

# PHOENIX COLLEGE FACULTY ASSOCIATION

## BYLAWS

Revised and Restated  
September 2015

### Article One: Membership

#### Section A. Membership Categories

The membership of the Association shall be composed of the following categories as established in the Constitution:

1. Active Members
2. Affiliate Members

#### Section B. Dues and Assessments

1. Active Members – Annual dues shall be pledged or paid by a date established by Maricopa County Community College District (MCCCD) Faculty Association Executive Council.
2. Affiliate Members – Affiliate Members may join the Association at any time by paying the annual dues as established by the Faculty Executive Council. Special assessments may be levied by a majority vote of the Association.

#### Section C. Regulation of Membership

1. Grounds. If a member fails to comply with the Association's Constitution, Bylaws, or any other rules or regulations of the Association, fail to uphold the standards set forth in the American Association of University Professors' Statement on Professional Ethics (see Appendix A), or commit unprofessional conduct considered prejudicial to the best interests of, or inconsistent with, the purposes of the Association, the member will be subject to sanction from the Association.
2. Procedures. Sanction may include, but not be limited to, censure, suspension, probation, and expulsion from the Association. 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 MCCCD Faculty Association at least fifteen (15) 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 to such charges before action is taken by the Association. Such imposition of sanctions shall be conducted in accordance with procedures established by the Senate.

#### Section D. Termination of Membership

1. Non-Payment of Dues. A member who is in default of payment of dues or assessments ceases to be an Association member.
2. Reinstatement. Members who have resigned or whose membership has been terminated for non-payment of dues or assessments may be reinstated upon:
  - a. Submission of an application to the MCCCD Faculty Association; and
  - b. Payment of dues and any assessments.

## **Section E. Meetings**

1. Regular Meetings – One (1) meeting per semester of all members of Association shall be held at such time and place as determined by the Senate.
2. Special Meetings – Special meetings of the Active Members of the Association may be called at the request of the President, Senate, or at the written request of two-thirds (2/3) of the Association’s Active Members. The time and place for holding special meetings shall be determined by the Senate.
3. Notice – Notice of any regular or special meeting of the members shall state the time, date, place and purpose of the meeting and shall be delivered no less than two (2) weeks prior to the date of such meeting, unless the purpose for the meeting is due to an emergency situation as determined by the President. In the case of an emergency, members will be given as much prior notice as reasonably possible.
4. Quorum – Twenty percent (20%) of the voting membership shall constitute a quorum for the transaction of business at any duly called meeting of the voting members. If less than a quorum is present, a majority of the voting members present may adjourn the meeting to another time without further notice. Business brought before one meeting without a quorum may be acted upon at the next meeting even if no quorum is present at the next meeting.
5. Manner of Acting - An action taken by a majority of voting members present at a duly called meeting with a quorum shall be the act of the membership unless a greater number is required by the Constitution or these Bylaws.
6. Voting Method – In addition to traditional methods, voting by mail, telephone, or electronic means shall be permitted. A vote using any of these methods may be called by the Association.

## **Article Two: Senate**

### **Section A. Authority and Responsibility**

The affairs of the Association shall be managed by the Senate, which shall have supervision, control, and direction of the 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 Senate shall act for and on behalf of the Membership. The Senate 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 Senate may adopt formal resolutions and Statements of the Senate to identify and record the will and position of the Senate. The Senate shall elect the Treasurer, Secretary, and representatives to the MCCC Faculty Executive Council from among its members. The Senate shall provide reports to the Membership as necessary.

### **Section B. Duties of a Senator**

1. Represent the interest of the Phoenix College faculty;
2. Attend regular and special meetings of the Senate;
3. Serve on committees as appointed by the President;
4. Inform faculty of Senate matters on a monthly basis;
5. Communicate the views and concerns of members to the Senate;
6. Attend meetings of the District and College, as required.

### **Section C. Duties of Affiliate Member Representative**

1. Represent the interest of the Phoenix College Affiliate Members;
2. Attend regular and special meetings of the Senate;
3. Serve on committees as appointed by the President;
4. Inform members of Senate matters on a monthly basis;
5. Communicate the views and concerns of members to the Senate;
6. Attend meetings of the District and College, as required.

