

***MINNESOTA STATE
UNIVERSITY
MANKATO***

FACULTY ASSOCIATION

***CONSTITUTION
AND
BY LAWS***

*Adopted
Fall 2005*

**MINNESOTA STATE UNIVERSITY, MANKATO
FACULTY ASSOCIATION
CONSTITUTION**

ARTICLE 1. TITLE AND PURPOSE

Section 1. This organization shall be known as the Minnesota State University, Mankato State Faculty Association, hereinafter referred to as the Association.

Section 2. The purpose of the Association shall be to promote faculty welfare by appropriate means, including but not limited to collective bargaining.

ARTICLE II. SUBORDINATION

Section 1. The Association is a subordinate unit of the Inter Faculty Organization (IFO), the statewide collective bargaining agent for the State University faculty of the Minnesota State Colleges and Universities (MnSCU).

Section 2. Provisions of this Constitution or of Association Bylaws which may become inconsistent with provisions of the Constitution and Bylaws of the IFO shall be deemed null and void.

ARTICLE III. MEMBERSHIP AND PARTICIPATION

Section 1. Any faculty member at Minnesota State University, Mankato who is represented by the IFO as bargaining agent and who pays full dues as established by the IFO shall be considered a member of the Association.

Section 2. Only members of the Association are eligible to serve as Association officers, on Association committees, elected or appointed, or in any other Association position; only members of the Association may participate in Association elections or conduct Association business.

Section 3. Within this Constitution, the term “unit” shall refer to those designated in Bylaw 1. Should amendments to Bylaw 1 result in a unit not being represented on the Association Executive Committee or on any of the various Sub-Meet and Confer Committees, the Association Executive Committee shall insure representation for such units by either treating the situation as a vacancy under Article V, or by a special election in each affected unit. By whatever procedures it deems appropriate, to provide for continuity of membership on Association committees, the Executive Committee shall also insure the principle of staggered terms as prescribed in Article V. Should amendments to the Bylaws result in a unit being over-represented on the Executive Committee or on any of the various Sub-Meet and Confer Committees, the Executive Committee shall establish procedures to decide by lot which representative would remain on said committees. By whatever procedures it deems appropriate, the Executive Committee shall also insure the principle of staggered terms as prescribed in Article V.

Section 4. With the exception of discussions concerning private personnel issues, all meetings of any Faculty Association body shall be open to observation by the Association membership. With the exception of emergency situations the Association membership shall be informed of meetings of all Association bodies in a timely manner. Agendas and minutes of the meetings of the Association, the Executive Committee, the Sub-Meet and Confer Committees, and the University-wide Meet and Confer Committee shall be kept and distributed to the Association membership in a timely manner. In its negotiations with the Administration the Association shall strive to bring any joint faculty-administration bodies into compliance with the spirit of this section.

ARTICLE IV. ASSOCIATION MEETINGS

Section 1. Regular meetings of the Association shall be held at least once each semester of the academic year.

Section 2. Special meetings of the Association may be called by the President, by a majority of the Executive Committee, or by a petition signed by at least 25 Association members.

Section 3. Notice of all Association meetings shall be sent to the membership at least three (3) days prior to the meeting.

ARTICLE V. ASSOCIATION OFFICERS AND COMMITTEES

Section 1. The Association Officers shall consist of a President, a Vice President, a Secretary and a Treasurer.

Section 2. The term of office of the Association Officers shall be two years. The President and Secretary shall be elected in odd-numbered years and the Vice President and Treasurer shall be elected in even-numbered years.

Section 3. The Association members of each unit shall elect a representative to the University-wide Meet and Confer Committee. Unit Representatives shall be elected for two-year terms, using the principle of staggered terms.

Section 4. The principle of staggered terms shall require that half of the members of a committee be elected in even-numbered years and half in odd-numbered years (a proportion as close to one-half as is possible if the number of units designated in Bylaw 1 is uneven).

