AAUP-CCC CHAPTER

CONSTITUTION/BYLAWS

Revised: March, 2012

American Association of University Professors Cuyahoga Community College Chapter

**CONSTITUTION**

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February, 2012

Cuyahoga Community College Chapter

American Association of University Professors

Cleveland, OH

**CONSTITUTION**

**Article 1. Name**

The name of this organization shall be the Cuyahoga Community College Chapter of the American Association of University Professors (CCC-AAUP).

The Chapter is a local affiliate of the National AAUP.

**Article II. Purpose**

The purpose of the organization shall be:

1. To serve as the collective bargaining agent for the faculty of the College in matters relating to wages, hours, and terms and conditions of employment and to represent the interests of all members of the bargaining unit without discrimination.
2. To represent the professional interest of the faculty and to advance the standards, ideals, and welfare of the profession.

**Article III. Membership**

1. Membership n CCC-AAUP is open to all full-time tenure-track and tenured faculty of Cuyahoga Community College as defined by agreement between the College and CCC-AAUP.
2. Those electing to join the CCC-AAUP will become members of the State and National AAUP.
3. Membership is contingent upon completion of an application form provided by CCC-AAUP and payment of all required fees according the Bylaws.
4. There shall be two categories of membership: Active and Emeritus. Eligibility requirements and the extent of membership rights for each of these categories are as follows:
5. **Active Member:**

A member of the Cuyahoga Community College faculty bargaining unit who applies for membership and pays AAUP national, state and local dues. Dues will be collected in accordance with the Chapter Bylaws. All active members have equal rights to nominate, seek office, and vote on any and all issues, as well as to participate in the affairs of the organization.

1. **Emeritus Member:**

An active member of the Chapter retiring for age or disability may be transferred at his/her own request to Emeritus Membership with the approval of the Executive Committee. Emeritus members shall have no voting rights, shall not hold office and shall pay no dues.

**Article IV. Officers**

1. The officers of the Chapter shall be College-wide President, Campus Vice Presidents, College-wide Secretary, College-wide Treasurer, Campus Representatives and other such officers as the Chapter deems necessary. One of the Vice Presidents must come from Eastern Campus, one from the Metropolitan Campus, one from the Western Campus and one from the Westshore Campus.
2. The President, Secretary, and Treasurer shall be elected by the entire active membership. Each Vice President shall be elected by the active membership of his/her respective campus. All elections shall be by secret ballot and shall take place as provided in the Bylaws.
3. All officers with the exception of the President will be elected to serve a two-year term. The president will be elected to serve a three-year term.
4. Elected officers may be removed and/or replaced in accordance with the Bylaws.

**Article V. The Executive Committee**

1. The Executive Committee shall consist of the College-wide President, one (1) Vice President from each campus, College-wide Secretary, College-wide Treasurer, three (3) Representatives from Metropolitan, Western, Eastern, and a minimum of one (1) Representative from Westshore Campuses, and the immediate past President. The immediate past President may serve as an ex officio, nonvoting, member of the Committee.
2. The Executive Committee Representatives shall be elected by the membership of the respective campus and shall serve a term of two (2) years.
3. The Executive Committee shall be responsible for carrying out the general purposes as defined in Article II.
4. The Executive Committee shall be responsible for expenditure of funds for social, cultural, legal and/or professional activities consistent with the purpose of the organization.

**Article VI. Committees**

1. The Executive Committee will determine an appropriate organization of committees and will determine the existence, functions and duties of each committee. Standing committees of the organization shall be Auditing, Constitution/Bylaws and Nominating.
2. Such other committees, standing or special shall be appointed by the Executive Committee from time to time as deemed necessary to carry on the work of the Chapter. The President shall be an ex officio member of all committees except the Nominating Committee.
3. Members of committees shall be elected or appointed as indicated in the Bylaws. No committee member may enter into binding contractual agreements without approval of the Executive Committee.
4. Representation: The Executive Committee will actively strive to appoint balanced committees.

**Article VII. Bylaws**

Matters regarding operating procedures shall be provided in the Bylaws to this Constitution.

