



**MARICOPA COMMUNITY COLLEGES
FACULTY ASSOCIATION**
INSPIRE EDUCATE CREATE

Bylaws

**FACULTY EXECUTIVE COUNCIL, INC.
MARICOPA COMMUNITY COLLEGES**

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ARTICLE I. MEMBERSHIP IN THE FACULTY ASSOCIATION

The Faculty Association represents all Residential Faculty regardless of membership in the organization. The Faculty Association also recognizes that local College Senate representative positions and elections are open to all Residential Faculty (including non-FA members) at their respective colleges and that FA assistance is available to those senates upon request. However, given the independent status of the FA as defined by its articles of incorporation, faculty are required to be active members (as defined in Article IV in the FEC Constitution) in order to participate in Faculty Association business.

Section A. Regulation of Membership

1. Grounds

If a member fails to comply with the Faculty Association's Constitution, Bylaws, or any other rules or regulations of the Faculty Association, fails to uphold the standards set forth in the Professional Code of Ethics (Appendix A), or commits unprofessional conduct considered prejudicial to the best interests of, or inconsistent with the purposes of, the Faculty Association, the member may be subject to sanction from the Faculty Association.

2. Processes

The following process will be followed.

a. Request for a Hearing

A hearing to initiate proceedings to sanction a Faculty Association member may be brought by any current member of the Faculty Executive Council, upon ten (10) calendar days notification in writing to the Faculty Association President and accompanied by a petition signed by fifty percent (50%) of the Active Regular members at the member's college, or fifty percent (50%) of College Faculty Senators at the member's college, or by fifty percent (50%) of voting Faculty Executive Council members.

b. The Hearing

The member of the Faculty Executive Council who requested the hearing may appear on the agenda of the next regular Faculty Executive Council meeting and in a presentation, not to exceed ten (10) minutes, state the case for sanction of the Faculty Association member. The Faculty Association President will notify the appropriate member of the Faculty Association that he/she will also be given a time not to exceed ten (10) minutes for rebuttal at the same meeting.

c. The Decision

The matter will then be tabled until the next regular Faculty Executive Council meeting at which time discussion and vote will be taken. The vote for sanction of a Faculty

Association member must be at least two-thirds (2/3) of the Faculty Executive Council.

- d. Sanctions may be imposed provided that a statement of the charges shall have been sent by certified mail to the last recorded address of the member on file with the Faculty Association at least fifteen (15) calendar days before final action is to be taken. This statement shall be accompanied by a notice of the time and place of the meeting at which the charges shall be considered, and the member shall have the opportunity to appear in person and/or to be represented by counsel and to present any defense, not to exceed fifteen (15) minutes, to such charges before action is taken by the Faculty Executive Council.

3. Sanctions

Sanctions may include, but are not limited to, censure, suspension, probation, or expulsion from the Faculty Association.

ARTICLE II. THE FACULTY EXECUTIVE COUNCIL

Section A. Authority and Responsibility

The affairs of the Faculty Association shall be managed by the Faculty Executive Council, which shall have supervision, control, and direction of the Faculty Association, shall determine its business policies or changes therein within the limits of these Bylaws, shall actively promote its purposes, and shall have discretion in the disbursement of its funds. The Faculty Executive Council shall act for and on behalf of the Faculty Association. The Faculty Executive Council may adopt such rules and regulations for the conduct of its business as shall be deemed advisable and may, in the execution of the powers granted, appoint such agents as it may consider necessary. The Faculty Executive Council shall provide reports to the membership as necessary.

The Faculty Executive Council, in furtherance of the specific and primary purposes of this non-profit Faculty Association as expressed in its Articles of Incorporation, may perform such acts as are necessary or convenient to exercise the powers of this non-profit corporation stated in its Articles of Incorporation, and generally may do or perform or cause to be done or performed, any act which the Faculty Association lawfully may do or perform in the furtherance of its specific and primary purposes as stated in its Articles of Incorporation.

Section B. Duties of Members of the Faculty Executive Council

- a) Represent the interests of his/her respective college faculty;
- b) Fulfill fiduciary duties as required by Arizona law;
- c) Attend regular and special meetings of the Faculty Executive Council;
- d) Adhere to the Code of Responsibility (Appendix C);
- e) Serve on committees as appointed by the Faculty Association President;
- f) Inform faculty at his/her college of Faculty Executive Council matters on a regular basis;
- g) Communicate the views and concerns of his/her constituents to the Faculty Executive Council;
- h) Attend meetings of the District and College, as required.

