Symposium, and any other sessions or symposia as authorized by the Executive Committee.

The Nominations Committee will be governed as described in Article VI, Section 1 of the By-Laws.

A person appointed by the current Division Chair will chair the Awards Committee. The purpose of the Awards Committee is to solicit and coordinate submissions of nominations for AVS Fellow and other AVS Awards or Prizes. The Awards Committee will also be responsible for determining the ICMCTF R.F. Bunshah Award and Lecture and the ICMCTF Graduate Student Awards, including the definition of the procedures and selection process, the announcing, accepting and evaluating of nominations/applications, and the selection and notification of the awardees.

Section 2. Special Committees - The Chair will appoint special committees as the need arises.

Section 3. General - Each committee chair shall select as many members of his/her committee as needed with the concurrence of the Chair of the Executive Committee except as noted in Section 1, with said members of each committee serving for a term of one year.

Before the Annual Business Meeting, each committee is to file with the Executive Committee a report of its activities during the past year as requested by the Chair. It shall be the duty of each of the committees to recommend to the Executive Committee any action with respect to the subjects or matters in their charge, which the committee deems advisable. A tentative budget shall be submitted by the committee chair to the Executive Committee for approval. Expenses incurred by the committee shall be limited to the budgeted amount, or as approved by the Chair.

## **ARTICLE X: Finances**

Section 1. Dues may be established by the Executive Committee with the approval of the Board of Directors of the AVS. Changes in the membership dues shall be recommended by the Executive Committee and approved by a majority of the voting members of the Division by a ballot. Special symposia registration fees may be set by the Executive Committee as needed.

Section 2. The Divisional financial records or ledger books may be reviewed by an auditor at any time if requested by the Executive Committee.

Section 3. All funds received by the Division shall be deposited in a bank approved by the Executive Committee. The signature of either the Treasurer or the Chair or written approval by either for expenses associated with specific activities shall be required for all withdrawals from this account.

Section 4. The financial year of the Division will coincide with the financial year of the AVS.

## **Article XI: Business Meetings**

Section 1. The Division shall hold at least one regular business meeting each year. This Annual Business Meeting, which may be held during the annual AVS Symposium, shall be announced by correspondence to all Members of the Division at least six (6) weeks prior to the meeting, and it will also be announced in the program for the AVS Annual Symposium. Time and location of all meetings shall be determined by the Executive Committee.

Section 2. The number of members present to constitute a quorum at business meetings of the Division calling for the transaction of regular business and requiring a vote to be taken shall be not less than 1% of the Division membership or ten (10) members, whichever is smaller.

## **Article XII: Chapters of the Advanced Surface Engineering Division**

Section 1. Chapters of the Division may be formed by the Division or its members by submitting a petition signed by at least twelve (12) members of the Division who pledge themselves to become members of the Chapter. The Chapter shall be deemed established after approval of the petition by the Executive Committee of the Division and by the AVS Board of Directors. Notification of approval shall be given by the AVS to the Chair of the Division.

Section 2. The Divisional Chapter shall elect its own Chair and other desired officers as stated in the Chapter By-Laws. Divisional officers and members of the Executive Committee shall be AVS members in good standing. Student members are not eligible to hold offices in the Division.

### **Articles XIII: Conferences, Symposia, and Workshops**

Section 1. The Division may sponsor various conferences, symposia, and workshops in addition to organizing a program at AVS Symposia. Approval to sponsor such meetings must be by majority vote of the Executive Committee. If the Division is the sole or principal sponsor of a meeting, then the Executive Committee shall be responsible for financial management of the meeting and shall appoint the General and/or Program Chair for such meetings. The General Chair shall submit a budget for approval by the Executive Committee. No expenditures in excess of the budgeted amount may be made without approval of the Executive Committee.

Section 2. The Division may enter into contracts with individuals or companies for the execution of certain activities associated with conferences, symposia, or workshops. Examples include the conference manager, the conference secretary, the conference exhibition manager, and the publishing of the proceedings from the meetings. Such contracts must be approved by a majority of the Executive Committee and shall not be for a duration longer than three years.

### **ARTICLE XIV: Awards of the Division**

Section 1: Student Awards - The Division may grant Student Awards to financially assist students to attend the AVS Symposia and other conferences, symposia, and workshops sponsored by the Division. The monetary amount of each award and the selection criteria for the awards will be determined by the Executive Committee and in accordance with the limits established by the AVS Board of Directors.

#### Section 2: Technical Recognition Awards

##### 2.1. Purpose

The Division may make Technical Recognition Awards to recognize and encourage outstanding scientific and technical contributions in areas of research, development, and discovery having special interest to the Division. This includes sustained contributions to the research interests of the Division or singular contributions in terms of an achievement or outstanding paper contributed/published in an AVS meeting. This is an AVS award, specifically conferred by an AVS Division.