**Article VIII. Amendments to the Constitution and Bylaws**

1. Amendments to the Constitution or Bylaws may be proposed by any active member or group of members. The proposed amendment along with the relevant (if any) article of the Constitution or Bylaws, and the rationale for the amendment will be in writing.
2. The proposed amendment must then be endorsed by 15% of the active membership. It is then submitted to the Executive Committee.
3. The Executive Committee must act upon the amendment within forty (40) working days. If the Executive Committee recommends change or withdrawal of the proposed amendment, the initiating group (petitioners) must then vote on those recommendations. Voting by the petitioners shall occur within fifteen (15) working days after the Executive Committee’s action. If two thirds (2/3) of the petitioners vote for withdrawal, the amendment shall be null and void. If two thirds (2/3) of the petitioners vote for the revisions, the revised amendment shall be sent forward to the membership. If two thirds (2/3) of the petitioners do not agree to revision or withdrawal, the amendment with its original wording, shall be sent forward to the membership for voting.
4. Additionally, the Executive Committee may propose an amendment to the Constitution or Bylaws and submit it to the membership for voting without obtaining the endorsement of 15% of the active membership. To initiate an amendment, two thirds (2/3) of the Executive Committee must endorse the proposed amendment.
5. The Executive Committee will present the proposed amendment(s) to the Constitution or Bylaws at the next regular or specially called Chapter meeting. Voting on the amendment(s) will be by secret ballot. A majority vote of those members voting shall be required for approval of a proposed amendment(s) to the Constitution or Bylaws.
6. The Executive Committee shall appoint a member of the CCC-AAUP to be a Chapter Delegate to the Ohio Conference Board of Trustees.

BYLAWS

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February, 2012

**Cuyahoga Community College Chapter**

**American Association of University Professors**

**Cleveland, OH**

**BYLAWS**

**Article I. Responsibilities of Officers**

As members of the AAUP Executive Committee, officers will share campus experiences that benefit college-wide AAUP communication and effectiveness. AAUP officers will respect confidentiality of sensitive issues such as negotiating positions and faculty grievances by not discussing these issues outside official AAUP communication channels.

1. President: Prior experience, as an elected union official is required. The President shall assume executive responsibility for all Chapter activities. He/she shall act as chairperson of the Executive Committee, shall preside at all meetings of the Chapter and Executive Committee, shall be an ex officio member of all committees (except the Nominating Committee) and shall be responsible for coordination of all activities of the Chapter for collective bargaining. He/she or a designated appointee shall serve as spokesperson for the Chapter and shall represent the Chapter at National, Regional and State AAUP meetings. The President shall also serve as the Ohio Conference Delegate; however this responsibility can be delegated to another member with the approval of the Executive Committee.
2. Vice President: Each Vice President shall assume the responsibility for leadership and coordination of Chapter activities at his/her local campus. In the absence of the President, the Vice Presidents shall agree on which of them will preside at meetings of the Chapter and/or Executive Committee. If the Vice Presidents are unable to reach an agreement, the Vice President with the greatest longevity in office will assume the position of leadership.
3. Secretary: The Secretary shall be responsible for the arrangement of elections and balloting, and for the records of meetings of the Chapter and the Executive Committee. He/She shall conduct all routine correspondence and maintain a file of all Chapter correspondence.

The Secretary has the responsibility for holding all ballots for one year after any election by secret ballot for the purpose of recount or challenge. The Secretary will maintain an up-to-date membership roster.

1. Treasurer: The Treasurer shall receive all monies due the Chapter and deposit them in the name of the Chapter. He/She shall pay all bills approved by the Executive Committee, keep all Chapter accounts, implement the budget established by the Executive Committee, furnish budget status reports periodically, prepare and submit all tax related documents and arrange for a yearly independent audit of all financial records and any other financial activity as necessary by a certified public accountant. The Treasurer must possess credentials, work experience, and competency in handling of financial records consonant with generally accepted accounting principles. Upon request, the Treasurer shall assist the Executive Committee in its deliberations regarding financial matters of the Chapter.
2. Campus Representative: The Campus Representative is a member of the Executive Committee. Representative(s) shall carry out the purposes of the Chapter and represent the view(s) of his/her home campus faculty. The Campus Representative will provide updates of union information to campus members and be available to discuss concerns and questions with members at that campus. Representatives will report to the Campus Vice President. Campus Representatives will coordinate first level grievance activity in conjunction with the Campus Vice President.
3. Immediate Past President: The immediate past President may assist the officers of the Executive Committee in their deliberations and duties.
4. Grievance Officers: The Campus Vice President is the primary campus Grievance Officer. This duty may be delegated to another officer by the Executive Committee or by the Vice President upon notification to the Executive Committee. The Grievance Officers shall work on problems involving administration of the collective bargaining agreement, tenure or academic freedom. The Grievance Officers shall assist in resolving these matters through the use of existing procedures and shall advise members of the bargaining unit concerning formal or contractual grievance procedures. The Grievance Officers will keep the Executive Committee apprised of the current status of the grievance.