Section 5. The Association Executive Committee shall be composed of the Officers, the Chairpersons of the Sub-Meet and Confer Committees, Association Representatives to the IFO Board of Directors, and the Unit Representatives.

Section 6. The Association Sub-Meet and Confer Committees shall be those designated in Bylaw 5. Each Sub-Meet and Confer Committee shall be composed of one person elected from each unit by the Association membership of that unit to a two-year term, following the principle of staggered terms. After the elections results are known in April each Sub-Meet and Confer Committee shall select one of its continuing members to be recommended to the Association Executive Committee as

Committee Chairperson for the following academic year. By its final Spring meeting the Executive Committee shall consider ratification of the recommendation from each of the Sub-Meet and Confer Committees. Duly elected and ratified chairpersons shall become members of the Executive Committee ten days after the end of Spring session.

Section 7. The Executive Committee may create additional ad hoc committee that it deems appropriate. Nominations or self-nominations shall be given to the Executive Committee, which will confirm such committee members, by majority vote. Vacancies on any Sub-Meet and Confer or Ad Hoc committee shall be filled by the Executive Committee in the same manner, subject to Faculty Association Bylaws.

Section 8. Positions which become vacant during the first year of a two-year term shall be filled at the next regular election with the person elected serving out the remaining year of the two-year term. The Executive Committee shall have the authority to fill vacancies until the next annual election. Such vacancies shall be filled from the appropriate constituencies. Partial terms will not count towards term limits.

Section 9. No person shall serve in any one of the positions described in this Article for more than 2 consecutive 2-year terms or in more than one elected position at the same time.

Section 10. Unless otherwise designated in this or the IFO Constitution, terms of all Officers and Committee Members shall begin 10 (ten) days after the end of Spring session.

ARTICLE VI. ADMINISTRATIVE ASSESSMENT

Section 1. The Executive Committee shall provide for the annual assessment of the administration of Minnesota State University, Mankato. The Executive Committee may establish a subcommittee for this purpose.

Section 2. The results of the assessment will be provided only to each administrator assessed and to the administrator's supervisor.

Section 3. Regular assessments will occur on a three-year cycle as follows, or by a majority vote of the Executive Committee.

- a. Year one: the president and miscellaneous administrative officers
- b. Year two: the vice presidents and their assistants
- c. Year three: the deans and their assistants

ARTICLE VII. ELECTIONS

Section 1. The annual Association election shall take place before April 15 and all members of the Association shall be given opportunity to participate in the election.

Section 2. During the month of October the Association President shall appoint a Nominations and Election Supervision Committee consisting of one member from each unit and designate its Chair. The membership of the Association shall be informed of the membership of this committee. It shall be the duty of the Nominations and Election Supervision Committee to:

- A.** During November, determine the offices subject to election (conforming to Article V) and the eligibility of incumbents (conforming to Article V).
- B.** During January solicit from each Association member recommendations of persons for nominations to positions to be elected the following April;
- C.** During February publish preliminary ballot recommendations nominating at least one person for each position to be elected and solicit nominations by petition from the Association membership in conformity with Section 4 of this Article;
- D.** No later than March 15, prepare the final ballot, mail it to the Association membership (with detailed instructions for its return to the Committee) and count

votes. The results of the election should be published to the Association membership no later than April 20.

Section 3. No person shall be placed on the preliminary or the final ballots without his/her permission in writing or by email to the Nominations and Election Supervision Committee. No person may run for more than one office in any one election.

Section 4. Persons not recommended by the Nominations and Election Supervision Committee may be placed on the ballot by petition. In the case of representatives from units at least 10 Association members from the appropriate constituency shall be required to sign a valid petition of nomination. In the case of positions whose constituency is the whole campus at least 25 Association members shall be required to sign a valid petition of nomination. Such petitions of nomination shall be submitted to the Nominations and Election Supervision Committee in conformity with the timetable established in Section 2 of this Article.