### **Section D. Meetings**

1. Notice – The calendar of regular monthly meetings shall be established in May by the newly elected Senate for the following academic year. The calendar will be posted to the Faculty Senate website, and this will serve as notice to the membership. The membership shall be notified of any special meetings one week in advance along with the time, date, place, and purpose of the meeting, unless the purpose for the meeting is due to an emergency situation as determined by the President. In the case of an emergency, members will be given as much prior notice as reasonably possible.
2. Senate meetings shall be open to all members of the Association. Individual members may submit matters to the Senate and speak to same at meetings according to the process established by the Senate.
3. The President may invite non-members to attend and participate in regular or special meetings of the Senate. Such participation must be approved by the Senate when the agenda is adopted.
4. Agenda – The College President, any member of the Senate, or ten percent of the membership may place an item on the agenda of the Senate by written notice to the President of the Senate. The President shall provide the faculty with an agenda at least three (3) days in advance of all meetings except the executive sessions.

### **Section E. Quorum and Voting**

1. Quorum – A majority of the Senators shall be considered a quorum.
2. The President of the Senate shall vote only in the event of a tie.
3. An action taken by a majority of voting members present at a duly called meeting with a quorum shall be the act of the Senate unless a greater number is required by the Constitution or these Bylaws.
4. Voting Method – In addition to traditional methods, voting by mail, telephone, or electronic means shall be permitted. A vote using any of these methods may be called by the Senate.

### **Section F. Executive Sessions**

1. By majority vote of the Senators, the Senate may resolve itself into an executive session where only members of the Senate may be present.
2. In executive session, no record shall be kept of debate, except that which is ordered by the Senate, and no Senator shall reveal the nature of the executive proceedings to any person without the permission of the Senate.
3. No recommendations either to the administration or to the MCCCDC Governing Board members shall be enacted during executive sessions.

### **Section G. Qualifications**

The position of Senator can be held only by faculty who have:

1. Been an Active Member in good standing for at least two (2) semesters and
2. Completed at least two (2) semesters at Phoenix College.

#### **Section H. Term of Office**

1. Senators shall serve terms of three (3) years.
2. The term of office shall begin at the first meeting of the newly elected Senate.
3. The terms shall be arranged so that one Senator in each of the four (4) zones is elected annually.
  - a. Initial terms of one, two, or three years shall be determined by the newly elected Senators from within each zone prior to the first meeting of the new Senate. If no consensus is reached, terms of Senators will be randomly selected during the first meeting of the new Senate.
4. There shall be no limitation on the number of terms which Senators may serve.

#### **Section I. Election of Senators**

1. Each zone shall elect its own Senator(s) from its eligible membership.
2. Each Active Member shall receive a form, published and distributed by April 1st of each year by the President, for the purpose of nominating self or another consenting Active Member. The form shall contain a record of both Senators continuing in office and Senators whose terms are expiring the following month.
3. Return of the signed form to the President within five working days, shall constitute a formal request for said member's name to be placed on the ballot as a nominee. Nomination via the MCCC electronic mail system will be acceptable, as long as the electronic mail is sent from the nominee's MCCC electronic mail account.
4. The Executive Committee shall prepare a ballot bearing the names of all nominees, oversee an anonymous ballot process by all Active Members, and tally voting results prior to May 1st.
5. If the number of vacancies exceeds the number of nominees, the Executive Committee shall, with permission of the nominee, place the name of an eligible Active Member on the ballot.
6. The nominees receiving the highest number of votes for the existing vacancies shall be elected. Nominees must receive a simple majority of the votes cast to be elected.

#### **Section J. Vacancies**

1. A vacancy shall be declared by the Senate President at the direction of the Senate when a Senator:
  - a. has been absent three (3) times from regular monthly meetings during the academic year.
  - b. resigns from the Senate.
  - c. has been removed under the provisions of Article Six – Removal of a Senator.
2. The remaining term of a Senate vacancy shall be filled by presidential appointment using following procedure:
  - a. The President will send out a form to the members in the Zone for the purpose of nomination to fill the vacancy;
  - b. The President will interview each nominee, select one candidate to forward to Senate, and provide justification for selection;
  - c. A majority vote of the Senate is required to fill the vacancy.

