

BYLAWS OF THE COLLEGE OF DUPAGE FACULTY ASSOCIATION

PREAMBLE

The full-time faculty of College of DuPage hereby establishes these Bylaws to provide a means for the faculty to participate in the development and achievement of the College's educational mission in a coordinated and collective manner. These Bylaws, which operate in conjunction with the Contractual Agreement between the Board of Trustees of College of DuPage and College of DuPage Faculty Association (hereafter referred to as the Contractual Agreement), allow the faculty to address issues and concerns of College of DuPage in a participatory fashion. The Bylaws govern how the Faculty Association operates.

I. ORGANIZATION

A. SENATE

1. The Faculty Senate is the representative body of the Faculty which is elected to represent the faculty in accomplishing Faculty Association purposes (see Article I, Section B).
2. The Senate year is from January 1st through December 31st. For financial reporting purposes, the fiscal year of the Association is from July 1st to June 30th.
3. The Senate will conduct its business in accordance to these Bylaws and the Special Rules of the Senate. The Special Rules are adopted each Senate year and must be in compliance with these Bylaws.
4. Any action of the Senate may be overruled by a majority of those voting on any referendum or poll conducted by the Elections Committee, or by a decision of the Faculty Court.

B. PURPOSES OF THE ASSOCIATION

1. Mission: CODFA enables faculty to work collectively to shape a positive direction for the College. It improves the welfare of faculty so they can perform their duties to the best of their abilities; thus our students can learn to the best of their abilities.
2. Vision: by 2009 our members will be the best served local members of any educational Association.

3. To assist individual faculty in carrying out his or her instructional duties and responsibilities, to advance the professional interests of those faculty members, to maintain academic excellence in the curriculum and learning experiences, to maintain the integrity of the educational program, and to confer degrees offered.
4. To serve as the exclusive representative of the faculty in dealing with the Board and the administration of the College on issues concerning labor relations and contract issues, to maintain and strengthen the continuity of practices within the faculty domain, and to work to insure and preserve academic freedoms and intellectual property rights.
5. To exercise the powers, duties and privileges of the Association in accord with the governing bodies and laws of the United States of America, State of Illinois, the Board of Trustees of District 502, and in these Bylaws. These Bylaws do not mandate nor prohibit the affiliation of the Association with any specific labor organization (hereafter referred to as "Affiliate"). Faculty select the labor organization in accordance with applicable laws. In the event of change in affiliation, these Bylaws of the Association shall continue in effect, and the Association will continue to represent the faculty.

C. Membership and Dues

1. Eligibility for Membership - Every "Faculty Member, as defined in the recognition clause of the Contractual Agreement, is a member of the Association.
2. Types of Membership
 - a. Full/Active Member (hereafter referred to as full-share member) – A member employed as "regular full-time faculty" (as defined in the Contractual Agreement) who is engaged in professional education work or is on a limited (that is, less than six months) leave of absence. (This status is assumed unless the faculty member has elected to be a fair share certified member as discussed below.)
 - b. Fair Share Certified Member – A member who qualifies for full-active membership and elects fair share certified status, in writing, in full accordance with the terms as announced by the Treasurer no later than the end of summer term.

- c. Members on leaves of absence of at least six months:
 - i. Reserve Member – A member who qualifies for full/active membership who is on a paid leave of absence of at least six months. (This status is assumed unless the faculty member has elected to be an inactive member as discussed below.)
 - ii. Inactive Member — A member who qualifies for full/active membership who is on an unpaid leave of absence in excess of six months or is on a paid leave of absence in excess of six months who elects inactive status in writing, in full accordance with the terms as announced by the Treasurer no later than the end of summer term.
- d. All Full/Active, Fair Share Certified and Reserve Members will be classified as such on the affiliation membership roster. Inactive members are not listed on the affiliation membership roster.

3. Dues

- a. The Senate will set the amount of Association dues annually no later than the end of summer term. Such dues are in addition to applicable affiliation dues as discussed below.
 - i. Full/Active Members will pay Association dues and the annual dues assessments for active members of the affiliation, which include the annual political action contribution.
 - ii. Fair Share Certified Members will pay Association dues and the annual dues assessments for fair share certified members of the affiliation, but not the annual political action contribution.
 - iii. Reserve Members will pay Association dues, the annual dues assessments for reserve members of the affiliation, which include the annual political action contribution.
 - iv. Inactive Members do not pay Association, or affiliation dues or an annual political action contribution.

- b. Dues will be prorated in accordance with the guidelines established by the affiliation for any Full/Active, Fair Share Certified or Reserve Members who:
 - i. Become regular full-time faculty members (as defined above under Section I. C. 1. Eligibility for Membership) after the beginning of Fall term or
 - ii. Resign, retire or otherwise cease to be regular full-time faculty members after the start of the Fall but before the end of the academic year.
4. Duties, Rights and Responsibilities of Members
- a. Full/Active, Fair Share Certified and Reserve Members have concomitant responsibilities to the Association to ensure that the greater good for all members of the Association is maintained.
 - b. Full/active and Reserve Members are eligible to:
 - i. Vote on contractual, labor and all other issues determined by the Senate.
 - ii. May sign nominating petitions for Senators and/or Senate Officers.
 - c. Fair Share Certified Members:
 - i. Are not eligible to vote on contractual or labor issues (that is, issues that pertain to the Agreement or amendments thereof).
 - ii. Are eligible to vote on all other issues determined by the Senate.
 - iii. May not sign nominating petitions for Senators and/or Senate Officers.
 - iv. May not serve as an Officer, Senator, as Senate Committee chair, on the Elections Committee, the Committee on Committees, the Faculty Court and on the Welfare Committee or any subcommittees of the Welfare Committee.
 - v. May not vote for Senators or Senate Officers.