Section 5. Election shall be by mailed ballot: the candidate receiving a plurality of the vote for each position shall be declared elected. if the two candidates receiving the most votes receive the same number of

votes, the tie shall be decided by a run-off election between the two candidates with the most votes. The run-off election shall be called immediately after the results of the first vote. Ballots shall be distributed within three (3) working days of the announcement and must be returned within five (5) working days.

In the event that the run-off election results in a tie, the winner shall be chosen by a coin toss conducted in the presence of the tied candidates by the chair of the nominations and election supervision committee. "heads" shall be assigned to the candidate whose name (last name first) comes first alphabetically.

Section 6. By its last Spring meeting, the Association Executive Committee shall be informed by the Nominations and Election Supervision Committee of the results of the elections. The Executive Committee shall have the final responsibility for resolving any and all election disputes arising under this Constitution using appropriate procedures consistent with this Constitution, including, but not limited to, supervising new elections. No member of the Executive Committee party to such a dispute shall vote on any matter pertaining to the dispute.

ARTICLE VIII. REPRESENTATION ON IFO BODIES

Section 1. The Association's representation on the IFO Board of Directors shall be in accordance with the IFO Constitution and Bylaws. Representatives shall be chosen in the annual election in the manner described in Article VII.

Section 2. The Association's representation to the IFO Delegate Assembly shall be chosen by the Executive Committee in whatever manner it deems appropriate, consistent with the IFO Constitution and Bylaws.

Section 3. The Association's representative on the IFO negotiating team shall be nominated by the Executive Committee and shall be approved by a majority of those Association members voting by mailed ballot. This voting takes place in even number years.

Section 4. Representatives on each of the various state IFO bodies shall be selected at times and in a manner consistent with the state IFO Constitution. In case of conflict between this Constitution and the state IFO Constitution, the latter shall take precedence.

ARTICLE IX. DUTIES OF OFFICERS AND COMMITTEE MEMBERS

Section 1. The Officers shall perform the duties usually expected of officers with such titles. They shall also perform such duties as are specified in this and other Articles of this Constitution or in the Bylaws.

Section 2. The Executive Committee shall be responsible for bringing before the Association matters of interest to the members. It shall carry into execution the policies formulated by the Association (See Bylaw 4). It shall perform whatever tasks are necessary and proper to the promotion of the purposes of the Association. The Executive Committee shall be responsible for the hiring and routine supervision of paid staff and maintenance of the Association office and office equipment. The Executive Committee shall consider nominees for joint faculty-administrative bodies and shall confirm such nominations by majority vote, subject to other articles and bylaws governing committees and elections.

Section 3. The President of the Association, or the Vice President in his/her absence, shall be the chief spokesperson of the Association, shall lead the Association in Meet and Confer sessions, and shall act for the Association in emergency situations consistent with the principles of this Constitution and policies of the Association. The President of the Association, or the Vice President in his/her absence, shall preside at the Association meetings, and shall call Executive Committee meetings. The President shall preside at Executive Committee meetings. The President shall supervise the clerical assistant.

Section 4. The Secretary shall be responsible for the recording, distribution, and safe keeping of minutes of all meetings of the Association membership and the Executive Committee; for recording and reviewing notes of Meet and Confer Sessions; for keeping and distributing records of Sub-Meet and Confer Committees; and for the maintenance of documents and communications of all types having to do with the business of the Association.

Section 5. The Treasurer shall be responsible for the collection, safekeeping, and administration of the disbursement of funds for the Association. All payments from funds of the Association for expenditures as authorized by the Association or the Executive Committee must be signed by the Treasurer. The Treasurer must be bonded at the expense of the Association.

Section 6. If the President-elect is unable to assume office by the starting date of the term, that position shall be filled by

the Vice President or Vice President- Elect until the end of that academic year. The Executive Committee shall appoint a Vice President for that academic year, ratified by a vote of at least 50% plus one of those attending the Executive Committee meeting. At the next regularly scheduled election, elections will be held for a new term or to fill the remaining term for both President and Vice President.

