



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

Constitution

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

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ARTICLE I. NAME OF THE ORGANIZATION

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

ARTICLE II. PURPOSE OF THE ORGANIZATION

The purposes of the Faculty Executive Council shall be:

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

ARTICLE III. POWERS OF THE ORGANIZATION

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

ARTICLE IV. MEMBERSHIP IN THE FACULTY ASSOCIATION

Section A. Types of Membership

Membership in the Faculty Association shall consist of:

1. Regular Member
Maricopa Community College District (MCCD) probationary and appointive residential faculty members defined below are eligible for Regular Membership:
 - a. Academic residential faculty
 - b. Occupational residential faculty
 - c. Service residential faculty

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

Faculty who are otherwise eligible for Regular Membership are specifically excluded during any period in which they serve in a temporary capacity as a MAT employee.

Section B. Active Membership

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

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

In the event a member does not meet his/her financial obligations for the following reasons, the name of the member shall be removed from the membership rolls and access to all benefits of Faculty Association membership will cease immediately if:

1. Initial dues payment is not made within thirty (30) calendar days of submitting membership paperwork.

2. Financial obligations to the Faculty Association are not paid within sixty (60) calendar days after being notified.

Section D. Rights and Responsibilities of Members

1. Rights and Responsibilities of Active Regular Members
Every Active Regular Member is entitled to an equal vote on issues presented to the membership; is entitled to representation in their respective College Faculty Senate; may attend all social events of the Faculty Association; and may hold office in the Association.

Every Active Regular Member will uphold the standards set forth in the Faculty Association's Constitution, Bylaws, or any other rules or regulations of the Faculty Association; the Professional Code of Ethics (Appendix A); and the Residential Faculty Policies.

2. Rights and Responsibilities of Active Affiliate Members

Every Active Affiliate Member is entitled to all non-voting, non-committee rights of Faculty Association membership as stated in the Constitution and Bylaws and may attend social events.

Every Active Affiliate Member will uphold the standards set forth in the Faculty Association's Constitution, Bylaws, or any other rules or regulations of the Faculty Association; and the Professional Code of Ethics (Appendix A).

Section E. Term of Membership

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

Section F. Regulation of Membership

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

ARTICLE V. THE FACULTY EXECUTIVE COUNCIL

Section A. Composition of the Faculty Executive Council

1. The Faculty Executive Council will consist of approximately twenty two (22) voting college faculty representatives, as allocated by the membership formula in Subsection 3 of this Article of the Constitution.
2. Representatives and Alternates to the Faculty Executive Council from each college must be Active Regular members of the Faculty Association for at least (2) semesters.
3. The twenty two (22) members of the Faculty Executive Council will be allocated to the colleges in direct proportion to the number of faculty who are Active Regular Faculty Association members as of the date listed in Article IV of this Constitution for the preceding fall semester. If a college's allocation does not constitute a full voting representative (less than one half (0.5) of a voting representative), then an additional voting faculty representative will be added to the Faculty Executive Council and will be allocated to that college.

The resultant size of the Faculty Executive Council may fluctuate around twenty two (22) due to rounding considerations. Disputed or tied allocations may be adjudicated by the Council of Presidents.

For example, if College A has twenty one percent (21%) of the membership on the date listed in Article IV of this Constitution, then College A is entitled to 4.62 or rounded to the nearest whole number, five (5), positions (21% of 22 = 4.62). If College B has two percent (2%) of the membership on the date listed in Article IV of this Constitution, then College B would be entitled to no representatives based upon the formula (2% of 22 = 0.44). In this case, an additional voting position will be added and allocated to College B.

4. Each eligible college's first representative position will be assigned to its Faculty Senate President.

Colleges with only one (1) voting representative may select a non-voting representative to regularly attend Faculty Executive Meetings. This person may also serve as the alternate in the absence of the Faculty Senate President.

Section B. College Faculty Senate Eligibility

1. College Faculty Senate eligibility requires:
 - a. Submission of an acceptable College Faculty Senate Constitution as approved by the Faculty Executive Council,
 - b. Regular review of College Faculty Senate Constitution and Bylaws by the Faculty Association Attorney,

- c. Adherence to the responsibilities as described in Academic Responsibility of Faculty Senates (Appendix B),
- d. Such other qualifications as may be established by the Faculty Executive Council and required of all College Faculty Senates.

2. The deadline for College Faculty Senate eligibility is the date on which dues are required to be paid in accordance with Article IV of this Constitution.