Section C. Duties of the Faculty Senate President (or eligible alternate)

- a) Represent the interests of his/her respective college faculty;
- b) Fulfill fiduciary duties as required by Arizona law;
- c) Attend regular and special meetings of the Faculty Executive Council;
- d) Adhere to Code of Responsibility (Appendix C);
- e) Attend Council of Presidents meetings;
- f) Attend Governing Board meetings;
- g) Work with the Personnel Officer on personnel issues;
- h) Work with the Membership Committee to coordinate membership duties at their respective colleges;
- i) Serve on committees as appointed by the Faculty Association President;
- j) Inform faculty at his/her college of Faculty Executive Council matters on a regular basis;

- k) Communicate the views and concerns of his/her constituents to the Faculty Executive Council;
- l) Attend meetings of the District and College, as required.

Section D. Term of Office
Representatives to the Faculty Executive Council shall serve terms determined by their College Faculty Senate.

Section E. Vacancies
In the event of a vacancy of representation of a college for any reason, it shall be the responsibility of the respective college to fill the vacancy.

Section F. Removal of a Representative from the Faculty Executive Council
A college representative to the Faculty Executive Council may be removed by following the processes established in his/her respective College Faculty Senate Constitution or Bylaws.

ARTICLE III. OFFICERS OF THE FACULTY EXECUTIVE COUNCIL

Section A. Eligibility

Eligibility requirements for each officer position on the Faculty Executive Council are stated in the Constitution.

Section B. Duties of the officers of the Faculty Executive Council shall include, but not be limited to, the following:

1. The President will:
 - a. Preside over Faculty Executive Council and Council of Presidents meetings;
 - b. Create and distribute the agendas, in consultation with the Officers, for all meetings of the Faculty Executive Council;
 - c. Appoint members of all Faculty Executive Council Committees and their chairpersons;
 - d. Serve as an ex-officio member of all Faculty Executive Council committees, except the Meet and Confer Team and Election Committee;
 - e. Serve as an ex-officio member of the Faculty Professional Growth Committee
 - f. Observe Meet and Confer meetings
 - g. Develop and maintain communication between the Faculty Executive Council, the District Administration, and the Governing Board;
 - h. Call special meetings of the Faculty Executive Council and the Council of Presidents;
 - i. Represent faculty interests at meetings of the Chancellor's Executive Council, the Governing Board, and other appropriate agencies;
 - j. Attend meetings of the Governing Board, Faculty Association Officers, Faculty Executive Council, and Chancellor's Executive Council;
 - k. Be responsible for ensuring the training of Faculty Executive Council Representatives on matters including, but not limited to, faculty governance, RFP procedures and processes, and professional rights and responsibilities of the Association;
 - l. Regularly report on faculty governance activities to the Faculty Executive Council;
 - m. Keep the Officers of the Faculty Executive Council informed on matters relating to the presidency and Faculty Association;
 - n. Provide training and mentoring to the President Elect to ensure preparation for the presidency;
 - o. Provide supervisory oversight and evaluations of employees and contracted entities and report results to the Council of Presidents.
2. The President Elect will:
 - a. Preside at meetings when the President is absent;
 - b. Assume the duties and office of the President for the remainder of the term if that office should for any reason become vacant;

- c. Attend meetings of the Governing Board, Faculty Association Officers, Faculty Executive Council, and Chancellor's Executive Council;
- d. Serve on committees at the direction of the President;
- e. Serve as one of the Faculty Executive Council representatives on the Faculty Professional Growth Policy Review Committee;
- f. Serve as parliamentarian for all meetings;
- g. Observe Meet and Confer meetings
- h. Keep informed on matters relating to the presidency and Faculty Association by consulting with the President regularly;
- i. Participate in training and mentoring with the President to ensure preparation for the presidency;
- j. Assume the duties and office of the President when the term of the current President expires.

3. The Past President will:

- a. Preside at meetings when the President and President Elect are both absent;
- b. Assume the duties and office of the President for the remainder of the term if that office should for any reason become vacant and cannot be filled by the President Elect;
- c. Should the office of President Elect become vacant, assume the duties and office of the President Elect until the office of President Elect is filled by special election as stated in Article VI of these Bylaws;
- d. Attend meetings of the Governing Board, Faculty Association Officers, Faculty Executive Council, and Chancellor's Executive Council;
- e. Keep informed on matters relating to the presidency and Faculty Association by consulting with the President regularly;
- f. Participate in training and mentoring with the President and President Elect;
- g. Serve as a member of the Faculty Meet and Confer Team;
- h. Serve as one of the Faculty Executive Council representatives on the Faculty Professional Growth Policy Review Committee;
- i. Assist in performing other duties as requested by the Faculty Association President.

