



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

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# Bylaws

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

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## Table of Contents

<b>Article</b>	<b>Title</b>	<b>Page</b>
I	Membership in the Faculty Association	1
II	The Faculty Leadership	3
III	Officers	6
IV	Meetings and Procedures	12
V	Committees	14
VI	Elections	18
VII	Fiscal Matters	21
VIII	Request for Legal Counsel	23
IX	Use of Electronic Communication and Electronic Meetings	25
X	Amendments	26
Appendix A	Faculty Code of Values	27
Appendix B	Faculty Code of Professional Ethics	30
Appendix C	Leadership Code of Responsibility	32
Appendix D	Leadership Code of Deference	33

## ARTICLE I. MEMBERSHIP IN THE FACULTY ASSOCIATION

Section A. 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 the FEC Constitution) in order to participate in Faculty Association business.

Section B. 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 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.

### 2. Processes

The following process shall 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 Association Leadership, upon ten (10) calendar days notification in writing to the Faculty Association President and accompanied by a petition signed by:

- i. fifty percent (50%) of the Active Regular Members at the member's college, or
- ii. fifty percent (50%) of the Active Regular Members on the College Faculty Senate at the member's college, or
- iii. fifty percent (50%) of voting members of the Faculty Association Leadership.

#### b. The Hearing

The member of the Faculty Association Leadership who requested the hearing may appear on the agenda of the next regular Faculty Association 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 shall notify the appropriate member of the Faculty Association that he/she shall also be given a time not to exceed ten (10) minutes for rebuttal at the same meeting.

c. The Decision

The matter shall then be tabled until the next regular Faculty Association meeting at which time discussion and vote shall be taken. The vote for sanction of a Faculty Association member must be at least two-thirds (2/3) of the Faculty Association Leadership.

- 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 Association Leadership.

3. Sanctions

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

## ARTICLE II. THE FACULTY LEADERSHIP

### Section A. Authority and Responsibility

#### 1. Faculty Executive Council

The Faculty Executive Council serves as the representative of Maricopa's Residential Faculty and College Faculty Senates to the District Administration and Governing Board in academic and professional matters, including matters of shared governance and policy development. The Faculty Executive Council maintains and promotes the standards and ideals of the profession; protects and preserves academic freedom; and promotes communication, collaboration, and education among the faculty and between faculty and other groups.

#### 2. Faculty Association Leadership

- a. The affairs of the Faculty Association shall be managed by the Faculty Association Leadership, 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 Association Leadership shall act for and on behalf of the Faculty Association. The Faculty Association Leadership 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 Association Leadership shall provide reports to the membership as necessary.
- b. The Faculty Association Leadership, 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:

1. Represent the interests of all Residential Faculty at his/her respective college;
2. Attend regular and special meetings of the Faculty Executive Council;
3. Adhere to the Faculty Codes of Values (Appendix A) and Professional Ethics (Appendix B);
4. Adhere to the Leadership Codes of Responsibility (Appendix C) and Deference (Appendix D);
5. Serve on committees as appointed by the Faculty Executive Council President;
6. Inform faculty members at his/her college of Faculty Executive Council matters on a regular basis;

7. Communicate the views and concerns of his/her constituents to the Faculty Executive Council;
8. Attend meetings of the District and College, as required.

Section C. Duties of Members of the Faculty Association Leadership:

1. Represent the interests of the Active Regular Members at his/her respective college;
2. Fulfill fiduciary duties as required by Arizona law;
3. Attend regular and special meetings of the Faculty Association Leadership;
4. Adhere to the Faculty Codes of Values (Appendix A) and Professional Ethics (Appendix B);
5. Adhere to the Leadership Codes of Responsibility (Appendix C) and Deference (Appendix D);
6. Serve on committees as appointed by the Faculty Association President;
7. Inform the Active Regular Members at his/her college of Faculty Association matters on a regular basis;
8. Communicate the views and concerns of his/her constituents to the Faculty Association Leadership.