**Article II. Financial Operations**

1. The Organization will have an annual dues assessment in order to fund its operation.
2. Accurate records of all income and expenditures shall be maintained. A yearly report on the Chapter’s financial status shall be prepared. Financial records shall be open to inspection by any member of CCC-AAUP upon giving reasonable written notice to the Treasurer.
3. Officers and/or agents of CCC-AAUP, their spouses, minor children, or parents are prohibited from entering into or maintaining any business or financial interests which conflict with their fiduciary obligations to the chapter.
4. When specifically requested by the State Employment Relations Board (SERB), it is required that every official who is designated as a fiscal officer of CCC-AAUP and who is responsible for funds or other property of the Chapter or trust in which the Chapter is interested, or a subsidiary organization be bonded with the amount, scope and form of the bond determined by SERB.

**Article III. Nominations/Elections/Voting Procedures**

1. President: During the spring term 2011 and every third spring thereafter, the Nominating Committee shall send to all active members a form soliciting nominations for President and setting forth the date required for return of the nominating form, such date to be at least ten (10) working days after circulation. Nominators shall seek assurance that the nominees will be willing to serve if elected. The Nominating Committee will publish a slate of candidates. The election shall be carried out as specified in Article IIO, Section C and Section F. The Executive Committee shall notify the membership of the presidential election results prior to the end of the spring term. The President will officially take office on June 1 following his/her election.
2. Vice Presidents, Secretary, Treasurer and Campus Representatives to the Executive Committee: During the spring term of even years, the Nominating Committee shall send to all active members a form soliciting nominations for Vice Presidents, Secretary, Treasurer and Campus Representative(s). During the spring term of odd years, forms soliciting nominations for Campus Representatives will be sent to all active members. All forms will set forth the date required for return of the nominating form, such date to be at least ten (10) working days after circulation. Nominators shall seek assurance that the nominees will be willing to serve if elected. Except for nominees for Secretary and Treasurer, each campus shall submit nominees for that campus only. The Nominating Committee shall publish the list of candidates. The election shall be varied out as specified in Article III Section C and F. The Executive Committee shall notify the membership of the election results prior to the end of the spring term.
3. Election Procedures:
4. Voting for officers and representatives shall be by secret ballot as specified in Article III Section F.
5. The election of officers and representatives shall take place during the spring term.
6. Elected officers and representatives, except for the Treasurer, will officially take office on June 1.
7. The Treasurer will take office at the beginning of the new fiscal year, September 1.
8. Election Results:
9. In any election where the entire Chapter votes for a college-wide office, a candidate must acquire a simple majority (more than 50%) of the votes cast to be declared the winner. In the absence of a simple majority, a runoff election will be held between the two candidates with the greatest number of votes. The simple majority rule shall prevail in the runoff election.
10. In any election to determine campus representation, the candidate(s) must acquire a plurality (largest number of the votes cast) to be declared the winner(s).
11. Officer Elect:

An Officer Elect who is not currently serving on the Executive Committee may attend Executive Committee meetings in a nonvoting status.

1. Voting Procedures:
2. Voting by the membership shall be by voice, by show of hands, by paper or electronic secret ballot.
3. With the exceptions noted below, the Executive Committee shall determine the type of vote to be used. The exceptions are: (a) ratification of a new contract, (b) election of officers; and (c) amendments to the Constitution or Bylaws. Voting for these exceptions shall be by secret ballot.
4. Designated observers may be present for the counting of ballots.