##### 2.2. Eligibility

The nominee must be recognized for scientific and technical contributions that are fostered and encouraged by the Division. These areas are those evidenced in the program of the Symposia of the Society, topical conferences sponsored by the Division, and those areas defined in the Division's By-Laws. The contribution may be in the nature of sustained or single (e.g., outstanding achievement or publication) significant contributions to theory or experiment, discovery, understanding, inventions, measurements, technique development, or management. Nominations should be made by colleagues or others who are well acquainted with the nominee. Self-nominations are not acceptable. Division officers and Members of the Division Award Selection Committee are not eligible for the award during their terms.

##### 2.3. Nature of the Award:

The award consists of a certificate (or other appropriate symbol) identifying the award and a monetary cash prize, which shall not exceed the limit established by the Board of Directors in the Division Technical Recognition Awards Protocol, established by the AVS Board of Directors. The award may be made at any time during the year.

#### 2.4. Establishment and Support:

This award is established by the Division, after application and approval through the Scholarship and Awards Committee, which presents the award details to the Board of Directors. The name of the award must be approved by the Scholarship and Awards Committee. If the award is "named" (i.e., honoring individual(s)) or if there are other funds used to establish it, the Scholarship and Awards Committee will consult with the AVS Board of Directors for guidance. The award funds must be clearly identified in the annual Division budget request. Acceptance of external funds for the award can be implemented only after consultation with and approval by the AVS Treasurer, ensuring conformity with the rules that govern 501(c)(3) organizations.

#### 2.5. Procedures:

The Division will establish an independent award committee to handle the logistics and selection of the award. This committee and its Chair will have the responsibility to:

- (1) announce the award with a formal call for nominations,
- (2) accept the nominations,
- (3) evaluate the nominations,
- (4) make the recommendation for the award winner,
- (5) confer with the Division Chair and Officers on the choice, and
- (6) notify the awardee.

The Committee should provide to the Scholarship and Awards Committee a short report on the procedures and selection process. After notification from the Scholarship and Awards Committee, the Division Committee can implement the processes (notification, scheduling, etc.) of making the award. The Division Chair should work with the Chair of the Scholarship and Awards Committee in advance to ensure no delay in consideration by the Scholarship and Awards Committee. This consideration by the Scholarship and Awards Committee can take place at any time during the year to best meet the Division schedule for award selection and presentation.

The nomination process should include an appropriate nomination form. Other required procedures (letters of support, backup material, etc.) should be identified by the Division Award Committee, and clearly identified in the call for nominations.

The approved procedures for the award should be clearly established and announced by the Division (e.g., via the AVS Newsletter, posted on Division web sites, etc.). These should include:

1. Statement of the award and its purpose(s)
2. The nature of the award (monetary amounts, certificates, etc.)
3. The nomination deadline, exact instructions for making the nomination, the nomination form (or instructions how to obtain it), any other pertinent information needed to provide a complete nomination, and a contact for further information (e.g., Award Committee Chair)
4. The award announcement date
5. The award presentation date/location and any additional procedures (e.g., required talks).

### **ARTICLE XV: Termination of Membership**

Section 1. All interest of any member in the Division or in its property or funds shall terminate and vest in the Division upon his or her ceasing to be a member whether by death, resignation, or otherwise.

## **ARTICLE XVI: Dissolution of the Division**

Section 1. At any time when the Division shall become inactive, not holding at least one meeting during each biannual period, it shall be deemed to have ceased to exist unless such non-holding of meetings has been due to national emergency, actions of federal or state government, or other factors beyond the control of the Division. Upon such a condition arising, all funds remaining in the treasury of the Division shall revert to the AVS and become part of the general funds of such Society.

## **ARTICLE XVII: Amendments**

Section 1. These By-Laws may be amended by a majority vote of ballots cast of members in good standing, provided the proposed amendments shall have been first approved by the Executive Committee. The Secretary shall distribute ballots to the membership at least five (5) weeks prior to the Annual Business Meeting, at which time the Chair shall appoint a committee to count the ballots and report the results. The Chair may delegate these duties to the Administrative Director of the AVS.

Amendments must be approved by the Board of Directors of the AVS before being effective.

## **ARTICLE XVIII: Parliamentary Law and Procedure**

Any matter of parliamentary law or procedure not specifically provided for in these By-Laws shall be governed by Robert's Rules of Order as published in the last revised edition.

Approved by AVS Governance Committee: 4/23/21

Approved by AVS Board of Directors: 4/25/21

Approved by ASED Membership: 9/16/21