4. The Finance Officer will:

- a. Attend meetings of the Governing Board, Faculty Association Officers, Financial Advisory Council, and Faculty Executive Council;
- b. Prepare and present the annual budget and quarterly budget updates to FEC
- c. Process monthly ACH direct debit transactions with assistance of the accountant
- d. Follow up with members regarding dues payment issues with the support of the Membership and Finance Officers
- e. Oversee the work of the accountant and review monthly financial statements prepared by the accountant;
- f. Write checks at the direction of the Faculty Association

- President or Faculty Executive Council (e.g. senate membership rebates, stipends);
 - g. Present a financial statement prepared by the accountant at the last meeting of the outgoing Faculty Executive Council
 - h. Keep informed on matters relating to the presidency and Faculty
 - i. Association by consulting with the President regularly;
 - j. Assist in performing other duties as requested by the Faculty Association President.
 - k. Attend Membership Committee Meetings
5. The Personnel Officer will:
- a. Attend meetings of the Governing Board, Faculty Association Officers, the Chief HR Officer, and Faculty Executive Council;
 - b. Serve as the primary point of contact at the Faculty Association level for all grievances, resolutions of controversy, and mediations as provided in the RFP;
 - c. Confer with the Faculty Association legal counsel on on-going grievances, resolutions of controversy and mediations, as necessary;
 - d. During high-volume membership periods, assist the Membership Officer with collecting and processing membership applications
 - e. Assist Membership Officer with reviewing and updating membership lists
 - f. Assist Finance Officer with following up on dues payments issues
 - g. Provide training to Faculty Executive Council members and others on proper procedure and protocol for the handling of grievances, resolutions of controversy, and mediations;
 - h. Keep informed on matters relating to the presidency and Faculty Association by consulting with the President regularly;
 - i. Assist in performing other duties as requested by the Faculty Association President.
6. The Communications Officer will:
- a. Attend meetings of the Governing Board, Faculty Association Officers, and Faculty Executive Council;
 - b. Ensure that minutes are taken for all regular and special Faculty Executive Council meetings and provided to all Faculty Association members;
 - c. Serve as the official spokesperson of the Faculty Association to all internal and external stakeholders
 - d. Schedule regular meetings of the Faculty Association including college Senate visits and Meet and Confer forums
 - e. Serve on the Public Affairs Committee
 - f. Serve on the Membership Committee;
 - g. Keep informed on matters relating to the presidency and Faculty Association by consulting with the President regularly;
 - h. Assist in performing other duties as requested by the Faculty Association President.

7. The Membership Officer will:
 - a. Determine Senate membership rebates
 - b. Chair the Membership Committee
 - c. Attend meetings of the Faculty Association Officers, Financial Advisory Council, and Faculty Executive Council
 - d. Update and maintain the membership database
 - e. Process and secure membership application
 - f. Assist the Finance Officer with follow up with members regarding dues payment issues
 - g. Provide regular membership updates to the Faculty Executive Council
 - h. Assist in performing other duties as requested by the Faculty Association President

8. The Public Affairs Officer will:
 - a. Attend meetings of the Governing Board, Faculty Association Officers, and Faculty Executive Council;
 - b. Coordinate legislative/lobbying efforts with contract lobbyist(s);
 - c. Lead the formulation of Public Affairs Strategic Plan for the consideration of the Faculty Association;
 - d. Build civic capacity and engagement among Faculty Association members;
 - e. Liaise with external entities in coordination with Faculty Association President and FacPAC Chair;
 - f. Coordinate messaging to internal and external audiences with Faculty Association President, Communications Officer, FacPAC Chair, and media consultants;
 - g. Keep informed on matters relating to the Faculty Association by consulting with the President regularly;
 - h. Assist in performing other duties as requested by the Faculty Association President.

9. The FacPAC President will:
 - a. Attend meetings of the Governing Board, Faculty Association Officers, and Faculty Executive Council;
 - b. Lead candidate recruitment and endorsement efforts;
 - c. Lead fundraising efforts with FacPAC Treasurer;
 - d. Ensure compliance with laws and regulations relevant to the work of FacPAC;
 - e. Liaise with external entities in coordination with Faculty Association President and Public Affairs Officer;
 - f. Coordinate messaging to internal and external audiences with Communications Officer, Public Affairs Officer, and media consultants;
 - g. Keep informed on matters relating to the Faculty Association by consulting with the President regularly;
 - h. Assist in performing other duties as requested by the Faculty Association President.

10. The FacPAC Treasurer will:
 - a. Attend meetings of the Governing Board, Faculty Association Officers, and Faculty Executive Council;

- b. Ensure accurate and timely submission of all financial, corporate, campaign finance, and other related reporting;
- c. Ensure compliance with laws and regulations relevant to the work of FacPAC;
- d. Lead fundraising efforts with FacPAC Chair;
- e. Coordinate collection and upkeep of accurate membership information with Membership Officer;
- f. Keep informed on matters relating to the Faculty Association by consulting with the President regularly;
- g. Assist in performing other duties as requested by the Faculty Association President.

