

BYLAWS OF THE AMERICAN PHYTOPATHOLOGICAL SOCIETY

Amended & Approved June 2021

1. Dues

- A. Base dues for memberships will be determined by the Council in the following manner: On July 1 of each year, multiply the current year's dues by the ratio of the CPI-U for previous 12 months and round to the nearest dollar amount. The Council can elect to forgo any or all of the dues adjustments that result. Council may change rates if the membership approves an amendment to these Bylaws.
- 1) Regular Member dues rates are reviewed annual as noted above.
 - 2) Base dues for Early Career Members are two-thirds (2/3) the amount of Regular dues.
 - 3) Base dues for Student Members dues are one-third (1/3) the amount of Regular Members
 - 4) Emeritus Members are exempt from dues.
 - 5) Council may implement a discounted fee for regular members living in countries which are designated as low or lower-middle income as defined by the World Bank.
- B. Base dues for subsequent years will be determined by the Council in the following manner: on July 1 of each year multiply the current year's dues by the ratio of the CPI-U for the previous 12 months and round to the nearest dollar amount. The Council can elect to forgo any or all of the dues adjustment that results. Council may change the base rates if the membership approves an amendment to these Bylaws.
- C. Journal Prices. The member subscription price to any of the Society's journals will be determined by Council.
- D. Members living outside the United States shall be assessed a postage surcharge to compensate for the additional cost of mailing *Phytopathology*, *MPMI* and *Plant Disease* outside the United States of America. This surcharge shall be determined annually by the Treasurer and the Executive Officer.

2. Reinstatement

- A. All dues are payable in advance of receipt of services. Reinstatements may be made at any time without penalty.

3. Contributions

- A. Sustaining Associate status in the Society requires a specified annual contribution. A list of Sustaining Associates shall be published in each issue of *Phytopathology* and *Plant Disease*.

4. Allocation of Dues and Contributions

- A. A portion of the dues from the Sustaining Associates constitutes payment in full for annual subscriptions of the journals received.

- B. Contributions from Sustaining Associates in excess of the member subscription rate for journals received shall be credited to current funds of the Society and may be used for any purpose authorized by the Council.

5. Honors

- A. The Society shall recognize and award members who have made distinguished contributions to plant pathology in the areas of research, teaching, extension, administration, industry, international service, or public service. These awards include the Fellow (limited to approximately 0.25 percent of the total membership annually) and named awards.
- B. Descriptions for each award, qualifications, procedures for nomination, and selection are described in the APS Manual of Operations. The guidelines for awards provided through bequests are developed by Council and award benefactors and/or their heirs.
- C. Upon recommendation by the Awards and Honors Committee and approval by the Council, other awards that recognize contributions in plant pathology in the areas of research, teaching, extension, administration, industry, international service, or public service may be authorized.

6. Publications and Editorial Boards

A. Journals and Instructional Resources

- 1) Editorial policy of APS journals and instructional resources shall be delegated by the Council to an Editorial Board consisting of an Editor-in-Chief, Senior Editors, Associate Editors (and other appropriate categories of editors as described in the APS Manual of Operations), the APS journal manager (ex officio), and the Treasurer. The Treasurer and the Financial Advisory Committee have financial responsibility for the journals. The Council and Financial Advisory Committee may delegate financial responsibility to the Society's Executive Officer as provided in ARTICLE III, Section 4.
- 2) On consultation with the Publications Board, the Council appoints the Editor-in-Chief. The Editor-in-Chief shall have served at least one year as a Senior Editor of the journal and be a member of APS. The Publication Board appoints Senior and Associate Editors and other appropriate categories of editors as described in the APS Manual of Operations.
- 3) The Editor-in-Chief and Senior Editors (and other editors designated for each journal in the APS Manual of Operations) shall be appointed for 3-year terms. The Editor-in-Chief and all editorial appointees shall not serve more than two terms consecutively.

B. *Phytopathology News*

- 1) The editorial policy of *Phytopathology News* may be delegated by the Council to an Editor-in-Chief and members of the *Phytopathology News* Advisory Board. The Treasurer and Financial Advisory Committee have financial responsibility for *Phytopathology News*. The Council and Financial Advisory Committee may delegate financial responsibility to the Society's Executive Officer as provided in ARTICLE III, Section 4.
- 2) The *Phytopathology News* Advisory Board serves as the Editorial Board. The Editor and members of the *Phytopathology News* Advisory Board shall be nominated by the Council from among Regular and Emeritus members. An APS staff person also serves on the Board.
- 3) The Editor-in-Chief and other members of the *Phytopathology News* Advisory Board shall be appointed for three-year terms and shall not serve more than two terms consecutively.

