



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

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# Constitution

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

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## **ARTICLE I. NAME OF THE ORGANIZATION AND DEFINITIONS**

### Section A. Organization Name

The name of this organization shall be the Maricopa Community Colleges Faculty Association (MCCFA) represented by the Faculty Executive Council, Inc., hereinafter referred to as the Faculty Executive Council or FEC.

### Section B. Definitions

1. **Active Regular Member:** any Maricopa County Community College District (MCCCD) probationary or appointive Residential Faculty member who has filled out the required membership forms to join the Faculty Association and paid the appropriate dues by the Census Date and who continues to pay their dues according to their agreed upon payment schedule, and who has not been removed from the Faculty Association as an official sanction.
2. **Census Date:** the date when the Faculty Association records its official membership for the year. The census date shall be the second Tuesday in October.
3. **Faculty Association Leadership:** all voting college faculty representatives serving on the Faculty Executive Council who are also Active Regular Members of the Faculty Association.

## ARTICLE II. PURPOSE OF THE ORGANIZATION

### Section A. Faculty Association Purpose

The purposes of the Faculty Association shall be:

1. To serve as the professional association for the Residential Faculty of the Maricopa County Community College District.
2. To safeguard the employment rights of its Members through the provision of legal services.
3. To engage in issue advocacy for the preservation or improvement of all aspects of the political environment affecting MCCCCD.
4. To collect revenues from its constituent Members and use those revenues for the betterment of the faculty and students of MCCCCD.

### Section B. Faculty Executive Council Purpose

The purposes of the Faculty Executive Council shall be:

1. To serve as the representative of Maricopa's Residential Faculty and College Faculty Senates to the District Administration and Governing Board in matters of shared governance.
2. To maintain and promote the standards and ideals of the profession.
3. To protect and preserve academic freedom.
4. To serve as the representative of the Residential Faculty in academic and professional matters and policy development.
5. To promote communication, collaboration, and education among the faculty and between faculty and other groups.
6. To serve as a Senior Council of the Maricopa County Community College District.

## **ARTICLE III. POWERS OF THE ORGANIZATION**

The Faculty Association shall have the power to receive and hold money or other property, tangible or intangible, real or personal, for any of its purposes. The Faculty Association shall have the power to borrow money and to mortgage or pledge real or personal property as security therefore, and to use, borrow, or expend funds and property and do all things necessary or convenient to carry out the powers expressly granted.

## **ARTICLE IV. MEMBERSHIP IN THE FACULTY ASSOCIATION**

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

### **Section A. Types of Membership**

Membership in the Faculty Association shall consist of:

#### **1. Regular Member**

Maricopa County Community College District (MCCCD) probationary and appointive Residential Faculty members are eligible for Regular Membership.

#### **2. Affiliate Member**

Affiliate Membership may be granted to any individual who supports the purposes of the Faculty Association, including, but not limited to, retired faculty and adjunct faculty. Residential Faculty are not eligible for Affiliate Membership.

### **Section B. Active Membership**

An Active membership begins when a person fully and completely fills out the required membership forms and pays the appropriate dues by the Census Date and continues to pay their dues according to their agreed upon payment schedule. Members who do not use an automated payment plan must pay for membership each year to maintain their Active membership.

### **Section C. Probationary Membership**

If a person does not complete all required membership forms or does not pay the appropriate dues until after the Census Date, then upon completion they immediately gain Probationary Membership. Probationary Membership confers all benefits of Active Membership except legal services. Thirty (30) calendar days after it begins, Probationary Membership automatically advances to Active Membership.

Section D. Revocation of Membership for Non-Payment of Dues

In the event a member does not meet the following financial obligations, the name of the member shall be removed from the membership rolls and access to all benefits of Faculty Association membership shall cease immediately. The financial obligations that must be met are:

1. Initial dues payment made within thirty (30) calendar days of submitting membership paperwork.
2. Financial obligations to the Faculty Association paid within sixty (60) calendar days after being notified.

Section E. Rights and Responsibilities of Members

1. Rights and Responsibilities of Active Regular Members

- a. Every Active Regular Member is entitled to an equal vote on issues presented to the membership; may attend all social events of the Faculty Association; and may hold office in the Association.
- b. Every Active Regular Member shall uphold the standards set forth in the Faculty Association's Constitution, Bylaws, or any other rules or regulations of the Faculty Association; the Faculty Code of Values (Appendix A) and the Faculty Code of Professional Ethics (Appendix B); and the Faculty Agreement.