Section C. Vacancies

- 1. Vacancy in the Office of the President
If the office of the President becomes vacant, the President Elect shall assume the office and FEC will follow the special election process outlined in Article VI-Section F for President-Elect.
- 2. Vacancy in the Office of the Association President Elect
If the office of President Elect becomes vacant, a special election must be held no later than forty-five (45) calendar days after the vacancy occurs as stated in Article VI of these Bylaws.
- 3. Vacancy in the Office of the Past President
In the event of a vacancy in the office of Past President for any reason, the President shall appoint a qualified person for the unexpired portion of the term with the majority approval of the Faculty Executive Council.
- 4. Vacancy in Other Offices
In the event of a vacancy in any office for any reason, the President shall appoint a qualified person for the unexpired portion of the term with the majority approval of the Faculty Executive Council.

Section D. Removal of a Faculty Association Officer

- 1. Grounds
An officer of the Faculty Association may be removed from office for failure to perform duties as stated in Article III of these Bylaws.
- 2. Process
 - a. Request for a Hearing
Any current member of the Faculty Executive Council, upon ten (10) calendar days notification in writing to the Faculty Association President and accompanied by a petition signed by fifty percent (50%) of voting Faculty Executive Council members, may request a hearing to initiate proceedings to remove a Faculty Association Officer.
 - b. The Hearing

Members of the Faculty Executive Council may appear on the agenda of the next regular Faculty Executive Council meeting and in a presentation, not to exceed ten (10) minutes, state their case for removal of the Officer(s). The President will notify the appropriate Officer that he/she also will be given a time not to exceed ten (10) minutes for rebuttal at the same meeting.

c. The Decision

The matter will then be tabled until the next regular Faculty Executive Council meeting at which time discussion and vote will be taken. The vote for removal of a Faculty Association Officer must be at least two-thirds (2/3) of the Faculty Executive Council.

ARTICLE IV. MEETINGS AND PROCEDURES

Section A. Meeting Procedure

3. Quorum

A quorum of the Faculty Executive Council will consist of fifty percent (50%) of the voting membership plus the Faculty Association President.

When a quorum of the Faculty Executive Council cannot be assembled, the Council of Presidents has authority to function as the Faculty Executive Council.

4. Voting

The persons allowed to vote at all meetings of the Faculty Executive Council shall be as follows:

- a. Each designated voting member of the Faculty Executive Council shall be entitled to one (1) vote at all meetings of the Faculty Executive Council.
- b. The Faculty Association President may not vote except to create a tie or to break a tie.
- c. The Faculty Association President Elect will have no voting power except to create a tie or break a tie on behalf of the absent President.
- d. No appointed officer shall have voting rights by virtue of holding an appointed office. Appointed officers may vote only if they are also regular voting representatives of a member college.
- e. Traditional, in-person methods of voting shall be used to conduct Faculty Executive Council business.

Section B. Faculty Executive Council Agenda

1. The Faculty Association President shall create the agenda.
2. Faculty Senate Presidents (or eligible alternates) may request the Faculty Association President to add an item to the Faculty Executive Council agenda prior to a meeting. The Faculty Association President shall make the final decision whether the item is put on the Faculty Executive Council agenda.
3. Any individual member of the Faculty Executive Council who wishes to propose a business agenda item prior to the adoption of the agenda may do so in the following manner:
 - a. The member of the Faculty Executive Council will present the potential business item.
 - b. The business item must be approved by a majority of the Faculty Executive Council to be placed on the agenda.
 - c. Once on the agenda, the item may be discussed at that meeting, but no vote may be taken on that item.
 - d. At the next regular meeting, the Faculty Executive Council may

vote on the item.

4. The criteria for consideration of an item to be added to the Faculty Executive Council agenda, include, but are not limited to:
 - a. Faculty Executive Council action could resolve the issue more effectively.
 - b. The matter implicates precedent significant to the Faculty Association.

Section C. The first meeting of the incoming Faculty Executive Council shall, when possible, be the last meeting of the Spring semester.

Section D. Meetings of the Faculty Executive Council will begin at 2:30pm on the 2nd and 4th Tuesdays of each month, when appropriate.

Section E. Meetings of the Council of Presidents will begin at 1:30pm before regular meetings of the Faculty Executive Council, when appropriate.

Section F. Guests are allowed at regular meetings of the Faculty Executive Council by invitation of the Faculty Association President.