C. *APS Press*

- 1) Editorial policy of APS Press for publication/production of nonjournal products shall be delegated to an Editorial Board consisting of an Editor-in-Chief, Senior Editors, and ex-officio member from the APS Headquarters staff. APS Press will manage the finances of the nonjournal products to meet financial goals and operate within guidelines provided by Council and the Financial Advisory Committee. The Council and Financial Advisory Committee may delegate financial responsibility to the Society's Executive Officer as provided in Article III, Section 4.
- 2) Selection of the Editor-in-Chief, Senior Editors, and Associate Editors shall be as described in A (2.) above.
- 3) The Editor-in-Chief and Senior Editors shall be appointed for a three-year term and not serve more than two terms consecutively. Senior Editors will serve staggered three-year terms. The Editor-in-Chief also will serve as Editor-in-Chief-Elect for one year prior to assuming full responsibilities as Editor-in-Chief.

D. *Abstracts*

- 1) Accepted abstracts will be published in *Phytopathology* upon receipt of the fee established by the Council.
- 2) Each abstract of a paper or poster to be presented at the Annual Meeting of the Society must be submitted on the official abstract form on or before the closing date specified in the preliminary announcement of the meeting. Abstracts received after the closing date will be returned to the author.
- 3) At least one author of each paper must be a member of the Society. No author shall present orally more than one abstract per annual National Meeting. At the discretion of the Program Committee, the number of abstracts accepted for the Annual Meeting of the Society may be limited.
- 4) Abstracts of papers for the Annual and Division meetings must be in clear, concise English, except that abstracts for the Caribbean Division may be submitted in Spanish. Abstracts should contain only unpublished information on new and significant developments, include no tabular data, and conform to all specifications of the official abstract form.

7. Committees

Three categories of committees are authorized: Standing, Special, and Ad Hoc. Guidelines for chairs of these committees and functions of the various Standing Committees are stated in the APS Manual of Operations. The Council establishes and disbands Standing and Special committees and designates the Chair and Vice-Chair of each Special committee. With the exception of the Headquarters Operations Committee, which is authorized to act on behalf of the Council and the Society membership, no committee shall obligate Society funds or services without the Council's approval.

- A. *Standing Committees*. These committees are concerned with items generally of continuing interest to the Society, such as general policies, internal relations, and program development in relation to subject matter. Except where inappropriate, they shall have a revolving membership. They must submit to the Council an annual report that is published in the Annual Report of the Society.
- B. *Special Committees*. These committees are concerned with items of interest to the Society for limited periods of time. Each Special Committee may exist only for the period that, in the judgment of the Council, is required to fulfill its purpose. Progress reports may be requested,

but a final report must be made to the Council at the termination of the Committee's appointment.

- C. *Ad Hoc Committees.* These committees have specific temporary missions. The President of the Society appoints their members and chairs. The term of each ad hoc committee ends with that of the President. A succeeding President may reinstate the committee. These committees report as directed by the President.

8. Divisions

The following provisions shall govern the organization and regulation of Divisions of the Society:

- A. *Name.* Divisions shall use the name of the parent Society with an appropriate geographic term, for example, The American Phytopathological Society, Pacific Division. The organized Divisions of the Society are:

African – African countries and those working on projects affiliated with Africa.

Caribbean--Countries of the Caribbean region, including Central and South America.

North Central--Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and contiguous provinces in Canada.

Northeastern--Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and contiguous provinces in Canada.

Pacific--Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and contiguous provinces in Canada.

Potomac--Delaware, District of Columbia, Maryland, Virginia, and West Virginia.

Southern--Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

- B. *Membership.* Divisions may elect to full membership only members of The American Phytopathological Society, but each Division may elect associate members under such rules as it may adopt.
- C. *Publications.* Abstracts of presentations that are made at Divisional meetings will be published subject to the rules governing preparation and publication of Abstracts as stated in Bylaw 6E.
- D. *Constitution.* The Constitution or Articles of Organization of each Division shall contain a provision or provisions ratifying the above rules. Division Constitutions shall not be in conflict with the Constitution of The American Phytopathological Society. With the exceptions defined by the above rules, the Divisions enjoy complete autonomy.
- E. *Annual Report.* Divisions that elect to be included under the tax exempt status accorded to The American Phytopathological Society shall file an Annual Report, including a financial statement, with the Executive Officer and provide copies to the Internal Communications Officer.