2. Rights and Responsibilities of Active Affiliate Members

- a. Every Active Affiliate Member is entitled to all non-voting, non-committee rights of Faculty Association membership (excluding full legal representation) as stated in the Constitution and Bylaws and may attend social events.
- b. Every Active Affiliate Member shall uphold the standards set forth in the Faculty Association's Constitution, Bylaws, or any other rules or regulations of the Faculty Association; the Faculty Code of Values (Appendix A) and the Faculty Code of Professional Ethics (Appendix B); and the Faculty Agreement.

Section F. Term of Membership

The membership year for the Faculty Association is from July 1 to June 30.

Section G. Regulation of Membership

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 Faculty Code of Values (Appendix A) and the Faculty Code of Professional Ethics (Appendix B), 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 as stated in the Bylaws.

## ARTICLE V. THE FACULTY EXECUTIVE COUNCIL

### Section A. Composition of the Faculty Executive Council

1. The Faculty Executive Council shall consist of approximately twenty-two (22) voting college faculty representatives, as allocated by the membership formula in Subsection 2 of this Article of the Constitution.
2. The twenty-two (22) members of the Faculty Executive Council shall be allocated to the colleges in direct proportion to the number of faculty who are Active Regular Members as of the date listed in Article I of this Constitution during the current membership year. If a college's allocation does not constitute a full voting representative (less than one half (0.5) of a voting representative), then an additional voting faculty representative shall be added to the Faculty Executive Council and shall be allocated to that college.
3. The resultant size of the Faculty Executive Council may fluctuate around twenty-two (22) due to rounding considerations. Disputed or tied allocations may be adjudicated by the Council of Presidents.
4. For example, if College A has twenty-one percent (21%) of the membership on the date listed in Article IV of this Constitution, then College A is entitled to 4.62 or rounded to the nearest whole number, five (5), positions (21% of 22 = 4.62). If College B has two percent (2%) of the membership on the date listed in Article IV of this Constitution, then College B would be entitled to no representatives based upon the formula (2% of 22 = 0.44). In this case, an additional voting position shall be added and allocated to College B.
5. Each eligible college's first representative position shall be assigned to its Faculty Senate President.
6. Colleges with only one (1) voting representative may select a non-voting representative to regularly attend Faculty Executive Council meetings. This person may also serve as the alternate in the absence of the Faculty Senate President.

Section B. Representatives shall begin their term on the Faculty Executive Council at the first meeting of the incoming Faculty Executive Council regardless of the date they were chosen by their College Faculty Senate.

Section C. The Faculty Executive Council President, Faculty Association President, President Elect, and Past President may not also serve as Faculty Executive Council representatives or Alternates for their college.

Section D. Each College Faculty Senate may choose Alternates for their Faculty Executive Council representatives. Alternates shall serve with full voting



privileges in the event of the absence of a regular representative. Alternates for each college must be chosen by their College Faculty Senate and their names submitted to the Faculty Executive Council President prior to their service on the Faculty Executive Council. Prior notice shall be given to the Faculty Executive Council President when an Alternate is to be used.

- Section E. All members of the Faculty Executive Council shall uphold the standards set forth in the Faculty Association's Constitution, Bylaws, or any other rules or regulations of the Faculty Association; the Faculty Codes of Values (Appendix A) and Professional Ethics (Appendix B); the Leadership Codes of Responsibility (Appendix C) and Deference (Appendix D); and the Faculty Agreement.
- Section F. Committees of the Faculty Executive Council are stated in Article IX of this Constitution.
- Section G. Specific duties and responsibilities of members of the Faculty Executive Council are listed and stated in the Bylaws.