ARTICLE V. COMMITTEES OF THE FACULTY EXECUTIVE COUNCIL

Section A. Standing Committees of the Faculty Executive Council
The standing committees of the Faculty Executive Council are:

1. Constitution and Bylaws Committee
2. Election Committee
3. Facilities Management Committee
4. Faculty Professional Growth Policy Review Committee (FPG-PRC)
5. Meet and Confer Team
6. Membership Committee
7. Public Affairs Committee
8. Political Action Committee

Section B. Constitution and Bylaws Committee

1. Purpose:
The committee will regularly review and propose amendments to the Constitution and Bylaws to the Faculty Executive Council.
2. Membership:
Membership will consist of approximately five (5) members of the Faculty Executive Council and the President Elect. Consideration will be given to a diverse representation of colleges.

Section C. Election Committee

1. Purpose:
The committee will perform such duties as stated in Article VI of these Bylaws.
2. Membership:
Membership will be as stated in Article VI of these Bylaws.

Section D. Facilities Management Committee

1. Purpose:
The committee will review and recommend actions related to maintenance and operations of the Faculty Association offices to the Faculty Association President.
2. Membership:
Membership will consist of approximately five (5) members of the Faculty Executive Council. Consideration will be given to a diverse representation of colleges.

Section E. Faculty Professional Growth Policy Review Committee (FPG-PRC)

1. Purpose:
The committee will serve as the policy writing and review body for the Faculty Professional Growth (FPG) guidelines.
 - a. Monitor and revise, as necessary, FPG policies for advancements, sabbaticals, fees, travel, and summer project programs.

- i. Recommendations for policy development or revision may be referred to the FPG-PRC by the Faculty Professional Growth Committee or Faculty Executive Council.
- b. Recommend to the Faculty Meet and Confer Team areas for RFP changes relating to FPG.
- c. Facilitate communication between the Faculty Executive Council, the FPG Committee and the faculty at-large.
 - i. Discuss issues relating to FPG committee member participation and performance as conveyed by FPG subcommittee chairs and/or Faculty Senate Presidents. If an issue cannot be resolved between the FPG committee member and the appropriate subcommittee Chair or Senate President, the PRC Chair will provide information to the Faculty Association President who will discuss with the Council of Presidents to decide if any action is required.
 - ii. The Chair of the Policy Review committee will report regularly to the Faculty Executive Council and FPG Committee.
- d. Review and monitor FPG budget expenditures and remaining account balances.
 - i. Review budget allocation and expenditures during the year.

2. Membership

The FPG-PRC will consist of:

- a. Subcommittee chairs (or designees) from FPG, (Sabbatical/Advancement and Registration Fees/Travel/ Summer Projects);
- b. Past President and President Elect from the Faculty Executive Council;
- d. one or more additional members may be appointed by PRC chair and will be confirmed by the Faculty Executive Council. The members of the committee should attempt to reflect a variety of faculty types (service, occupational, academic) and a variety of colleges.
- e. The Faculty Executive Council will consider the recommendation of the FPG-PRC and approve the chair of the FPG-PRC at the first meeting of the incoming Faculty Executive Council. The Chair of PRC should not serve as a subcommittee chair on FPG or an officer of the Faculty Executive Council during his/her term as chair. It is recommended that the Chair has served on FPG in the last ten (10) years.

3. Meetings

Standing meeting dates for committee meetings will be the 2nd and 4th Thursday afternoons of the academic year. The committee may propose alternative meeting dates and times to the Faculty Executive Council for approval.

Section F. Meet and Confer Team

1. Purpose

The Meet and Confer Team will represent the entire residential faculty at

the Meet and Confer table and act as agent for the Council of Presidents.

2. Membership

The Council of Presidents will identify and discuss potential members of the Faculty Meet and Confer Team.

- a. A subcommittee of the Council of Presidents, consisting of the Faculty Association President and two additional members, shall solicit interested faculty to fill existing vacancies. Members of the subcommittee shall not be considered for existing vacancies on the Meet and Confer Team.
 - i. Meet and Confer members will be trained or willing to be trained in Interest Based Negotiation processes.
 - ii. Consideration will be given to including faculty from each of the three faculty areas (academic, occupational and service).
 - iii. Meet and Confer members, except for the Past President, will serve for a term of three years.
- b. The subcommittee will distribute candidate statements to the Faculty Executive Council. The Council of Presidents will recommend to the Faculty Association President an eligible faculty to serve on the Faculty Meet and Confer Team.
- c. The Faculty Association President will appoint, with Faculty Executive Council approval, a faculty to serve on the Faculty Meet and Confer Team.

Section G. Membership Committee

1. Purpose

The Membership Committee will evaluate and make recommendations to the Faculty Executive Council on items related, but not limited to, membership benefits, dues payment options, membership drives, and financial support of College Faculty Senates.