## **Article Three: Representation to District Faculty Association**

### **Section A.**

Representatives to the District Faculty Executive Council should be the President and President-Elect. Additional representation to the District Faculty Association shall be chosen by the Senate from its members by a majority vote to serve a term of one (1) year.

### **Section B.**

The Executive Committee may select an alternate Representative from among its members to serve whenever a Representative cannot attend meetings.

### **Section C.**

If no Senator is able or willing to serve as a Representative to the District Faculty Executive Council, the Senate President may, upon majority approval of the Senate, appoint an Active Member to serve in that capacity for the academic year.

## **Article Four: Officers**

### **Section A. Duties of the President**

1. Be the official spokesperson for the Faculty Association and the Senate, including during faculty non-accountability days;
  - a. If action is taken during faculty non-accountability days, at the next official meeting of the Senate, the President shall report on the action taken, explaining the issues and reasons for the actions;
2. Meet regularly with the College President;
3. Call and preside at Faculty Association meetings;
4. Preside at Senate meetings;
5. Upon majority approval of the Senate, may appoint a past president to the office of Past President. Candidates for the office shall have the following qualifications:
  - a. Have completed a term as President.
  - b. Be a current member in good standing of the Faculty Association;
6. Represent the Faculty Association on the District Faculty Executive Council;
7. Appoint members to those committees to which appointment is appropriate;
8. Recommend faculty appointments to those committees where such a recommendation is appropriate;
9. Attend Governing Board meetings, and other meetings as deemed necessary;
10. Chair the Executive Committee; and
11. Be a member, without vote, on all Association committees.

### **Section B. Duties of the President-Elect**

1. Act as parliamentarian at all meetings of the Senate and Association;
2. Preside in the absence of the President;
3. Represent the Faculty Association on the District Faculty Executive Council;
4. Review the founding documents (PC College Plan, Constitution, and Bylaws) and recommend amendments;
5. Attend meetings as required; and
6. Perform other duties as directed by the President.

**Section C. Duties of the Past President**

1. Chair the Professional Rights and Responsibilities Committee;
2. Collaborate with President-Elect on the review of the founding documents;
3. Attend meetings as required; and
4. Perform other duties as directed by the President or the Senate.
5. If the office of the Past President remains vacant, the above duties will be assumed by the President.

**Section D. Duties of the Secretary**

1. Write minutes of all regular and special meetings of the Association, Senate, and Executive Committee;
2. Disseminate minutes of Senate and Executive Committee to the entire Senate after each meeting;
3. Post approved Senate and Association minutes to the Senate website and notify membership of the posting;
4. Maintain the Senate website;
5. Maintain an archive of Senate documents and records;
6. Create and maintain Senate email distribution lists; and
7. Perform other duties as directed by the President.

**Section E. Duties of the Treasurer**

1. Collect and deposit dues and special assessments levied by the Association;
2. Maintain the Association's bank account and other financial holdings;
3. Report on the Association's financial condition at all regular meetings of the Senate;
4. Write checks for expenditures authorized by the Senate;
5. Chair the Membership Committee; and
6. Perform other duties as directed by the President.

**Section F. Qualifications**

The position of President-Elect can be sought and held only by faculty who:

1. Have been an Active Member in good standing for at least two (2) semesters;
2. Have completed at least two (2) semesters at Phoenix College;
3. Have previously served as Senator or Department Chair; and
4. Are willing and able to fulfill all responsibilities of the office including succession to President.

In the event that there are no qualified candidates for the position of President-Elect, the Senate may, by a two-thirds (2/3) vote, waive one of the above qualifications

**Section G. Term of Office**

1. President and President-Elect shall serve a term of two years or until such time as their successors are duly elected, qualified, and take office;
2. Other Officers shall serve a term of one year or until such time as their successors are duly elected, qualified, and take office;
3. The term of office shall begin at the first meeting of the newly elected Senate;
4. The President-Elect shall succeed to the office of President when the President's term of office expires;
5. There shall be no limitation on the number of terms which officers may serve.