Section 7. The four officers of the Association, the local members of IFO Board, the Unit Representatives, and the chairs of the Planning; Budget and UCAP Sub Meet and Confer Committees shall collectively comprise the University-wide Meet and Confer Committee. In addition, the Association reserves the right to include other sub meet chairs as the need arises.

Section 8. The Association or the Executive Committee may assign additional responsibilities to its Officers, Committees and other bodies as circumstances dictate.

Section 9. The Unit Representatives shall each be responsible for organizing their respective units in whatever manner deemed appropriate by the Executive Committee. Each Unit Representative may call a meeting of the members of the various Sub-Meet and Confer Committees representing their unit to report on and discuss current activities of the Association as it relates to the unit. These meetings shall be well publicized in advance and shall be open to the Association membership from the unit.

ARTICLE X. RECALL OF OFFICERS AND COMMITTEE MEMBERS

Section 1. Officers and Committee Members elected under the provisions of this Constitution will be subject to a recall election conducted by the Executive Committee upon receipt of a petition calling for such election signed by a majority of members of the constituency which originally elected the Officer or Committee member. Said Officers and Committee members shall be dismissed from their office if 2/3 of the eligible voters from the constituency which originally elected the Officer or Committee member vote in the affirmative for their recall.

Section 2. The positions of dismissed Officers or Committee members shall be treated as vacancies under Article V, Section 8.

ARTICLE XI. QUORUM AND PARLIAMENTARY GUIDE

Section 1. A quorum for a regular or special meeting of the Association shall be 25 members.

Section 2. A quorum for a written mailed ballot to amend this Constitution or adopt by-laws shall be 50% of the membership plus one.

Section 3. Robert's Rules of Order, Revised, shall be the Association's parliamentary guide for matters not covered in this Constitution, the Association's Bylaws, the IFO Constitution, or the IFO Bylaws.

ARTICLE XII. BYLAWS AND AMENDMENTS

Section 1. The Association may supplement this Constitution with bylaws which must be consistent with the provisions of this Constitution. Such bylaws may be proposed by a majority vote of a regular Association meeting or by a majority of the Executive Committee. To take effect such bylaws must be approved by a majority affirmative vote of a quorum by mailed ballot to the Association membership.

Section 2. This Constitution may be amended by the following procedures. Amendments may be proposed by a majority vote of a regular Association meeting or by a majority of the Executive Committee. To take effect such amendments must be approved by a 2/3 affirmative vote of a quorum by mailed ballot to the Association membership.

Section 3. At least once every five years the Association President shall appoint a Constitution Review Committee to solicit advice from the Association membership and to make recommendations to the Executive Committee concerning Constitutional revision and/or the adoption of Bylaws. Any member of the Association regardless of what other offices

he/she may or may not hold, would be eligible to serve on the Constitution Review Committee.

ARTICLE XIII . GRIEVANCE COMMITTEE

Section 1. In accordance with the IFO Constitution, the Executive Committee shall appoint a Grievance Committee consisting of the following: Faculty Association President, Faculty Association Vice President and the three (3) State IFO Representatives. The Executive Committee designated the Vice President of the Faculty Association as chairperson and Grievance Officer as required under the IFO Agreement with MnSCU.

MINNESOTA STATE UNIVERSITY, MANKATO FACULTY ASSOCIATION BYLAWS

Bylaw 1: Designation of Units

Pursuant to Article III, Section 3 of the Faculty Association Constitution the Association units are designated as follows: (1) College of Allied Health and Nursing; (2) College of Arts and Humanities; (3) College of Business; (4) College of Education; (5) College of Science, Engineering, and Technology; (6) College of Social and Behavioral Sciences; and (7) Library and other Faculty not assigned to a College.