## ARTICLE VI. OFFICERS

### Section A. Officers

1. The Officers of the Faculty Executive Council shall consist of the following:
  - a. Elected Officers
    - i. Faculty Executive Council President
    - ii. President Elect
  - b. Appointed Officers
    - i. Past President
2. The Officers of the Faculty Association shall consist of the following:
  - a. Elected Officers
    - i. Faculty Association President
  - b. Appointed Officers
    - i. Finance Officer
    - ii. Personnel Officer
    - iii. Communications Officer
    - iv. Membership Officer
    - v. Political Action Committee Chair
    - vi. Political Action Committee Treasurer

### Section B. Eligibility for Office

Eligibility requirements for each office shall be as follows:

1. Faculty Executive Council President
  - a. The Faculty Executive Council President shall be the previous term's President Elect.
2. Faculty Association President
  - a. So long as the Faculty Executive Council President is an Active Regular Member of the Faculty Association, then the Faculty Executive Council President shall be the Faculty Association President as well.
  - b. If the Faculty Executive Council President is not an Active Regular Member of the Faculty Association, then the Faculty Association Leadership shall elect an Active Regular Member of the Faculty

Association to serve as the Faculty Association President.

3. President Elect

To be eligible, a candidate must:

- a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years, or
- b. have served on a College Faculty Senate for a full term at least one (1) year of the previous five (5) years, or
- c. have served on a standing or independent committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the election.

4. Past President

To be eligible, a candidate must:

- a. have served as Faculty Executive Council President for a term of office.
- b. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years, or
- c. have served on a College Faculty Senate for a full term at least one (1) year of the previous five (5) years, or
- d. have served on a standing or independent committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.

5. Finance Officer

To be eligible, a candidate must:

- a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years, or
- b. have served on a College Faculty Senate for a full term at least one (1) year of the previous five (5) years, or
- c. have served on a standing or independent committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
- d. be an Active Regular Member of the Faculty Association prior to and during the appointment.

6. Personnel Officer

To be eligible, a candidate must:

- a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years, or
- b. have served on a College Faculty Senate for a full term at least one

- (1) year of the previous five (5) years, or
- c. have served on a standing or independent committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
- d. be an Active Regular Member of the Faculty Association prior to and during the appointment.

#### 7. Communications Officer

To be eligible, a candidate must:

- a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment, or
- b. have served on a College Faculty Senate for a full term at least one (1) year of the previous (5) years, or
- c. have served on a standing or independent committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
- d. be an Active Regular Member of the Faculty Association prior to and during the appointment.

#### 8. Membership Officer

To be eligible, a candidate must:

- a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment, or
- b. have served on a College Faculty Senate for a full term at least one year of the previous five (5) years, or
- c. have served on a standing or independent committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
- d. be an Active Regular Member of the Faculty Association prior to and during the appointment.

#### 9. Political Action Committee Chair

To be eligible, a candidate must:

- a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years, or
- b. have served on a College Faculty Senate for a full term at least one (1) year of the previous five (5) years, or
- c. have served on a standing or independent committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the election.

- d. be an Active Regular Member of the Faculty Association prior to and during the term of service.

#### 10. Political Action Committee Treasurer

To be eligible, a candidate must:

- a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years, or
- b. have served on a College Faculty Senate for a full term at least one (1) year of the previous five (5) years, or
- c. have served on a standing or independent committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the election.
- d. be an Active Regular Member of the Faculty Association prior to and during the term of service.

### Section C. Appointed Officers

#### 1. Process of appointment

- a. The Faculty Executive Council President shall appoint, with majority approval of the Faculty Executive Council, the Past President.
  - b. The Faculty Association President shall appoint, with majority approval of the Faculty Association Leadership, the Finance Officer, Personnel Officer, Communications Officer, Membership Officer, Political Action Committee Chair, and the Political Action Committee Treasurer.
2. No appointed officer shall have voting rights by virtue of holding an appointed office. Appointed officers may vote if they are also voting college faculty representatives or serving as an Alternate.

### Section D. Term of Office

#### 1. Length of Term

Each officer shall serve a one (1) year term or until such time as the successors are duly elected or approved. New officers shall take office at the first meeting of the incoming Faculty Executive Council.

#### 2. Inability to Complete the Term of Office

- a. In the event the Faculty Executive Council President is unable to complete the full term, then the President Elect shall fill the remainder of the unexpired term and shall continue on as Faculty Executive Council President in the next term as planned.

- b. If, for any reason, the Past President or President Elect is unable to complete the full term, the Faculty Executive Council President shall appoint, with majority approval of the Faculty Executive Council, a qualified person to fill the remainder of the unexpired term.
- c. If, for any reason, any other officer is unable to complete the full term, the Faculty Association President shall appoint, with majority approval of the Faculty Association Leadership, a qualified person to fill the remainder of the unexpired term.