## **Section H. Election Procedures**

1. Every other year Active Members shall elect a President-Elect.
  - a. In the first election for this office under these Bylaws, both a President and a President-Elect shall be elected by the Active Members.
2. Each Active Member shall receive a form, published and distributed by April 1st of the election year by the President, for the purpose of nomination. The form shall include the name of the current President-Elect who will succeed to office of President following the election.
3. Return of the signed form to the President within five working days, shall constitute a formal request for said member's name to be placed on the ballot as a nominee. Nomination via the MCCCCD electronic mail system will be acceptable, as long as the electronic mail is sent from the nominee's MCCCCD electronic mail account.
4. The Executive Committee shall prepare a ballot bearing the names of all qualified nominees, oversee an anonymous ballot process by all Active Members, and tally voting results prior to May 1st.
5. If there is no nominee, the Executive Committee shall, with permission of the nominee, place the name of an eligible Active Member on the ballot.
6. The nominee receiving the highest number of votes shall be elected. A nominee must receive a majority of the votes cast to be elected.
7. At the first meeting of the newly elected Senate, it will elect, from among its members, a Secretary, Treasurer, and additional representatives to the District Faculty Executive Council, if necessary.

## **Section I. Vacancies**

1. Vacancies in the offices of Secretary and Treasurer shall be filled by the President without undue delay. Vacancy in the office of the Past President may be filled by the President.
2. A vacancy in the office of President shall be filled immediately by the President-Elect.
3. A vacancy in the office of President-Elect shall remain vacant only until a special election can be held as follows:
  - a. Each Active Member shall receive a form within one week of the office being vacated, published and distributed by the President, for the purpose of nomination. The form shall include the reason for the special election.
  - b. Return of the signed form to the President within five working days, shall constitute a formal request for said member's name to be placed on the ballot as a nominee. Nomination via the MCCCCD electronic mail system will be acceptable, as long as the electronic mail is sent from the nominee's MCCCCD electronic mail account.
  - c. The Executive Committee shall prepare a ballot bearing the names of all qualified nominees, oversee an anonymous ballot process by all Active Members, and tally voting results all within a two (2) week period.
  - d. If there is no nominee, the Executive Committee shall, with permission, place the name of an eligible Active Member on the ballot.
  - e. The nominee receiving the highest number of votes shall be elected. A nominee must receive a majority of the votes cast to be elected.
4. Except as otherwise set forth herein, an officer appointed pursuant to this Section shall hold such office for the remainder of the original term for which she or he was appointed to fill.

## **Article Five: Removal of Officer or District Faculty Executive Council Representative**

1. By petition signed by 25% of the voting members or by 2/3 vote of the Senate, an individual may be brought before the entire membership for a vote regarding removal from office.
2. Specific charges shall be provided to the individual at the time of the receipt of the petition or at the time of the vote of the Senate.
3. Within seven business days of the receipt of the petition or the vote of the Senate, a Faculty Association meeting shall be held. Those bringing charges shall explain their reasons and the individual shall have an opportunity to rebut the charges.
4. Within seven business days of the Association meeting, a written summary of the charges and rebuttal shall be sent to all voting members with a ballot.
5. Completed ballots shall be counted by three members who shall include a member of the Senate selected by the Senate, a member appointed by the President, and one member appointed by the individual charged, if the individual chooses. The Senate member shall serve as Chair. Upon tabulation of the ballots, the Chair shall inform the individual, members of the Senate, and the general membership of the vote outcome.
6. A 2/3 vote of the ballots cast shall be required for removal from office.
7. If charges are brought against the President, the President-Elect shall perform all the duties of the President until the vote's outcome is known.

## **Article Six: Removal of a Senator**

1. By petition signed by 25% of the voting Zone members or by 2/3 vote of the Senate, an individual may be brought before the entire membership for a vote regarding removal from office.
2. Specific charges shall be provided to the individual at the time of the receipt of the petition or at the time of the vote of the Senate.
3. Within seven business days of the receipt of the petition or the vote of the Senate, a Zone meeting shall be held. Those bringing charges shall explain their reasons and the individual shall have an opportunity to rebut the charges.
4. Within seven days of the Zone meeting, a written summary of the charges and rebuttal shall be sent to all voting Zone members with a ballot.
5. Completed ballots shall be counted by three members who shall include a member of the Senate selected by the Senate, a Zone member appointed by the President, and one member appointed by the individual charged, if the individual chooses. The Senate member shall serve as Chair. Upon tabulation of the ballots, the Chair shall inform the individual, members of the Senate, and the general membership of the vote outcome.
6. A 2/3 vote of the ballots cast shall be required for removal from office.