Bylaw 2: Hiring of Clerical Staff

Pursuant to Article IX, Section 2 of the Faculty Association Constitution, the Executive Committee shall employ at least one clerical assistant on a part-time or full-time basis whose duties shall include, but not be limited to, typing and distribution of the minutes the Executive Committee and the Sub-Meet and Confer Committee meetings; preparation and distribution of a monthly Association calendar showing the dates, times and locations of all scheduled meetings, and maintenance of a current membership list and all past and present official Association records and files. Such duties shall be performed under the supervision of the President. Staff will perform

such other duties as may be assigned by the Executive Committee or the President.

Bylaw 3: Association Elections

Pursuant to Article VII, Sections 2, 3, 4, and 5 of the Faculty Association Constitution the following procedure will be used for Association elections:

- a. During November the Nominations and Election Supervision Committee (known hereafter in this Bylaw as the Committee) will prepare a list of all offices that will be vacant at the beginning of the next academic year. The Committee will also prepare a list of Association members by Unit who are eligible to fill the offices.
- b. In January the list of vacant offices will be sent to all Association members for the purpose of soliciting suggested nominees. Members will be able to nominate eligible faculty, including themselves, for vacancies within their units or for campus-wide offices by writing names in on the list and returning it to the Committee no later than the end of January. Members may also use the list to indicate that they do not want to be nominated for any or all offices. The Committee may also seek or propose candidates beyond those suggested by faculty.
- c. In accordance with Article VII, Sections 2 and 3 of the Constitution, upon verifying the eligibility of all nominees, the Committee shall prepare a preliminary ballot that will be sent to members during February. Members shall advise the Committee of necessary corrections to the ballot no later than the last day of February. During this time, other nominations may be made by petition, as described in Article VII, Section 4 of the Constitution. Such petitions must be submitted to the Committee no later than the last day of February.
- d. Elections shall be conducted by ballot, as described in Article VII, Section 5 of the Constitution. Ballots shall be sent to all faculty no later than March 15 and must be returned to the Association's clerical assistant or Nominations and Election Committee chair

no later than April 15. Ballot results shall be reported to the Executive Committee before its final Spring meeting. By this meeting, the Executive Committee shall resolve any election disputes, as described in Article VII, Section 6 of the Constitution. The ballot results will be retained by the Association's clerical assistant as a matter of record until the next election.

BYLAW 4: DUTIES OF OFFICERS AND COMMITTEE MEMBERS

Pursuant to Article IX, Section 2, the Faculty Association shall develop and codify policies as deemed necessary and appropriate for the functioning of the Association. Association policies may be formulated by a majority vote of those members present and voting at a meeting of the Association, or by a majority vote of those members of the Executive Committee present and voting at a meeting of the Executive Committee. Any proposed policy shall be circulated among the Association membership at least two weeks prior to a vote. Members are expected to attend all meetings pertinent to their position. The Executive Committee reserves the right to remove any member for excessive absences.

BYLAW 5: SUB-MEET AND CONFER COMMITTEES

Pursuant to Article V, Section 6, the Association Sub-Meet and Confer Committees shall be the following:

- a. Budget
- b. Extended Learning
- c. Faculty Development
- d. Faculty Improvement and Sabbatical
- e. General Education
- f. Graduate
- g. Planning
- h. Program Review & Assessment
- i. Research
- j. Undergraduate Curriculum and Academic Policy

a. Membership on Sub-Meet and Confer Committees is governed by the appropriate sections in Article V of this Constitution. Faculty Committee Chairs shall be chosen each

year in accordance with Article V, Section 6. At least 24 hours before each scheduled Executive Committee meeting all Faculty Sub-Meet & Confer Committee Chairs shall submit written reports regarding their Committees' activities to be distributed to Executive Committee members.

b. Specific duties and charges for each Sub-Meet and Confer Committee shall be reviewed at the first meeting of each academic year by the representatives from the Faculty Association and Administration. Any changes in duties or charges from the previous year shall be referred to the Executive Committee for approval.

c. Administration or elected IFO members may be added to Sub-Meet and Confer with the joint approval of Administration and the Faculty Association Executive Committee. Unless a Sub-Meet and Confer Committee meetings is dealing with issues covered by data privacy law and regulations, all meetings of all Sub-Meet and Confer are open to attendance by non-participating, not-voting observers.

d. Faculty Association members of Sub-Meet and Confer Committees may meet separately from Administration and other Committee members in order to discuss issues or expedite business relating to the Sub-Meet and Confer Committee. Such issues and business shall be reported to the Executive Committee through the Faculty Association Administrative Assistant.