Section E. Removal of a Faculty Association Officer

- 1. Any officer of the Faculty Executive Council may be removed from office by a two-thirds (2/3) vote of the Faculty Executive Council following the process stated in the Bylaws.
- 2. Any officer of the Faculty Association may be removed from office by a two-thirds (2/3) vote of the Faculty Association Leadership following the process stated in the Bylaws.

Section F. Specific duties and responsibilities of each officer shall be listed and stated in the Bylaws.

## ARTICLE VII. THE COUNCIL OF PRESIDENTS

- Section A. The Council of Presidents shall be led by the Faculty Association President, and shall consist of the Faculty Association President, President Elect, Past President, and the Faculty Senate President of each College (provided they are eligible, meaning that they are Active Regular Members of the Faculty Association). In any instance wherein a College Faculty Senate President is not an Active Regular Member, the College Faculty Senate shall choose an alternate that is an Active Regular Member through a process defined in their Constitution and/or Bylaws. This alternate shall represent their college on the Council of Presidents and in the Faculty Association with all roles, privileges, and responsibilities associated with a College Senate President as outlined in the FEC Bylaws Article II, Section C.
- Section B. The Council of Presidents shall meet as stated in Article VIII of this Constitution.
- Section C. The Council of Presidents may make recommendations to the Faculty Association President for removal of any member of the Faculty Association, appointed officer, or Chair serving on a Committee of the Faculty Executive Council or Faculty Association. Such recommendations shall be made by a two-thirds (2/3) vote.
- Section D. The Council of Presidents may make recommendations to the Faculty Executive Council through the Faculty Association President to place action items on the agenda in emergency situations.
- Section E. The Council of Presidents shall discuss requests for legal consultation brought by any Faculty Senate President on behalf of Faculty Association Members as stated in the Bylaws.
- Section F. A quorum of the Council of Presidents shall consist of fifty percent (50%) of the Faculty Senate Presidents (or eligible alternates) plus the Faculty Association President (or eligible alternate).
- Section G. When the Faculty Association President cannot attend a meeting of the Council of Presidents, the Faculty Association President may choose the President Elect or Past President (if eligible) to lead the meeting as an alternate.
- Section H. When appropriate, the Faculty Association President (or eligible alternate) may invite additional people to attend a Council of Presidents meeting for informational purposes.

# ARTICLE VIII. MEETINGS AND PROCEDURES

## Section A. Meetings

There shall be such meetings of the Faculty Executive Council as are deemed necessary and proper to conduct business.

### 1. Regular Meetings

Regular meetings of the Faculty Executive Council shall be called at least once monthly during the calendar year and be held as stated in the Bylaws.

### 2. Council of Presidents Meetings

The Council of Presidents shall meet as necessary to fulfill duties outlined in Article VII of this Constitution. The Council of Presidents may meet prior to every regular meeting of the Faculty Executive Council, as stated in the Bylaws, to discuss personnel items, items of a sensitive or confidential nature, and other appropriate business, and to recommend to the Faculty Association President the appropriate action.

### 3. Special Meetings

#### a. Special meetings of the Faculty Executive Council

Special meetings of the Faculty Executive Council may be called at the discretion of the Faculty Executive Council President, or by request of twenty-five percent (25%) of the voting members of the Faculty Executive Council. All members of the Faculty Executive Council shall receive prior notice of the time and purpose of the special meeting.

#### b. Special meetings of the Council of Presidents

Special meetings of the Council of Presidents may be called at the discretion of the Faculty Association President or any two (2) members of the Council of Presidents. All members of the Faculty Executive Council shall receive prior notice of the time and purpose of the special meeting.

4. Meetings of the Faculty Executive Council shall be conducted according to *Robert's Rules of Order Newly Revised* (latest edition) unless modified by the Faculty Executive Council.

5. At the discretion of the chair, Council of Presidents meetings and the meetings of all other committees (standing, independent, and ad hoc) may be conducted informally.