## **Article Seven: Committees**

### **Section A. Executive Committee**

1. Composition – All officers of the Senate and all District Faculty Executive Council Representative(s) shall comprise the Executive Committee. The President shall chair the Executive Committee.



2. Authority and Responsibility – The Executive Committee shall act on behalf of the Senate when the Senate cannot meet and shall act as a steering committee for the Senate by preparing the agenda for the Senate meetings and recommending actions to the Senate.
3. Meetings – The Executive Committee shall meet monthly during the academic year.
4. Minutes – The Secretary shall circulate minutes of the meetings to the entire Senate.

#### **Section B. Membership Committee**

1. Composition – The Treasurer shall chair the Membership Committee. The President shall appoint at least three (3) Association members to the Committee after consulting with the Committee Chair. Senators may also serve as Committee members.
2. Authority and Responsibility – The Membership Committee shall promote membership in the Association, seeking to recruit new members and retain existing members. The Membership Committee shall plan all Association meetings.
3. Meetings – The Membership Committee shall meet as needed.
4. Reports – The Membership Committee shall report their activities on a regular basis to the Senate.

#### **Section C. Committees Committee**

1. Composition – The President-Elect shall chair the Committees Committee. The President shall appoint at least three (3) Active Members to the Committee after consulting with the Committee Chair. Senators may also serve as Committee members.
2. Authority and Responsibility – The Committees Committee shall work with the administration to implement a system for committee assignments and management. The Committees Committee shall organize the regular reporting of Association Committees to the Senate.
3. Meetings – The Committee on Committees shall meet as needed.
4. Reports – The Committee on Committees shall report their activities on a regular basis to the Senate.

#### **Section D. Committee on Professional Standards**

1. Composition – The President shall appoint the chair and at least three (3) Active Members to the Committee after consultation with the Executive Committee. Senators may also serve as Committee members.
2. Authority and Responsibility – The Committee on Professional Standards shall investigate and otherwise assist the Senate in all matters involving sanctions in accordance with such policies and procedures developed and approved by majority vote of the Senate.
3. Meetings – The Committee on Professional Standards shall meet as needed.
4. Reports – The Committee on Professional Standards shall report their activities on a regular basis to the Senate.

#### **Section E. Committee on Professional Rights and Responsibilities**

1. Composition – The Past President shall chair the Committee on Professional Rights and Responsibilities. The President shall appoint at least three (3) Active Members to the Committee after consulting with the Committee Chair.

Senators may also serve as Committee members.

2. Authority and Responsibility – The Committee on Professional Rights and Responsibilities shall help members interpret the Residential Faculty Policy manual, and advise and assist members according to a procedure to be developed by the Committee.
3. Meetings – The Committee on Professional Rights and Responsibilities shall meet as needed.
4. Reports – The Committee on Professional Rights and Responsibilities shall report their activities on a regular basis to the Senate

#### **Section F. Ad Hoc/Advisory Committees and Task Forces**

1. The Senate may appoint ad hoc/advisory committees and task forces as are necessary or appropriate in the exercise of its authority and responsibility as set forth in these Bylaws.
2. The size, purpose, and membership of ad hoc/advisory committees and task forces shall be determined and/or modified by the Senate.
3. Ad hoc/advisory committees and task forces shall exist for no more than one year unless reaffirmed by vote of each succeeding Senate. The membership of ad hoc/advisory committees and task forces must be reconfirmed or modified by the Senate prior to October 1 of each academic year.
4. Membership on ad hoc/advisory committees and task forces is not limited to members of the Senate. All members of these committees are voting members.
5. The chair of each ad hoc/advisory committee and task force shall be appointed by the President of the Senate subject to the approval of the Senate.
6. Vacancies on ad hoc/advisory committees and task forces shall be filled by the President of the Senate subject to the approval of the Senate.
7. Ad hoc/advisory committees and task forces shall report and be responsible to the Senate.

### **Article Eight: Use of Electronic Communication and Electronic Meetings**

#### **Section A. Electronic Communication**

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 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 electronic means.