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

1. Represent the interests of all Residential Faculty at his/her respective college;
2. Attend regular and special meetings of the Faculty Executive Council;
3. Adhere to the Faculty Codes of Values (Appendix A) and Professional Ethics (Appendix B);
4. Adhere to the Leadership Codes of Responsibility (Appendix C) and Deference (Appendix D);
5. Attend Council of Presidents meetings;
6. Attend Governing Board meetings;
7. Work with the Personnel Officer on personnel issues;
8. Work with the Membership Committee to coordinate membership duties at their respective colleges;
9. Serve on committees as appointed by the Faculty Executive Council President;
10. Inform faculty at his/her college of Faculty Executive Council matters on a regular basis;
11. Communicate the views and concerns of his/her constituents to the Faculty Executive Council;
12. Attend meetings of the District and College, as required.

Section E. Term of Office

College representatives shall serve terms determined by their College Faculty Senate.

Section F. 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 G. Removal of a Representative

A college representative may be removed by following the processes established in

his/her respective College Faculty Senate Constitution or Bylaws.

## **ARTICLE III. OFFICERS**

### Section A. Eligibility

Eligibility requirements for each officer position 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 Faculty Executive Council President shall:

- a. Preside over Faculty Executive Council 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 Faculty Agreement Team and Election Committee;
- e. Develop and maintain communication between the Faculty Executive Council, the District Administration, and the Governing Board;
- f. Call special meetings of the Faculty Executive Council;
- g. Represent faculty interests at meetings of the Chancellor's Executive Council, the Governing Board, and other appropriate agencies;
- h. Attend meetings of the Governing Board, Faculty Executive Council Officers, Faculty Executive Council, and Chancellor's Executive Council;
- i. Be responsible for ensuring the training of Faculty Executive Council Representatives on matters including, but not limited to, faculty governance, academic freedom, Faculty Agreement procedures and processes, and shared governance;
- j. Regularly report on faculty governance activities to the Faculty Executive Council;
- k. Keep the Officers of the Faculty Executive Council informed on matters relating to the presidency;
- l. Provide training and mentoring to the President Elect to ensure preparation for the presidency.

#### 2. The President Elect shall:

- a. Preside at meetings when the President is absent;
- b. Assume the duties and office of the Faculty Executive Council President for the remainder of the term if that office should for any reason become vacant;
- c. Attend meetings of the Governing Board, Faculty Executive Council Officers, Faculty Executive Council, and Chancellor's Executive Council;
- d. Serve on committees at the direction of the Faculty Executive Council 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. Keep informed on matters relating to the presidency by consulting with the Faculty Executive Council President regularly;



- h. Participate in training and mentoring with the Faculty Executive Council President to ensure preparation for the presidency;
- i. Assume the duties and office of the Faculty Executive Council President when the term of the current President expires.

3. The Past President shall:

- a. Preside at meetings when the Faculty Executive Council President and President Elect are both absent;
- b. Assume the duties and office of the Faculty Executive Council 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 Executive Council Officers, Faculty Executive Council, and Chancellor's Executive Council;
- e. Keep informed on matters relating to the presidency by consulting with the Faculty Executive Council President regularly;
- f. Participate in training and mentoring with the Faculty Executive Council President and President Elect;
- g. Serve as one of the Faculty Executive Council representatives on the Faculty Professional Growth Policy Review Committee;
- h. Assist in performing other duties as requested by the Faculty Executive Council President.

Section C. Duties of the officers of the Faculty Association shall include, but not be limited to, the following:

1. The Faculty Association President shall:

- a. Preside over Faculty Association Leadership and Council of Presidents meetings;
- b. Create and distribute the agendas, in consultation with the Officers, for all meetings of the Faculty Association Leadership;
- c. Appoint members of all Faculty Association Committees and their chairpersons;
- d. Serve as an ex-officio member of all Faculty Association committees;
- e. Call special meetings of the Faculty Association Leadership and the Council of Presidents;
- f. Be responsible for ensuring the training of the Faculty Association Leadership on matters including, but not limited to, the professional rights and responsibilities of the Association and all political activity relevant to the Association;
- g. Regularly report on Association activities to the Faculty Association Leadership;
- h. Keep the Officers of the Faculty Association informed on matters relating to the presidency;
- i. Provide supervisory oversight and evaluations of employees and contracted entities and report results to the Council of Presidents.