## ARTICLE IX. COMMITTEES

### Section A. Standing and Independent Committees

1. The standing committees of the Faculty Executive Council are:
  - a. Election Committee
  - b. Faculty Professional Growth Policy Review Committee (FPG-PRC)
  - c. Faculty Agreement Team
2. The standing committees of the Faculty Association are:
  - a. Membership Committee
  - b. Constitution and Bylaws Committee
3. Independent committees are separately incorporated entities that serve the interest of FEC, but by law have independent boards of directors.  
The independent committees of the Faculty Association are:
  - a. The Faculty Association Political Action Committee (FacPAC)
  - b. The Faculty Foundation

Section B. All standing committees of the Faculty Executive Council and their chairpersons shall be appointed by the Faculty Executive Council President and approved by the Faculty Executive Council. Committees and their members shall serve at the pleasure of the Faculty Executive Council President and the Faculty Executive Council for any period of time designated.

Section C. All committees (standing and independent) of the Faculty Association shall be appointed by the Faculty Association President and approved by the Faculty Association Leadership. The chair and members shall serve at the pleasure of the Faculty Association President and Faculty Association Leadership, for any period of time designated.

Section D. The Faculty Executive Council may create or appoint any committees, (either standing or ad hoc) it deems necessary and vital for the conduct of their affairs. The Faculty Executive Council may, at its discretion, delegate to such committees the authority of the Faculty Executive Council.

Section E. All committees shall regularly report to a Faculty Officer as directed by the appointing Faculty President. The Officer shall keep the appointing Faculty President informed and updated as needed.

Section F. The creation of a new standing committee shall require a change in the Constitution and Bylaws to indicate the purpose and membership of the committee.

- Section G. Any ad hoc committees that are created shall only exist until the end of the current fiscal year.
- Section H. Residential faculty, except those on sabbatical leave, leave of absence, or other employment leave, shall be eligible to serve on any committee of the Faculty Executive Council. When appropriate, an Active Affiliate Member may be appointed by the Faculty Association President to serve on a committee as a non-voting member.
- Section I. The purpose and membership of all committees shall be stated in the Bylaws.

## **ARTICLE X. ELECTIONS**

All election processes shall be stated in the Bylaws.

## **ARTICLE XI. FISCAL MATTERS**

### Section A. Tax Exemption

The Faculty Association shall be operated exclusively for non-profit reasons and shall be exempt from taxation under Section 501(c)(5) in the Internal Revenue Code. No part of its net earnings may inure to the benefit of any private individual except that reasonable compensation may be paid for services actually rendered.

### Section B. Dues

Dues, covering the fiscal year shall be assessed from each Regular and Affiliate member who joins the Faculty Association.

### Section C. Expenditure of Funds

All fees, donations, grants, and other types of financial income shall be expended for the purposes of this Faculty Association.

### Section D. Financial Report

The Finance Officer shall present an annual financial report to the Faculty Association Leadership as stated in the Bylaws.

### Section E. Financial Obligations

No financial obligation shall be incurred by any officer or committee except as authorized within approved budgets or except under authority of special interim action which has been approved by the Faculty Association Leadership.

### Section F. Fiscal Year

The fiscal year of the Faculty Association shall be stated in the Bylaws.

### Section G. Provision of Dissolution

1. In the event of dissolution, all assets of the Faculty Association shall be placed in trust and managed by a designated trustee.
2. Any and all assets from the Faculty Association shall be used to reestablish another organization for faculty in the State of Arizona, and to form a new Faculty Association.

## ARTICLE XII. STIPENDS

Section A. Officers who are also Active Regular Members of the Faculty Association shall receive the following stipends, unless otherwise compensated by other sources:

1. If the Faculty Association President is also the Faculty Executive Council President, then this officer shall receive a stipend equivalent to fifteen (15) load hours for the official summer school calendar and fifteen (15) load hours for the academic year.
2. If the Faculty Association President is NOT also the Faculty Executive Council President, then this officer shall only receive a stipend equivalent to three (3) load hours for the official summer school calendar and six (6) load hours for the academic year.
3. The President Elect and the Past President shall each receive a stipend equivalent to three (3) load hours for the official summer school calendar.
4. The Finance Officer, the Personnel Officer, Communications Officer, Membership Officer, Public Affairs Officer, Political Action Committee Chair, and Political Action Committee Treasurer shall each receive a stipend as determined by the Faculty Association Leadership for the academic year.

Section B. Additional stipends may be awarded as stated in the Bylaws.