9. Chapters

The following provisions shall govern the organization and regulation of Chapters of the Society:

- A. *Name.* Chapters may use the name of the parent Society with an appropriate Chapter designation, for example, The American Phytopathological Society, Iowa Chapter. Chapters may use other names, such as North Carolina Association of Plant Pathologists and Nematologists, a Chapter of The American Phytopathological Society.

- B. *Membership.* Chapters may elect to full membership any person interested in the study and control of plant disease, under such rules as the Chapter may adopt.
- C. *Governance.* The Constitution or Articles of Organization of each Chapter shall contain a provision or provisions ratifying the above rules. No Chapter's Constitution shall contain anything in conflict with the Constitution of The American Phytopathological Society or of the appropriate Division(s). With the exceptions defined by the above rules, the Chapters enjoy complete autonomy.
- D. *Reporting.* Chapters report to Internal Communications Officer.
- E. *Annual Reports.* Chapters that elect to be included under the tax exempt status accorded to The American Phytopathological Society shall file an Annual Report, including a financial statement, with the Executive Officer and provide copies to the Internal Communications Officer.

10. Associations with Other Organizations

Council may establish associations with other organizations to further the goals of the Society. Details on establishing associations with other organizations are outlined in the Manual of Operations.

11. General Prohibitions

Notwithstanding any provision of the Constitution or Standing Rules that might be susceptible to a contrary construction:

- A. the Society shall be organized and operated exclusively for scientific and educational purposes;
- B. no part of the net earnings of the Society shall or may under any circumstance inure to the benefit of any private shareholder or individual;
- C. no substantial part of the activities of the Society shall consist of carrying on propaganda or otherwise attempting to influence legislation;
- D. the Society shall not participate or intervene in (including publication or distribution of statements) any political campaign on behalf of any candidate for public office or for the political expediency of any organization or cause;
- E. the Society shall not be organized or operated for profit;
- F. the Society shall not:
 - 1) lend any part of its income or corpus without receiving adequate security and a reasonable rate of interest to;
 - 2) pay any compensation, in excess of a reasonable allowance for salaries or other compensation for personal services actually rendered, to;
 - 3) make any part of its services available on a preferential basis to;
 - 4) purchase securities or any other property for more than adequate consideration in money or money's worth from;
 - 5) sell any securities or other property for less than adequate consideration in money or money's worth to; or
 - 6) engage in any other transactions that result in substantial diversions of its income or corpus to any officer, member of the Council, or substantial contributor to the Society.

The prohibitions contained in this subsection, F, do not mean to imply that the Society may make such loans, payments, sales, or purchases to anyone else, unless such authority is given or implied by other provisions of the Constitution or Bylaws.

12. Distribution upon Dissolution

Upon dissolution of the Society, the Council shall distribute the assets and accrued income to one or more organizations that, as determined by the Council, meet the limitations prescribed in subsections A--F inclusive, of Bylaw 12.

13. Rules of Order

The rules contained in Robert's Rules of Order (revised) shall govern the Society in all cases except amendments of the Constitution and Bylaws of this Society.

14. Amendments

These Bylaws may be amended at any Annual Meeting of the Society, provided that any proposed amendment is approved by the Council or petitioned by at least 10% of the Regular Members, is communicated at least one month before the Annual Meeting to all members eligible to vote, and receives a plurality of affirmative votes of members voting at a regularly scheduled business session. At the discretion of the Council, the Bylaws may also be amended by mail and/or electronic ballot provided that any proposed amendment is approved by the Council and receives a plurality of affirmative votes from among those cast by members eligible to vote.

15. Liability of the Society

The Society shall indemnify every councilor, officer, and employee of the Society against all expenses and liabilities, and any settlement thereof, including counsel fees, reasonably incurred or imposed upon the person in connection with any proceedings to which the person may be made a party or in which the person may become involved by reason of being or having been a councilor, officer, or employee of the Society, whether or not the person is a councilor, officer or employee when such expenses are incurred, except in such cases wherein the councilor, officer, or employee is adjudged guilty of willful misfeasance or malfeasance in the performance of duties. The foregoing right of indemnification shall be in addition to and not exclusive of all rights to which such councilor, officer, or employee may be entitled.