2. The Finance Officer shall:

- a. Perform the duties of the faculty tri-chair to the district's Advisory Budget Council, which include:
  1. Meeting with District and Faculty leadership on budget processes and procedures,
  2. Attending Chancellor Executive Council meetings,
  3. Attending ABC meetings,
  4. Attending ABC tri-chair prep meetings,
  5. Attending relevant ABC subcommittee meetings,
  6. Assisting with budget presentations to the Chancellor's Executive Council and the Governing Board as needed,
  7. Providing presentations about the budget process and updates about current budget issues to the Faculty Executive Council as needed,
  8. Providing presentations about the budget process and current budget issues to Residential Faculty at the colleges as needed.
2. Attend meetings of the Governing Board, Faculty Association Officers, Budget Council, Faculty Association Leadership, and Faculty Executive Council;
3. Oversee and assist (as needed) the work of the accountant, which includes:
  1. Reviewing monthly financial statements prepared by the accountant;
  2. Preparing and presenting the annual budget to the Faculty Association Leadership;
  3. Processing all necessary financial transactions with assistance of the accountant;
  4. Following up with members regarding dues payment issues with the support of the Membership and Finance Officers;
  5. Writing checks at the direction of the Faculty Association President or Faculty Association Leadership (e.g. senate membership rebates, stipends);
  6. Presenting a financial statement prepared by the accountant at the last meeting of the outgoing Faculty Association Leadership.
4. Keep informed on matters relating to the presidency and Faculty Association by consulting with the President regularly;
5. Assist in performing other duties as requested by the Faculty Association President;
6. Attend Membership Committee Meetings.

3. The Personnel Officer shall:

1. Attend meetings of the Governing Board, Faculty Association Officers, the Chief HR Officer, Faculty Association Leadership, and Faculty Executive Council;
2. Serve as the primary point of contact at the Faculty Association level for all grievances, resolutions of controversy, and mediations as provided in the Faculty Agreement;
3. Confer with the Faculty Association legal counsel on on-going grievances, resolutions of controversy and mediations, as necessary;
4. During high-volume membership periods, assist the Membership Officer with collecting and processing membership applications;

5. Assist Membership Officer with reviewing and updating membership lists;
6. Assist Finance Officer with following up on dues payments issues;
7. Provide training to Faculty Executive Council members and others on proper procedure and protocol for the handling of grievances, resolutions of controversy, and mediations;
8. Keep informed on matters relating to the presidency and Faculty Association by consulting with the President regularly;
9. Assist in performing other duties as requested by the Faculty Association President.

2. The Communications Officer shall:

1. Attend meetings of the Governing Board, Faculty Association Officers, Faculty Association Leadership, and Faculty Executive Council;
2. Ensure that minutes are taken for all regular and special Faculty Executive Council meetings and provided to all Faculty Association members;
3. Serve as the official spokesperson of the Faculty Association to all internal and external stakeholders;
4. Schedule regular meetings of the Faculty Association including college Senate visits and Faculty Agreement forums;
5. Serve on the Membership Committee;
6. Keep informed on matters relating to the presidency and Faculty Association by consulting with the President regularly;
7. Assist in performing other duties as requested by the Faculty Association President.

3. The Membership Officer shall:

1. Determine Senate membership rebates;
2. Chair the Membership Committee;
3. Attend meetings of the Faculty Association Officers, Faculty Association Leadership, and Faculty Executive Council;
4. Update and maintain the membership database;
5. Process and secure membership applications;
6. Assist the Finance Officer with members regarding dues payment issues;
7. Provide regular membership updates to the Faculty Association Leadership;
8. Assist in performing other duties as requested by the Faculty Association President.

4. The Political Action Committee Chair shall:

1. Attend meetings of the Governing Board, Faculty Association Officers, and Faculty Association Leadership;
2. Lead candidate recruitment and endorsement efforts;
3. Lead fundraising efforts with the Political Action Committee Treasurer;
4. Ensure compliance with laws and regulations relevant to the work of FacPAC;
5. Liaise with external entities in coordination with Faculty Association President;
6. Coordinate messaging to internal and external audiences with Communications Officer and media consultants;
7. Keep informed on matters relating to the Faculty Association by consulting with the President regularly;

8. Assist in performing other duties as requested by the Faculty Association President.

5. The Political Action Committee Treasurer shall:

1. Attend meetings of the Governing Board, Faculty Association Officers, and Faculty Association Leadership;
2. Ensure accurate and timely submission of all financial, corporate, campaign finance, and other related reporting;
3. Ensure compliance with laws and regulations relevant to the work of FacPAC;
4. Lead fundraising efforts with Political Action Committee Chair;
5. Coordinate collection and upkeep of accurate membership information with Membership Officer;
6. Keep informed on matters relating to the Faculty Association by consulting with the President regularly;
7. Assist in performing other duties as requested by the Faculty Association President.