BYLAW 6: AD HOC COMMITTEES

Pursuant to Article V, Section 7, Ad Hoc Committees may be designated for a specific task beyond the purview of the regular Sub-Meet and Confer committees, and shall be formed and appointed by a majority vote of the Executive Committee.

a. Time limit: all Ad Hoc Committees will cease to exist on September 1 unless specifically renewed by the Executive Committee.

- b. Term limit: For renewed committees, no person shall serve for more than two consecutive years on any given Ad Hoc Committee. By a 2/3-majority vote, the Executive Committee can override this term limitation.

- c. Reporting: Ad Hoc Committees will be called upon to report on their work to the Executive Committee at the request of the Association President but no less than once each term.

APPENDIX
MINNESOTA STATE UNIVERSITY, MANKATO FACULTY
ASSOCIATION
NOMINATIONS AND ELECTIONS PROCEDURES

OCTOBER

1. President appoints a Nominations and Election Supervision Committee consisting of one member from each unit and designates its chair. ARTICLE VII, Section 2.

2. Association membership informed of the membership of this committee. ARTICLE VII, Section 2.

NOVEMBER

1. Committee determines offices subject to election, and eligibility of incumbents.

ARTICLE VII, Section 2 (A)

2. Committee prepares a list of all offices that will be vacant at the beginning of the next academic year.

JANUARY

1. Committee sends one list with vacant offices to all Association members to solicit nominees for April election. ARTICLE VII, Section 2 (B); BY-LAW 3 B

2. Association members return nominations to appropriate committee members.

BY-LAW 3 B.

FEBRUARY

1. Prior to distribution of preliminary ballot, nominees give permission, in writing or by email for their name to appear on ballot. ARTICLE VII, Section 3.

2. Committee distributes preliminary ballot recommendations to entire membership nominating at least one person for each position to be elected, AND solicits nominations by petition from the Association membership, ARTICLE VII, Section 2 (C); BY-LAW 3 C.

FEBRUARY/MARCH

Members may nominate to final ballot by petition:

1. In the case of unit representatives on the Executive Committee or on Sub-Meet and Confer Committees signatures of at least 10 Association members from the appropriate constituency are required. ARTICLE VII, Section 4.
2. In the case of positions whose constituency is the whole campus signature of at least 25 Association members are required. ARTICLE VII, Section 4.

MARCH

1. Prior to distribution of final ballot, nominees give permission, in writing or by email, for their name to appear on ballot. ARTICLE VII, Section 3.
2. Committee prepares final ballot no later than March 15, mails it to the Association membership (with instructions for its return to the Committee), and counts votes after ballots are returned. ARTICLE VII, Section 2. (D)
3. A plurality of votes is sufficient to elect a candidate, while tie votes are decided by a run-off election between the two candidates with the most votes. The run-off election shall be called immediately after the results of the first vote. Ballots shall be distributed within three (3) working days of the announcement and must be returned within five (5) working days. In the event that the run-off election results in a tie, the winner shall be chosen by a coin toss conducted in the presence of the tied candidates by the chair of the nominations and election supervision committee. "Heads" shall be assigned to the candidate whose name (last name, first) come first alphabetically. ARTICLE VII, Section 5.

APRIL

1. Results of the election are published to the membership no later than April 20. ARTICLE VII, Section 2 (D).
2. Committee informs Association Executive Committee, at its last Spring meeting, of election results. ARTICLE VII, Section 6.
3. Executive Committee retains results of the ballot as a resource for filling vacancies should they occur prior to the next election. BY-LAW 3 D.