Section C. In all cases, stipends shall only be awarded after all services have been rendered. Stipends are gratuities granted for meritorious voluntary service on behalf of the Faculty Association and are not considered remuneration. Stipends may be reduced or withheld when, by a two-thirds (2/3) vote of the Faculty Association Leadership, the stipend recipient is deemed to have performed work insufficient in quality and/or quantity to justify the award.

## **ARTICLE XIII. REFERENDUM**

Upon petition by one-third (1/3) of the Active Regular Members of the Faculty Association protesting an action taken by the Faculty Executive Council, said action shall be submitted as a referendum to the entire Active Regular Faculty Association membership. The challenged action shall be reversed if disapproved by a majority of the total votes cast.

## ARTICLE XIV. AMENDMENTS

### Section A. Constitution

This Constitution may be amended at any regular or special meeting in the following manner:

1. An amendment shall be presented in writing to the Faculty Association Leadership at least seven (7) calendar days prior to the vote on its adoption.
2. A two-thirds (2/3) vote of the Faculty Association Leadership shall be required to approve the amendment. Quorum for purposes of Constitutional Amendments must be a majority of voting Faculty Association Leadership members.
3. After approval, the amendment shall be added to the Constitution.

### Section B. Bylaws

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

1. An amendment shall be presented in writing to the Faculty Association Leadership at least seven (7) calendar days prior to the vote on its adoption.
2. A majority vote of the Faculty Association Leadership shall be required to approve the amendment.
3. After approval, the amendment shall be added to the Bylaws.

### Section C. 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 prevent the deduction of donations from taxable income to the extent allowed by the Internal Revenue Code.

### Section D. 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 Association Leadership. Changes of this type do not require any waiting period, nor does it require presentation of written changes to the Faculty Association Leadership. 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 Association Leadership.

Section E. Temporary Suspension of a Section of this Constitution

At any time, any section of this constitution may be suspended for the remainder of the fiscal year if three-fourths (3/4) of the Faculty Association Leadership vote to support such a motion.



## **ARTICLE XV. EXCEPTIONS TO CONSTITUTIONAL PROVISIONS**

Under conditions of extreme urgency, any provision specified in this Constitution or its bylaws may be set aside temporarily (for a specified duration not to extend beyond the end of the current term of the Faculty Executive Council) by a three-fourths (3/4) vote of the Faculty Association Leadership, or by the unanimous vote of the Council of Presidents. When the specified duration ends, either a constitutional amendment shall be entertained to make the change permanent, or the established procedure shall be restored to practice.

## APPENDIX A. FACULTY CODE OF VALUES

### Section A. Preamble

1. As the Faculty Association, we are committed to unity and inclusivity. We do not tolerate hateful, violent, or discriminatory actions that target any person or group based on their beliefs, customs, identity, or affiliations. We are stronger together than we are apart. This proclamation informs the communities we serve, reminds us of what we value, upholds these values, and helps guide decision-making. These values serve as professional guidelines that seek to inform and educate us in our daily interactions with other faculty, staff, administrators, students and the larger community. Additionally, they will support us when necessary to engage in difficult and crucial conversations that are meaningful and impactful for the organization.
2. As faculty within a community college setting we are firmly embedded within the communities we teach. With this in mind, one of the foundations of higher education is commitment to democracy. Democracy and its adherent values are the reason for the Academy's existence, and thus we commit to the defense of the following values as integral to the maintenance of democracy and the framework by which it is disseminated.

### Section B. Metrics

We use the following metrics to identify and quantify democracy:

#### 1. Inclusion

The value of democracy and every person's right to take part in it is a guiding value of our organization.

- a. We commit to equity and inclusivity in our practices, processes, and procedures within the campus and community.
- b. We provide an environment that fosters the fullest degree of intellectual freedom and free expression.
- c. We recognize that actions which threaten, harass, or discriminate against any employee, student, or community member, or any conduct which interferes with the educational process or institutional functions can be prohibited.
- d. We assert that a diverse faculty is essential for building a strong organization, educating the communities we serve, and upholding our values.
- e. We commit to creating an educational vision of Maricopa that is inclusive of diversity and reject any individual's or organization's actions or policies that seek to undermine these values.

#### 2. Equity

Inequity is a threat to democracy. As such, we embrace the idea that our values align with this truth.