4. Vacancies

1. Vacancy in the Office of the Faculty Executive Council President

If the office of the Faculty Executive Council President becomes vacant, the President Elect shall assume the office and FEC shall follow the special election process outlined in Article VI for President-Elect.

2. Vacancy in the Office of the 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 the Office of the Faculty Association President

If the office of the Faculty Association President 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.

5. Vacancy in Faculty Association Offices

1. In the event of a vacancy in any office for any reason, the Faculty Association President shall appoint a qualified person for the unexpired portion of the term with the majority approval of the Faculty Association Leadership.

## 5. Removal of an Officer

### 1. Grounds

An Officer may be removed from office for failure to perform duties as stated in Article III of these Bylaws.

### 2. Process for Removing Faculty Executive Council Officers

#### 1. Request for a Hearing

Any current member of the Faculty Executive Council, upon ten (10) calendar days notification in writing to the Faculty Executive Council 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 Executive Council Officer.

#### 2. 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 Faculty Executive Council Officer(s). The Faculty Executive Council President shall notify the appropriate Officer that he/she shall also be given a time not to exceed ten (10) minutes for rebuttal at the same meeting.

#### 3. The Decision

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

### 3. Process for Removing Faculty Association Officers

#### 1. Request for a Hearing

Any current member of the Faculty Association Leadership, 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 members of the Faculty Association Leadership, may request a hearing to initiate proceedings to remove a Faculty Association Officer.

#### 2. The Hearing

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

(10) minutes for rebuttal at the same meeting.

3. The Decision

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

## ARTICLE IV. MEETINGS AND PROCEDURES

### Section A. Meeting Procedure

#### 1. Quorum

- a. A quorum of the Faculty Executive Council shall consist of fifty percent (50%) of the voting membership plus the Faculty Executive Council President or designee.
- b. When a quorum of the Faculty Executive Council cannot be assembled, the Council of Presidents has authority to function as the Faculty Executive Council.

#### 2. 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 Executive Council President may not vote except to break a tie.
- c. The President Elect shall have no voting power except to break a tie on behalf of the absent Faculty Executive Council 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. The Faculty Executive Council may conduct votes using either traditional in-person methods or by electronic means.

### Section B. Faculty Executive Council Agenda

1. The Faculty Executive Council President shall create the agenda for all Faculty Executive Council meetings.
2. Faculty Senate Presidents (or eligible alternates) may request that the Faculty Executive Council President add an item to the Faculty Executive Council agenda prior to a meeting. The Faculty Executive Council 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 shall 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 Executive Council.

Section C. Meetings of the Faculty Executive Council shall begin at 2:30pm on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month, when appropriate.

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

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

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

Section G. Meetings of the Faculty Association Leadership shall follow the meetings of the Faculty Executive Council, when appropriate.



## **ARTICLE V. 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. The independent committees of the Faculty Association are:
  - a. The Faculty Association Political Action Committee (FacPAC)
  - b. The Faculty Foundation

### **Section B. Election Committee**

#### **1. Purpose**

The committee shall perform such duties as stated in Article VI of these Bylaws.

#### **2. Membership**

Membership shall be as stated in Article VI of these Bylaws.

### **Section C. Faculty Professional Growth Policy Review Committee (FPG-PRC)**

#### **1. Purpose**

The committee shall 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 Agreement Team areas for Faculty Agreement changes relating to FPG.
- c. Facilitate communication between the Faculty Executive Council, the FPG Committee and the Residential Faculty.
  - 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 FPG-PRC Chair shall provide information to the Faculty Executive Council President who shall discuss with the Faculty Executive Council to decide if any action is required.

- ii. The Chair of the FPG-PRC committee shall 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 shall 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;
- c. one or more additional members may be appointed by the FPG-PRC chair and shall 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.
- d. The Faculty Executive Council shall 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. It is recommended that the Chair has served on FPG within the last ten (10) years.

## 3. Meetings

The chair of the committee shall determine the meeting structure necessary to achieve its stated goals. Special meetings of the FPG-PRC may be called at the discretion of the Faculty Executive Council President or any two (2) members of the committee.