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

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

Section E. Each College Faculty Senate will choose Alternates for their Faculty Executive Council representatives. Alternates will serve with full voting privileges in the event of the absence of a regular representative. Alternates for each college must be chosen by their College Faculty Senate and their names submitted to the Faculty Association President prior to their service on Faculty Executive Council. Prior notice should be given to the Faculty Association President when an Alternate will be used.

Section F. All members of the Faculty Executive Council will uphold the standards set forth in the Faculty Association's Constitution, Bylaws, or any other rules or regulations of the Faculty Association; the Professional Code of Ethics (Appendix A); the Code of Responsibility (Appendix C); and the Residential Faculty Policies,

Section G. Committees of the Faculty Executive Council are stated in Article IX of this Constitution.

Section H. Specific duties and responsibilities of members of the Faculty Executive Council are listed and stated in the Bylaws.

ARTICLE VI. OFFICERS OF THE FACULTY EXECUTIVE COUNCIL

Section A. Officers of the Faculty Executive Council

The Officers of the Faculty Executive Council of the Faculty Association shall consist of the following:

1. Elected Officers
 - a. President
 - b. President Elect
 - c. Past President

2. Appointed Officers
 - a. Finance Officer
 - b. Personnel Officer
 - c. Communications Officer
 - d. Membership Officer

Section B. Eligibility for Office

Eligibility requirements for each office on the Faculty Association shall be as follows:

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

2. Past President
To be eligible, a candidate must:
 - a. have served as Faculty Association President for a term of office
 - b. be an Active Regular member of the Faculty Association prior to and during the appointment.

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

4. Personnel Officer
To be eligible, a candidate must:
 - a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years, or.
 - b. have served on a College Faculty Senate for a full term at least one (1) year of the previous five (5) years, or
 - c. have served on a standing committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
 - d. be an Active Regular member of the Faculty Association prior to and during the appointment.
5. Communications Officer
To be eligible, a candidate must:
 - a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
 - b. have served on a College Faculty Senate for a full term at least one (1) year of the previous five (5) years, or
 - c. have served on a standing committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
 - d. be an Active Regular member of the Faculty Association prior to and during the appointment.
6. Membership Officer
To be eligible, a candidate must:
 - a. have served on the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
 - b. have served on a College Faculty Senate for a full term at least one year of the previous five (5) years, or
 - c. have served on a standing committee of the Faculty Executive Council for a full term at least one (1) year of the previous five (5) years before the appointment.
 - d. be an Active Regular member of the Faculty Association prior to and during the appointment.

Section C. Appointed Officers

1. Process of appointment
The President will appoint, with majority approval of the Faculty Executive Council, the Finance Officer, Personnel Officer, Communications Officer and the Membership Officer.
2. No appointed officer shall have voting rights by virtue of holding an appointed office. Appointed officers may vote if they are also regular voting representatives of a member Faculty Senate or serving as an Alternate.

Section D. Term of Office

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

- a. If, for any reason, an officer is unable to complete the full term, the President will appoint, with majority approval of the Faculty Executive Council, a qualified person to fill the remainder of the unexpired term.
- b. In the event the Faculty Association President is unable to complete the full term, then the President Elect will fill the remainder of the unexpired term.

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

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

ARTICLE VII. THE COUNCIL OF PRESIDENTS

- Section A. The Council of Presidents will consist of the Faculty Association President, President Elect, Past President and the Faculty Senate President of each eligible College, as stated in Article V of this Constitution.
- Section B. The Council of Presidents will meet as stated in Article VIII of this Constitution.
- Section C. The Council of Presidents will make recommendations to the Faculty Association President for removal of any member or Chair serving on a Committee of the Faculty Executive Council. Such recommendations will be made by a two-thirds (2/3) vote.
- Section D. The Council of Presidents will make recommendations to the Faculty Executive Council through the Faculty Association President to place action items on the agenda in emergency situations.
- Section E. The Council of Presidents will discuss requests for legal consultation brought by the Faculty Senate President on behalf of Faculty Association Members as stated in the Bylaws.
- Section F. A quorum of the Council of Presidents will consist of fifty percent (50%) of the Faculty Senate Presidents plus the Faculty Association President.
- Section G. When appropriate, the Faculty Association President may invite additional people to attend a Council of Presidents meeting for informational purposes.