2. Membership

Membership will consist of at least two (2) members of the Faculty Executive Council, and the Faculty Association Past President, Finance Officer and Communications Officer. The Membership Committee Will be chaired by the Membership Officer. An additional two (2) non-Faculty Executive Council members may serve. Consideration will be given to a diverse representation of colleges.

Section H. Public Affairs Committee

1. Purpose

The Public Affairs Committee will report on legislative, District and community issues of relevance and importance to the Faculty Executive Council and advance the goals of the Faculty Association.

2. Membership

The Public Affairs Committee will consist of approximately three (3) members of the Faculty Executive Council, and the Faculty Association President Elect, Past President, and Communications Officer. An additional two (2) non-Faculty Executive Council members may serve. Consideration will be given to a diverse representation of colleges.

Section I. Political Action Committee

1. Purpose
FacPAC supports higher education in Arizona through political engagement.
2. Membership
The Board of Directors shall consist of a Chairperson, Treasurer, and up to three at-large Faculty Association Members, or Affiliate Members, to be selected by the Chairperson and Treasurer. Replacement of the officers shall be determined by the current Board. The Faculty Association President and President-Elect will serve as *ex officio* members (with voting privileges) of the Board of Directors, but may not serve as Chairperson or Treasurer. Any member of the Board of Directors, other than the *ex officio* members, may be removed by a majority vote of the Board.

ARTICLE VI. ELECTIONS

- Section A. An Election Committee will be seated by the Faculty Executive Council in December.
- Section B. The Election Committee will consist of at least three (3) Faculty Executive Council members, none of whom may be the current President, President Elect, Past President or a candidate for the office.
- Section C. The Election Committee shall issue a call for candidates prior to the end of the Fall semester.
- Section D. The Election Committee shall deliver the names of qualified candidates at the first meeting of the Faculty Executive Council in February. In the event there are no qualified candidates, the deadline for nomination may be extended by a vote of the Faculty Executive Council. If an extension is approved, the Election Committee shall deliver the names of qualified candidates at the next regular Faculty Executive Council meeting.

Within one (1) week of the meeting where the names of qualified candidates are delivered to the Faculty Executive Council, the Election Committee shall distribute to all Active Regular Faculty Association members the statements submitted by the candidates.

- Section E. In April, the Faculty Executive Council shall elect a President Elect.
1. The Election Committee shall prepare a written ballot bearing the names of all qualified candidates, oversee a secret-ballot process by the Faculty Executive Council, and tally the results. Results of the election shall be reported immediately.
 2. All election ballots will be archived for a period of at least one (1) year.
 3. The candidate receiving the most votes shall be elected.
 4. In the event of a tie, a run-off vote will be held immediately between the candidates who tied for the most votes in the initial vote.
 5. In the event of a tie in the run-off vote, the Faculty Association President will cast the deciding vote.

- Section F. Special Elections
- In the event of a vacancy in the office of President Elect, a special election will be held within forty-five (45) calendar days.

1. The Election Committee will be seated at the next Faculty Executive Council meeting.
2. The Election Committee shall issue a call for candidates within five (5) calendar days.
3. The Election Committee shall deliver the names and candidate statements of qualified candidates to the next meeting of the Faculty Executive Council. In the event there are no qualified candidates, the deadline for nomination may be extended by a vote of the Faculty

Executive Council. If an extension is approved, the Election Committee shall deliver the names of qualified candidates at the next regular Faculty Executive Council meeting.

4. The Election Committee shall prepare a written ballot bearing the names of all qualified candidates, oversee a secret-ballot process by the Faculty Executive Council, and tally the results. Results of the election shall be reported immediately.
 - a. All election ballots will be archived for a period of at least one (1) year.
 - b. The candidate receiving the most votes shall be elected.
 - c. In the event of a tie, a run-off vote will be held immediately between the candidates who tied for the most votes in the initial vote.
 - d. In the event of a tie in the run-off vote, the Faculty Association President will cast the deciding vote.

ARTICLE VII. FISCAL MATTERS

- Section A. Contracts
Deeds, mortgages, leases and contracts may be signed by the President or by such other person or persons as the Faculty Executive Council may authorize. No loans shall be contracted on behalf of the Faculty Association, and no evidence of indebtedness shall be issued in its name, unless authorized by a resolution of the Faculty Executive Council.
- Section B. Checks
All bank checks drawn against the Faculty Association's checking accounts shall be signed by the Finance Officer and the President or such other person or persons as the Faculty Executive Council may authorize.
- Section C. Deposits
All funds of the Faculty Association not otherwise employed shall be deposited as received in the Faculty Association's checking account or in a savings account with such bank or banks, or other depositories, as the Finance Officer may select.
- Section D. Bonding
The Faculty Executive Council may provide for the bonding of officers and employees of the Faculty Association.
- Section E. Gifts
The Faculty Executive Council may accept, on behalf of the Faculty Association, any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Association.
- Section F. Books and Records
The Faculty Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, the Faculty Executive Council, and any committees having the authority of the Faculty Executive Council.
- Section G. Fiscal Year
The fiscal year of the Faculty Association shall run from July 1 to June 30.
- Section H. Faculty Association Membership Dues
1. Due Dates
 - a. Deadline for Full Benefits
Dues, covering the fiscal year, will be assessed each faculty member who joins the Faculty Association. These dues must be paid in full or authorized to be paid by the second Tuesday in October. Upon joining, the entire annual dues amount is due to the Faculty Association. Meeting the dues deadline is required for all benefits and privileges of membership.