## Section D. Faculty Agreement Team

### 1. Purpose

The Faculty Agreement Team shall represent the entire Residential Faculty at the Faculty Administration Collaboration Team (FACT) table and act as agent for the Faculty Executive Council.

### 2. Membership

The Faculty Executive Council shall identify and discuss potential members of the Faculty Agreement Team:

- a. A subcommittee of the Faculty Executive Council, consisting of the Faculty Executive Council President and two additional members, shall solicit interested Residential Faculty to fill vacancies. Members of the subcommittee

shall not be considered for existing vacancies on the Faculty Agreement Team.

- i. Faculty Agreement Team members shall be trained or willing to be trained in Interest Based Negotiation processes.
  - ii. Consideration may be given to including Residential Faculty from each of the three faculty areas (academic, occupational and service).
  - iii. Faculty Agreement Team members shall serve for a term of three years on a rotating basis, with one position's term beginning with each new term of the Faculty Executive Council.
- b. The subcommittee shall distribute all candidate statements to the Faculty Executive Council and it shall recommend to the Faculty Executive Council President an eligible Residential Faculty to serve on the Faculty Agreement Team.
  - c. The Faculty Executive Council President shall appoint, with Faculty Executive Council approval, a Residential Faculty to serve on the Faculty Agreement Team.

#### Section E. Membership Committee

##### 1. Purpose

The Membership Committee shall evaluate and make recommendations to the Faculty Association Leadership on items related, but not limited to, membership benefits, dues payment options, and membership drives.

##### 2. Membership

Membership shall consist of at least two (2) members of the Faculty Association Leadership, and the Past President (if they are an Active Regular Member of the Faculty Association), Finance Officer and Communications Officer. The Membership Committee shall be chaired by the Membership Officer. An additional two (2) non- Faculty Executive Council members may serve. Consideration may be given to a diverse representation of colleges.

#### Section F. Constitution and Bylaws Committee

##### 1. Purpose

The committee shall review and propose to the Faculty Association Leadership any amendments to the Constitution and Bylaws.

##### 2. Membership

Membership shall consist of approximately five (5) members of the Faculty Association Leadership and the President Elect (if they are an Active Regular Member of the Faculty Association). Consideration may be given to a diverse representation of colleges.

#### Section G. Faculty Association Political Action Committee (FacPAC)

1. Purpose

FacPAC supports higher education in Arizona through political engagement.

2. Membership

The Board of Directors shall consist of two Officers (a Chair and a Treasurer) and up to three at-large Faculty Association Members or Affiliate Members to be selected by the Chair and Treasurer. Candidates for the Board Officers shall be recommended by the current Board to the Faculty Association President for appointment in accordance with Article VI of the Constitution. The Faculty Association President and President Elect (if they are an Active Regular Member of the Faculty Association) shall serve as *ex officio* members (with voting privileges) of the Board of Directors, but may not serve as Chair 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. Selection of a President Elect

1. An Election Committee shall be seated by the Faculty Executive Council in December.
2. The Election Committee shall consist of at least three (3) Faculty Executive Council members, none of whom may be the current Faculty Executive Council President, President Elect, Past President, or a candidate for the office.
3. The Election Committee shall issue a call for candidates for the position of President Elect of the Faculty Executive Council prior to the end of the Fall semester.
4. 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.
5. 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 Residential Faculty the statements submitted by the candidates.
6. In April, the Faculty Executive Council shall elect a President Elect:
  - a. The Election Committee shall prepare a written or electronic 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.
  - b. All election ballots shall be archived for a period of at least one (1) year.
  - c. The candidate receiving the most votes shall be elected.
  - d. In the event of a tie, a run-off vote shall be held immediately between the candidates who tied for the most votes in the initial vote.
  - e. In the event of a tie in the run-off vote, the Faculty Executive Council President shall cast the deciding vote.

### Section B. Special Elections

1. In the event of a vacancy in the office of President Elect, a special election shall be held within forty-five (45) calendar days.
2. The Election Committee shall be seated at the next Faculty Executive Council meeting.
3. The Election Committee shall issue a call for candidates within five (5) calendar

days.

4. 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.
5. The Election Committee shall prepare a written or electronic 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 shall 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 shall 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 Executive Council President shall cast the deciding vote.