ARTICLE VIII. MEETINGS AND PROCEDURES

Section A. Meetings

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

1. Regular Meetings
Regular meetings of the Faculty Executive Council shall be called at least once monthly during the calendar year and be held as stated in the Bylaws.
2. Council of Presidents Meetings
The Council of Presidents may meet prior to every regular meeting of the Faculty Executive Council, as stated in the Bylaws, to discuss personnel items, items of a sensitive or confidential nature, and other appropriate business and to recommend to the Faculty Association President the appropriate action. The Council of Presidents will also meet to fulfill duties outlined in Article VII of this Constitution, and during periods when a quorum of the Faculty Executive Council could not normally be assembled.
3. Special Meetings
 - a. Special meetings of the Faculty Executive Council
Special meetings of the Faculty Executive Council may be called at the discretion of the Faculty Association President, or by request of twenty-five percent (25%) of the voting members of the Faculty Executive Council. All members of the Faculty Executive Council will receive prior notice of the time and purpose of the special meeting.
 - b. Special meetings of the Council of Presidents
Special meetings of the Council of Presidents may be called at the discretion of any member of the Council of Presidents. All members of the Faculty Executive Council will be notified of the time and purpose of the special meeting.
4. Meetings of the Faculty Executive Council will be conducted according to *Robert's Rules of Order Newly Revised* (latest edition) unless modified by the Faculty Executive Council.

ARTICLE IX. COMMITTEES OF THE FACULTY EXECUTIVE COUNCIL

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

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

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

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

All committees must regularly report to a Faculty Executive Council Officer as directed by the Faculty Association President. The Officer will keep the Faculty Association President informed and updated as needed.

The creation of a standing committee will require a change in the Constitution and Bylaws to indicate the purpose and membership of the committee.

Ad hoc committees that are created by the Faculty Executive Council will only exist until the end of the current fiscal year.

Section C. Residential faculty, who are Active Regular members of the Faculty Association, except those on sabbatical leave, leave of absence, or other employment leave will be eligible to serve on any committee. When appropriate, an Active Affiliate Member may be appointed by the Faculty Association President to serve on a committee as a non-voting member.

Section D. The purpose and membership of all committees will be stated in the Bylaws.

ARTICLE X. ELECTIONS

All election processes will be stated in the Bylaws.

ARTICLE XI. FISCAL MATTERS

- Section A. **Tax Exemption**
The Faculty Association shall be operated exclusively for non-profit reasons and shall be exempt from taxation under Section 501(c)(5) in the Internal Revenue Code. No part of its net earnings may inure to the benefit of any private individual except that reasonable compensation may be paid for services actually rendered.
- Section B. **Dues**
Dues, covering the fiscal year, will be assessed each Regular and Affiliate member who joins the Faculty Association.
- Section C. **Expenditure of Funds**
All fees, donations, grants, and other types of financial income shall be expended for the purposes of this Faculty Association.
- Section D. **Financial Report**
The Finance Officer shall present an annual financial report to the Faculty Executive Council as stated in the Bylaws.
- Section E. **Financial Obligations**
No financial obligation shall be incurred by any officer or committee except as authorized within approved budgets or except under authority of special interim action which has been approved by the Faculty Executive Council.
- Section F. **Fiscal Year**
The fiscal year of the Faculty Association shall be stated in the Bylaws.
- Section G. **Provision of Dissolution**
- a. In the event of dissolution, all assets of the Faculty Association will be placed in trust and managed by a designated trustee.
 - b. Any and all assets from the Faculty Association will be used to reestablish another organization for faculty in the State of Arizona, and to form a new Faculty Association.

ARTICLE XII. STIPENDS

Section A. Officers of the Faculty Executive Council will receive the following stipends, unless otherwise compensated by other sources:

1. The President will receive a stipend equivalent to fifteen (15) load hours for the official summer school calendar and fifteen (15) load hours for the academic year.
2. The President Elect and the Past President will each receive a stipend equivalent to three (3) load hours for the official summer school calendar.
3. The Finance Officer, the Personnel Officer, Membership Officer, and the Communications Officer will each receive a stipend as determined by the Faculty Executive Council for the academic year.

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

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

ARTICLE XIII. REFERENDUM

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

ARTICLE XIV. AMENDMENTS

Section A. Constitution

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

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

Section B. Bylaws

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

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

Section C. Prohibition of Amendments

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

Section D. Amendments and Corrections

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

ARTICLE XV. EXCEPTIONS TO CONSTITUTIONAL PROVISIONS

The provisions specified in this Constitution, under conditions of extreme urgency, may be set aside temporarily (for a specified duration) by a three-fourths (3/4) vote of the Faculty Executive Council, or by the unanimous vote of the Council of Presidents. If the value of the exception becomes apparent, a constitutional amendment should be entertained in the provided manner, or the established procedure should be restored to practice.

APPENDIX A. PROFESSIONAL CODE OF ETHICS

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

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

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

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

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

APPENDIX B. ACADEMIC RESPONSIBILITY OF FACULTY SENATES

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

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

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

APPENDIX C. CODE OF RESPONSIBILITY

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

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