**Article IV. Term of Office**

1. There will be an election held each year. During even numbered years the election will be for one (1) Representative per campus, one (1) Vice President per campus, the Chapter Secretary, and the Treasurer. During odd numbered years the election will be for two (2) Representatives from Metropolitan, Western, and Eastern campuses. The election for President will take place every three (3) years.
2. There shall be no limit to the number of terms of office an officer may serve.
3. Officers other than the President shall serve two (2) year terms. The President shall serve a three (3) year term. All newly elected officers’ two-year terms shall begin on June 1 and shall run until May 31, with the exception of the Treasurer. The Treasurer’s two (2) year term shall begin September 1 and run until August 31.
4. A member shall serve in only one elected capacity on the Executive Committee.

**Article V. Removal of Executive Committee Members and Vacancies**

1. Officers and Executive Committee Representatives may be removed for misconduct or dereliction of duties. Misconduct is a willful act against this Constitution and that of National AAUP. Dereliction of duties is the negligence of official responsibilities for an excessive period, or violation of the responsibilities of office.
2. The removal of officers may be initiated by a two-thirds (2/3) majority vote of the entire Executive Committee or by a petition signed by twenty-five (25) percent of the officer’s constituency. The issue then goes to the Executive Committee for its recommendation. The Executive Committee shall convene a special meeting of the officer’s constituency in order to discuss the question. This is then followed by a secret ballot of the entire constituency group. A simple majority vote is required for removal of the officer if less than a year remains in the officer’s current term. If more than a year remains in the officer’s current term, nominations will be solicited and an election held within sixty days.
3. The Executive Committee, at its discretion, will remove officers for excessive absences.
4. In case of vacancy in the office of President, the Executive Committee shall appoint one of the Vice Presidents to that office until an election by the active members can be held to fill the un-expired term. Such election shall be held within two normal academic months of the date of vacancy. Vacancies in any other office shall be filled by persons appointed by the Executive Committee for the remainder of the un-expired term.
5. Should a College-wide officer of CCC-AAUP be unable to fulfill his/her duties for a temporary period (due to illness, professional improvement leave, etc.), the Executive Committee may appoint a replacement to carry out the duties of that officer if less than one year remains of the officer’s term. If more than one year of the officer’s term remains, nominations will be solicited and an election will be conducted within sixty calendar days.
6. The Campus Vice Presidents and Campus Representatives will present nominee(s) to the Executive Committee for a vacant position(s) which occur at a campus. The Executive Committee will then appoint a replacement for the representative.

**Article VI. Responsibilities of the Executive Committee**

1. The Executive Committee shall have authority to delegate specific responsibility to any committees it may appoint or which may be established by the membership.
2. The Executive Committee shall have authority to approve expenditures.
3. Any action taken by the Executive Committee may be overruled by a two-thirds vote of the active membership at a special meeting called for said purpose and monitored by three representatives of the petitioning group and three representatives of the Executive Committee.
4. The Executive Committee shall have a regular meeting of the Chapter during the academic year. Special meetings will be called as needed.
5. The Executive Committee shall decide any matters involving interpretation of the Chapter Constitution and Bylaws, and may establish other policies and procedures needed to conduct the Chapters operations, provided that such policies and procedures do not conflict with the Chapter Constitution and Bylaws.

**Article VII. Organizational Structure for Collective Bargaining Purposes**

1. Bargaining Policy: The Executive Committee Will track local member issues, concerns, and potential opportunities as a foundation for a bargaining policy and seek collective bargaining information from the membership. The Executive Committee will also monitor issues and opportunities of a strategic nature with the aid of external resources, including the state and national AAUP. The collective local, state and national information will be used in developing a strategic approach to bargaining policy and in preparation for negotiations to address AAUP members’ interests.
2. A negotiating team will be established. This appointed team shall have six (6) members (preferably representing each campus) nominated by the President and approved by the Executive Committee. If the President’s nominee(s) is (are) not approved by the Executive Committee, additional nomination(s) will be made by the President. If the President and Executive Committee reach an impasse in a nominee(s) the Executive Committee will make the selection. The President will be the seventh member of the negotiating team. The negotiating team shall be selected and in place before the expiration of the contract.
3. Membership Authorization and Approval: In preparing for and during the course of negotiations, when possible, the members’ views shall be solicited, and members shall be apprised of developments. A majority vote by secret ballot of the active members voting shall be necessary to ratify contract terms agreed to after negotiations and to authorize any job action. Members present at an AAUP meeting to discuss an item being voted on will have the opportunity to cast their secret ballot at that meeting.
4. The Executive Committee may append a recommendation of approval or rejection to all proposed contracts to be voted upon by the membership.