#### **Section B. Electronic Meetings**

Any action to be taken at a meeting of the Senate or any committee thereof may be taken through the use of a conference calling or other communications equipment by means of which all persons participating in the meeting can communicate with each other. Participation in such a meeting shall constitute presence in person at the meeting of the persons so participating. Notwithstanding anything set forth to the contrary in these Bylaws, notice of any meeting to be held by conference call (whether regular or special) may be delivered a minimum of forty-eight (48) hours prior to the meeting.

## **Article Nine: Fiscal Matters**

### **Section A. Contracts**

The Senate may authorize any officer or officers, agent or agents of the Association, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association, and such authority may be general or confined to specific instances.

### **Section B. Payment of Indebtedness**

All checks, drafts, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Association shall be signed by such officer or officers, agent or agents of the Association and in such manner as shall be determined by action of the Senate. In the absence of such determination by the Senate, such instruments shall be signed by the Treasurer.

### **Section C. Deposits**

All funds of the Association shall be deposited to the credit of the Association in such banks, trust companies, or other depositories as the Senate may select.

### **Section D. Bonding**

The Senate may provide for the bonding of officers and employees of the Association.

### **Section E. Gifts**

The Senate may accept on behalf of the 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 Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, the Senate, and any committees having the authority of the Senate.

### **Section G. Fiscal Year**

The fiscal year of the Association shall be determined by MCCCC Faculty Association.

## **Article Ten: Formal Senate Resolutions and Statements**

### **Section A. Formal Resolution**

The Senate may, with approval by 3/4 of the voting senate membership, adopt Formal Senate Resolutions to identify and record the will of the Senate in urging or recommending policy or action to the Senate President, College Administration or College President.

### **Section B. Statement of the Senate**

The Senate may, with approval by 2/3 of the voting senate membership, adopt a Statement of the Senate to identify and record the position of the Senate on issues related to higher education.

### **Section C. Amendment to the Resolution and Statement of the Senate Process**

1. The initial process for Formal Resolutions and Statements of the Senate process and any future amendments must be approved by the Senate as outlined in Article Two, Section E of the Phoenix College Senate Bylaws.
2. After approval the process shall be published and available to the membership on the Phoenix College Senate website.

### **Article Eleven: Indemnification**

The Association shall indemnify all past and present officers, senators, committee and task force members, and all other volunteers of the Association to the full extent permitted by law and shall be entitled to purchase insurance for such indemnification of officers and senators to the full extent as determined by the Senate.

### **Article Twelve: Bylaws Amendments**

#### **Section A. Amendments by the Senate**

1. A proposed amendment shall be presented in writing to each member of the Senate at least one (1) week prior to its first reading at any regularly scheduled Senate meeting.
2. A second reading will take place at the next meeting of the Senate followed by a vote.
3. A two-thirds vote is required to amend, provided a quorum was present.

#### **Section B. Amendments by the Membership**

These Bylaws may be amended by a two-thirds vote of Faculty Association members present at any general or specific faculty meeting called for that purpose or of those returning a written ballot, provided that the proposed amendment shall have been presented in writing to each member at least two (2) weeks preceding the voting.

### **Article Thirteen: Exceptions to Bylaws Provisions**

The provisions specified in these Bylaws, under conditions of extreme urgency, may be set aside temporarily (for a specified duration) by a two-thirds (2/3) vote of the Senate. If the value of the exception becomes apparent, a bylaw amendment should be entertained in the provided manner, or the established procedure should be restored to practice.

NOTE: Editorial changes such as correcting typographical errors, punctuation, formatting, and conforming terminology are not considered amendments and may be made by a vote of the Senate.

## APPENDIX A

# Statement on Professional Ethics

American Association of University Professors

*The statement that follows, a revision of a statement originally adopted in 1966, was approved by the Association's Committee on Professional Ethics, adopted by the Association's Council in June 1987, and endorsed by the Seventy-third Annual Meeting.*

### Introduction

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research. The *Statement on Professional Ethics* that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general secretary and the Committee on Professional Ethics, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 *Statement of Principles on Academic Freedom and Tenure*, the 1958 *Statement on Procedural Standards in Faculty Dismissal Proceedings*, or the applicable provisions of the Association's *Recommended Institutional Regulations on Academic Freedom and Tenure*.

### The Statement

1. 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.
2. 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.

3. 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. In the exchange of criticism and ideas professors show due respect for the opinions of others. 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.
4. 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.
5. 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.