The Council of Presidents may grant access to benefits after this date based on criteria established by the Membership Committee.

- b. Faculty Hired After the Deadline
New faculty hired after the second Tuesday in October who have paid in full or authorized to be paid within forty-five (45) calendar days of their initial hiring date will receive full benefits and will be entitled to a prorated dues amount.
- c. Faculty who retire prior to the start of accountability in the spring semester and who notify the Faculty Association within forty-five (45) calendar days of the effective date of retirement will be entitled to a prorated dues amount.
- d. Dues are not refundable.
- e. Affiliate members may join the Faculty Association at any time.

- 2. Dues Amounts
Dues amounts for Regular and Affiliate members for the next fiscal year will be approved by the Faculty Executive Council no later than the fourth Tuesday in March.

Section I. Budget

The budget for the Faculty Association will be presented to the Faculty Executive Council at the final meeting of the year of the outgoing Faculty Executive Council. The budget will be approved at the first meeting of the incoming Faculty Executive Council.

ARTICLE VIII. STIPENDS AND REASSIGNED TIME

- Section A. Stipends will be awarded to the members of the Meet and Confer Team and the faculty representatives to the Employee Benefits Advisory Council, Financial Advisory Council, and Common Pages Committee. Additionally, the Chairs of the Faculty Professional Growth Policy Review Committee and Public Affairs Committee will receive a stipend. Stipend amounts will be reviewed each year by the Faculty Executive Council and may be modified or eliminated by a vote of the Faculty Executive Council. All stipends approved by the Faculty Executive Council are for the following academic year, except for the Meet and Confer Team as stated in Section B.
- Section B. All Meet and Confer Team members will receive a stipend equivalent to one (1) load hour during the official summer school calendar. Compensation for Meet and Confer Team members will be in the form of three (3) load hours of reassigned time per semester. Compensation for the Meet and Confer Team Chair will be in the form of an additional three (3) load hours of reassigned time in a semester to be determined in conjunction with the Faculty Association President.
- Section C. The Faculty Association President will not receive additional compensation from the Maricopa Community College District during his/her term of office except as stated in the Constitution.

ARTICLE IX. REQUEST FOR LEGAL COUNSEL

Section A. Regular Active members may request consultation on employment-related matters with the Faculty Association's attorney.

Section B. The Faculty Association's attorney will represent the member and will pursue the matter to the extent appropriate according to his/her professional legal judgment at the expense of the Faculty Association. The Faculty Association will not cover costs associated with legal representation in litigation.

Section C. The process to request consultation with the Faculty Association's attorney is as follows:

1. The member will submit a written request for legal consultation to his/her respective Faculty Senate President and should include any relevant documentation to support the request. Faculty not assigned to a college will submit their written request to the Faculty Association President or the Faculty Association Personnel Officer, who will submit the request to the Council of Presidents.
2. The Faculty Senate President (or eligible alternate) will submit the request at the next meeting of the Council of Presidents. The Faculty Senate President may offer additional information, as requested by the Council of Presidents.
3. A majority vote of the Council of Presidents is required to recommend approval of the request for legal consultation. In the event a request for legal consultation is not approved, the appropriate Faculty Senate President may resubmit the request for legal counsel at the next meeting of the Council of Presidents and provide additional information and rationale.
4. In matters of extreme urgency, the Faculty Association President may approve requests for legal consultation without convening the Council of Presidents. In such cases, the Faculty Association President will inform the Council of Presidents in a timely manner of the approval and review the decision to approve at the next Council of Presidents meeting.
5. In the event that a Regular Active member other than the appropriate Faculty Senate President submits a written request for legal consultation directly to the Faculty Association President, the appropriate Faculty Senate President (or eligible alternate) will be contacted before:
 - a. Submitting the request to the Council of Presidents at its next regularly scheduled meeting for their review; or
 - b. Approving the request when the Council of Presidents cannot convene in time to address matters of extreme urgency. In such cases, the Faculty Association President will communicate with the President Elect, Past President, and Personnel Officer and will inform the Council

of Presidents in a timely manner of the approval and review the decision to approve at the next Council of Presidents meeting.