**Article VIII. Responsibilities of Standing Committees**

1. AUDITING: The Treasurer’s accounts will be audited by an independent auditory with CPA credentials. The result of the independent audit will be issued to the AAUP Executive Committee and made an official part of the union financial records available for member review.
2. CONSTITUTION/BYLAWS: Periodically reviews the Chapter’s Constitution and Bylaws.
3. NOMINATING: Recruits qualified faculty and a diverse constituency to run for offices in AAUP, making every attempt to include minority and female candidates. Presents a slate of candidates reviewed by the Executive Committee to the membership before voting. Implements the election procedures stated in Article III.

**Article IX. Responsibilities of Special Committees – Can include but are not limited to:**

1. ACADEMIC FREEDOM, TENURE AND AAUP POLICY: Handles faculty problems related to violations of academic freedom, tenure and other CCC-AAUP policy statements. This committee coordinates with the State and National AAUP Committee A on Academic Freedom and Tenure.
2. COLLECTIVE BARGAINING: Gathers information from the membership and makes recommendations to the Executive Committee.
3. CONTINGENCY: Plans strategies to expedite the bargaining process particularly when negotiations reach impasse. In the event of a major work action, this committee would coordinate all work action activity and coordinate with the National and State Collective Bargaining Congress.
4. CONTRACT MONITORING: Monitors members’ reactions to current contract and monitors administration’s compliance with current contract.
5. LEGISLATIVE/POLITICAL ACTION: Provides input to State and National AAUP Committees regarding proposed legislation and disseminates information to faculty regarding the status of legislation affecting higher education. This committee will assume a proactive stance regarding political action and legislative concerns.
6. MEMBERSHIP: Enrolls new members, promotes active, membership and contacts lapsed members.
7. NEGOTIATING TEAM: Negotiates on behalf of the bargaining unit with the negotiating team of the college administration. (see Organizational Structure for Collective Bargaining Purpose: Bylaw VII.)
8. PROGRAM & SOCIAL: Plans social activities and arranges for speakers, presentations or events which promote the professional and social scope of the organization.
9. PUBLICATIONS: Develops and implements methods of Chapter communication, including a Chapter newsletter and a Chapter website.
10. STATUS OF WOMEN AND MINORITIES: Monitors and/or advocates positive change in the status of women and minorities at CCC. Coordinates efforts with State and National Committee W, Status of Women in the profession.

**Article X. Meetings and Quorum**

1. Chapter meetings: One-fifth of the total active membership shall constitute a quorum at all Chapter meetings.
2. Meetings called for the purpose of discussion of collective bargaining matters shall be limited to active members.
3. Upon petition of twenty percent (20%) of the total active membership of the Chapter, the Executive Committee shall call a special meeting of the Chapter.
4. Executive Committee Meetings: A majority of the elected members of the Executive Committee must be present to constitute a quorum.

**Article XI. Dues, Fees, and Assessments**

1. Dues for active members and fees for agency members are subject to reassessment by the Executive Committee on a year-to-year basis according to Chapter expenses.
2. Emeritus members shall pay no dues.
3. All dues and fair share fees shall be collected through payroll deduction if such option exists for the employee group; i.e., the withholding of equal (or approximately equal) amounts from each pay check of the regular academic year so that the total withheld each academic year equals the individual’s dues or fair share fee. In the absence of a payroll deduction option agreement for dues between the CCC-AAUP and the College, the monthly dues shall be collected by the CCC-AAUP from each member.
4. Assessments or fees for special causes will be considered by the Executive Committee and submitted to the full membership for ratification.
5. Members on approved leave of absence or professional improvement leave shall pay dues at the current yearly rate.
6. Fair share fee payers are entitled to request a rebate for certain expenditures of the Chapter under terms of the Ohio Revised Code, with any such rebate to be administered under procedures established by the Executive Committee.

**Article XII. Contributions**

The Executive Committee is authorized to accept or refuse contributions from any donor.

**Article XIII. Revisions or Additions to Bylaws**

1. Revisions or additions to the Bylaws may be made in accordance with Article VIII of the Constitution.
2. Anything not covered in the Bylaws is governed by Robert’s Rules of Order Newly Revised.