- a. We believe that faculty working conditions are student learning conditions.
- b. We assert that living conditions at home inform learning conditions in the classroom.
- c. We maintain that education is the ultimate pathway into economic security and the basis of building strong communities.
- d. We assert that equity in the Academy contributes to a constructive and productive organizational culture.
- e. We assert that equity is a reflection of an organization's commitment to the fair treatment of constituents within higher education.

### 3. Shared Governance

Shared governance serves as the foundation for collaborative decision making and problem solving in higher education. Constituents should work together to ensure that the appropriate voices are at the table in order to foster a shared vested interest in the organization's decisions. This approach leads to outcomes that best serve our students and our communities.

- a. We assert that shared governance is an essential component of higher education and that its maintenance is integral to education itself.
- b. We affirm that faculty, staff, administrators, the Governing Board and student leaders all have valuable roles to play in, and a shared responsibility for, the dissemination of democratic values through education.
- c. We advocate for democratic values as expressed through associational action.
- d. We value the educational infrastructure that decades of shared governance at Maricopa has built and maintained.

### 4. Academic Freedom

As members of the Academy, we strive to promote the search for truth in our classrooms and communities. These inquiries are the foundation of democracy itself, and circumventing this process erodes that foundation. Oftentimes, the pursuit of this inquiry can reveal uncomfortable truths; nonetheless, we commit to the dissemination of truth, regardless of the challenges it can often raise.

- a. We celebrate the idea of free inquiry and academic freedom as integral to a college community and a free society.
- b. We assert that faculty have the responsibility to be effective teachers and scholars.

- c. We believe faculty must be free to engage in research and publication, educate students and the community, and participate in intramural and extramural speech without conditions that undermine the integrity of these processes.
- d. We embrace the burden entailed in being stewards of the public trust and defenders of democracy.
- e. We assert and uphold the centuries long tradition that faculty have a right and duty to engage in controversial and challenging pedagogy.
- f. We recognize the burden that such freedoms place on faculty serving as vanguards of democracy in the educational milieu.

5. Rational discourse

We reject any attempt to disrupt the educational process or environment through unthinking bigotry, hostility to open communication, and irrational ideas and behaviors intended to spread lies and misinformation.

- a. We acknowledge that peer review of ideas, publications, and programs is an essential component of rational discourse.
- b. We commit to the free expression of ideas, which includes rebutting ideas that, while legal, undermine the values spelled out in this document.

6. Due Process

Democracy is maintained when fair and free systems of due process are open and the rights of the individual are held in the highest regard.

- a. We strive to harmonize our values with our actions, realizing the challenges inherent in doing so.
- b. We reserve the right to review the actions of our colleagues through the process of peer review when these values are allegedly violated.
- c. We expect all faculty to be held to the same standards.
- d. We understand that the mediation of conflict tied to these values needs a robust infrastructure that balances these values in tandem.
- e. We maintain that due process must be inclusive of the constituents within a given educational setting.
- f. We support fair and impartial adjudication, including the right of appeal.

## APPENDIX B. FACULTY CODE OF PROFESSIONAL ETHICS

- Section A. 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 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.
- Section B. As teachers, professors encourage 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.
- Section C. 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 and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
- Section D. 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 and seek revision. Professors give due regard to their paramount responsibilities within their institution in 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.
- Section E. As members of their community, professors have 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 or university. 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.

*Taken from the AAUP's [Statement on Professional Ethics](#), revised 2009.*

## APPENDIX C. LEADERSHIP CODE OF RESPONSIBILITY

- Section A. 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 members of the Faculty Executive Council with responsibility to safeguard the welfare and effectiveness of the faculty of the District.
- Section B. Respect for, and adherence to, the policies and procedures of the Faculty Executive Council, 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 shall meet their responsibilities with full regard for the professional, collegial, and democratic values to which the Faculty Association is committed.

## APPENDIX D. LEADERSHIP CODE OF DEFERENCE

- Section A. 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 Executive Council 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 Executive Council.
- Section B. Also, in keeping with the principles of the 1966 *Joint Statement*, the Faculty Executive Council shall not intervene in matters pertaining to the internal academic policies of any District college 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 Executive Council is committed.
- Section C. Nothing in this policy shall be construed to limit the right of the Faculty Association or the Faculty Executive Council to grieve or to take any other action it deems necessary in response to an alleged violation of the Faculty Agreement 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 Faculty Agreement.