ARTICLE X. USE OF ELECTRONIC COMMUNICATION AND ELECTRONIC MEETINGS

Section A. Unless otherwise prohibited by law, (i) any action to be taken or notice delivered under these Bylaws may be taken or transmitted by electronic mail or other written electronic means; and (ii) any action or approval required to be written or in writing may be transmitted or received by electronic mail or other written electronic means.

Section B. When necessary, and by majority vote of the body, any action to be taken at a meeting of the Faculty Executive Council or any committee thereof may be taken through the use of a conference calling or other communications equipment by means of which all persons participating in the meeting can communicate with each other. Participation in such a meeting shall constitute attendance at said meeting. Notwithstanding anything set forth to the contrary in these Bylaws, notice of any meeting to be held by conference call (whether regular or special) may be delivered a minimum of forty-eight (48) hours prior to the meeting.

ARTICLE XI. AMENDMENTS

Section A. Bylaws

The Bylaws of the Faculty Executive Council may be amended at any regular or special meeting in the following manner:

1. An amendment shall be presented in writing to the Faculty Executive Council at least seven (7) calendar days prior to the meeting at which it will be on the agenda.
2. A majority vote of the Faculty Executive Council shall be required to approve the amendment.
3. After approval, the amendment shall be added to the Bylaws.

Section B. Prohibition of Amendments

Amendments shall not prevent the Faculty Association from operating exclusively for nonprofit purposes and in a manner that makes the Faculty Association tax exempt nor prevents the deduction of donations from taxable income to the extent allowed by the Internal Revenue Code.

Section C. Amendments and Corrections

Editorial changes such as correcting typographical errors, punctuation, formatting, and conforming terminology are not considered amendments and may be made by a majority vote of the Faculty Executive Council. Changes of this type do not require any waiting period nor does it require presentation of written changes to the Faculty Executive Council. Suggested editorial and typographical corrections, which do not change the original content or intent of constitutional language, may be voted upon immediately by the Faculty Executive Council.

APPENDIX A. PROFESSIONAL CODE OF ETHICS

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to continuously developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As teachers, professors encourage and protect the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings, practices and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment and supervision of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution and for maintaining the highest professional standards through a meaningful culture of peer review.

As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize respectfully and seek revision. Professors give priority to their paramount responsibilities within their institution when determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

As members of their community, professors maintain the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

APPENDIX B. ACADEMIC RESPONSIBILITY OF FACULTY SENATES

In accordance with national standards articulated by the American Association of University Professors, the Association of Governing Boards of Universities and Colleges, and the American Council on Education in the 1966 *Joint Statement on Government of Colleges and Universities*, the faculty of an institution has the primary responsibility for determination of academic policy and for assurance of the quality of academic programs. In keeping with this principle, the Faculty Association may receive requests for support and assistance from Faculty Senates of the District colleges and, if deemed appropriate, shall respond to them. Such responsiveness to requests for support and assistance is inherent in the mission of the Faculty Association.

Also, in keeping with the principles of the 1966 *Joint Statement*, the Faculty Association shall not intervene in matters pertaining to the internal academic policies of any District college or if such intervention is in conflict with the expressed recommendations of the Faculty Senate of that institution. Such disregard for the primacy of institutional faculty responsibility for matters of academic policy would contradict nationally respected standards of faculty governance to which the Faculty Association is committed.

Nothing in this policy shall be construed to limit the right of the Faculty Association to grieve or to take any other action it deems necessary in response to an alleged violation of the Residential Faculty Policies by any party at any location. Moreover, nothing in this policy shall be construed to limit the rights of faculty members to appeal or grieve through procedures defined in the Residential Faculty Policies.

APPENDIX C. CODE OF RESPONSIBILITY

Members of the Faculty Executive Council, like all faculty members, have a responsibility to maintain standards of personal integrity and of professionalism in teaching and scholarship. Members of the Faculty Executive Council also assume additional responsibilities for representation of the interests of their campus constituencies as well as for the interests and values of the District faculty, as a whole. Indeed, Council representatives are concurrently representatives of their campus faculties and officers of the Faculty Association with responsibility to safeguard the welfare and effectiveness of the Faculty Association.

Respect for and adherence to the policies and procedures of the Faculty Association, as the organizational representative of the District faculty, is essential to the effective balancing of the multiple responsibilities assumed by each Council representative. Conflicts of interests and ideas are inevitable in an enterprise as complex as this one, but such conflict does not diminish the expectation that Faculty Executive Council representatives will meet their responsibilities with full regard for the professional, collegial, and democratic values to which the Faculty Association is committed.