#### Section C. Selection of a Faculty Association President

1. An ad hoc Association Election Committee shall automatically convene if:
  - a. The Faculty Association Presidency becomes vacant, or
  - b. The President Elect is not an Active Regular Member of the Faculty Association thirty (30) days prior to the beginning of their term as Faculty Executive Council President.
2. The ad hoc Association Election Committee shall be chaired by the Membership Officer and shall also include the Communications Officer and Personnel Officer as members. If any of these Officers intends to run for President Elect, they shall be replaced by either the Political Action Committee Chair or Political Action Committee Treasurer on this ad hoc committee.
3. Within five (5) calendar days of the vacancy, the Communications Officer shall announce to all Regular Active Members a special meeting of the Faculty Association Leadership to choose a new Faculty Association President. The announcement shall include a call for nominations for candidates. If necessary, the members of the Association Election Committee shall actively solicit nominations to ensure that at least one qualified candidate is nominated prior to the special meeting.
4. The Membership Officer shall convene and chair the special meeting to elect the new Faculty Association President from the qualified candidates within fourteen (14) calendar days of its announcement.
5. The ad hoc Association Election Committee shall prepare a written or electronic ballot bearing the names of all qualified candidates, oversee a secret-ballot process by the Faculty Association Leadership, and tally the results. Results of the

election shall be reported immediately.

- a. All election ballots shall 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 shall 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 Membership Officer shall cast the deciding vote.

## **ARTICLE VII. FISCAL MATTERS**

### Section A. Contracts

Deeds, mortgages, leases and contracts may be signed by the Faculty Association President or by such other person or persons as the Faculty Association Leadership 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 Association Leadership.

### Section B. Checks

All bank checks drawn against the Faculty Association's checking accounts shall be signed by the Finance Officer and the Faculty Association President or such other person or persons as the Faculty Association Leadership 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 Association Leadership may provide for the bonding of officers and employees of the Faculty Association.

### Section E. Gifts

The Faculty Association Leadership 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



- i. Dues, covering the fiscal year, shall be assessed from each faculty member who joins the Faculty Association. These dues must be paid in full or authorized to be paid (following a payment schedule designated by the Association) by the Census Date. Upon joining, the entire annual dues amount is owed to the Faculty Association. Meeting the dues deadline is required for all benefits and privileges of membership.
  - ii. The Faculty Association Leadership may grant access to benefits after this date based on criteria established by the Membership Committee.
- b. New faculty hired after the Census Date who have paid in full or authorized to be paid within forty-five (45) calendar days of their initial hiring date shall receive full benefits and shall 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 shall 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 shall be approved by the Faculty Executive Council no later than the fourth Tuesday in March.

## Section I. Budget

The budget for the Faculty Association shall be presented to the outgoing Faculty Association Leadership at their final meeting of the year. The budget shall be approved at the first meeting of the incoming Faculty Association Leadership.

## ARTICLE VIII. REQUEST FOR LEGAL COUNSEL

- Section A. Active Regular Members may request consultation on employment-related matters with the Faculty Association's attorney.
- Section B. The Faculty Association's attorney shall represent the member and shall pursue the matter to the extent appropriate according to his/her professional legal judgment at the expense of the Faculty Association. The Faculty Association shall 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 may submit a written request for legal consultation to his/her respective Faculty Senate President and should include any relevant documentation to support the request.
    - a. In cases where the member is not assigned to a college, or where the member's Faculty Senate President would have a conflict of interest, then the member may submit their written request to the Faculty Association President or the Faculty Association Personnel Officer, who shall submit the request to the Council of Presidents.
  2. The Faculty Senate President (or eligible alternate) shall submit the request at the next meeting of the Council of Presidents and 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.
  4. In the event a request for legal consultation is not approved, the member's Faculty Senate President (or eligible alternate) may resubmit the request for legal counsel at the next meeting of the Council of Presidents and provide additional information and rationale.
  5. 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 shall 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.
  6. In the event that an Active Regular 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) shall 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 shall communicate with the Personnel Officer, as well as the President Elect and Past President (if they are Active Regular Members), and shall 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 IX. 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, the Faculty Association Leadership, or any of their committees may be conducted at a distance in a virtual meeting in 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 virtual meeting (whether regular or special) shall be delivered a minimum of forty eight (48) hours prior to the meeting.

## **ARTICLE X. AMENDMENTS**

### Section A. Bylaws

These 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 meeting at which it shall appear on the agenda.
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 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 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.

## 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.