- d. The Association Treasurer will maintain the official membership roster that clearly sets forth each member's membership status and update the roster at the start of each term. Each term's official membership roster will be used as the basis for determining voting eligibility, as set forth above.

II. MEETINGS

A. ASSEMBLIES

1. A faculty assembly will be held at least once a term (except summers) to:
 - a. Facilitate communication between the Senate/ Senate committees and members.
 - b. Allow for open discussion of issues important to members.
 - c. Allow for nonbinding resolutions on issues brought from the floor of the Assembly to be sent to the Senate.
2. Notice of important communications, discussions, and nonbinding resolution adoption(s) will be distributed to all members within two weeks of the Assembly.

B. SPECIAL MEETINGS

Special meetings may be called:

1. At the discretion of the President of the Association
2. At the request of the Faculty Senate
3. As a result of a petition signed by not fewer than twenty percent of all members

C. NOTICES OF MEETINGS

A notice of all meetings, with agenda, will be distributed to each member not less than one week before the meeting.

III. OFFICERS AND AFFILIATE REPRESENTATIVES

A. OFFICES

The officers of the Faculty Association and Senate are President, Vice President, Secretary, and Treasurer. All officers must be full-share members of the Association.

B. ELECTIONS AND TERMS

1. Elections of officers will take place no later than October 31st of each year.
2. A nominating petition signed by at least ten percent of eligible faculty must be filed with the Election Chair at least seven instructional days prior to the election for the name to appear on the ballot.
3. Officers are elected at large by Full/Active and Reserve Members (as set forth under section I. C. 4, Duties, Rights and Responsibilities of Members).
4. The term of office for all officers will be two years. The President and Treasurer will be elected in even years. Their term will begin on January 1st of an odd year and will end on December 31st of an odd year. The Vice President and Secretary will be elected in odd years. Their term will begin on January 1st of an even year and will end on December 31st of an even year

C. DUTIES OF THE PRESIDENT

1. Preside at all regular meetings and special meetings of the Senate and Assemblies.
2. Take responsibility for establishing the time, place, and agenda of such meetings and posting such information in appropriate locations.
3. Represent the faculty at meetings of the Board of Trustees and address the Board on behalf of the faculty when appropriate.
4. Represent the faculty on the Leadership Council or its successor.
5. Represent the faculty at official College functions and make appropriate remarks when requested.
6. Communicate on behalf of the faculty with the print and electronic media when deemed appropriate.
7. Communicate with the President of the College on behalf of the faculty and Association.
8. Present communications from the President of the College and/or his/her representatives to the Senate and/or faculty.

9. Establish the time, place, and agenda for at least two meetings per year between the Senate and the President's Cabinet (with the approval of the President of the College).
10. Present the charge to any new committees on behalf of the Association.
11. Communicate with chairpersons on behalf of the Senate to assure that the business of the Association is proceeding in a timely fashion and report these communications to Senate.
12. Coordinate meetings with new faculty members to orient and better integrate these members into the Association.
13. Serve as an ex-officio member of all committees.
14. Perform any other duties as directed by the Senate under the limits of the Bylaws and Special Rules.
15. Vote on Senate issues only to break a tie.

D. DUTIES OF THE VICE PRESIDENT

1. Perform the duties of the President of the Association in his/her absence.
2. Serve on committees as mutually agreed with the President.
3. Serve as an ex-officio member of the Welfare Committee.
4. Serve as chair of the Committee on Committees.
5. Perform other duties as mutually agreed with the President.
6. Distribute the Senate Highlights to the Faculty.
7. Keep a faculty membership list of Senate Committees and update this list as needed.
8. Be a voting member of the Senate.
9. Coordinate the Association review of Board Policies and Procedures.

E. DUTIES OF THE SECRETARY

1. Take minutes at Senate meetings and Assemblies and present minutes to the Senate in time for approval at the next meeting.

2. Distribute the approved minutes of the Senate meetings and Assemblies.
3. Perform other duties as mutually agreed with the President.
4. Be a voting member of the Senate.
5. The permanent minutes of all Assemblies will be kept by the Secretary of the Faculty Association. Copies of these minutes will be distributed by the Secretary to the Senate.

F. DUTIES OF THE TREASURER

1. Keep accurate records of all financial transactions of the Association and report in writing the status of Association funds at all regular meetings of the Senate and the Assemblies.
2. Collect dues from the membership as directed by the Senate.
3. Assist outside (of the Senate) auditor(s) in the annual review of Association funds. A review by an outside CPA must be done at least every two years.
4. Make recommendations to the Senate as to the placement of funds in various accounts for the purposes of timely deposit and withdrawal and for the purpose of investment.
5. Prepare during the summer a budget (in consultation with the officers and chairpersons of the standing committees) including dues amounts, for Senate approval.
6. Coordinate with Human Resources to maintain and update the official membership roster that clearly sets forth each member's membership status. Provide the roster to Payroll for purposes of Association dues payroll deductions and to the Election Chair for purposes of voting eligibility.
7. Notify all Faculty Members eligible for membership (as set forth above under Section I. C. 1. Eligibility for Membership) of the:
 - a. Amount of dues that will be assessed for each membership category.
 - b. The timing and amount of the related payroll deductions for the payment of the dues applicable to each membership category.

- c. Establish the specific conditions for the selection of fair share certified or inactive status (as set forth above under Section I. C. 2. Types of Membership); such conditions will require written notice within a specified time period which should not be less than fourteen days.
 8. Comply with any and all requirements relating to membership established by the affiliation including those relating to fair share notifications.
 9. Perform other duties as mutually agreed with the President.
 10. Be a voting member of the Senate.
- G. **AFFILIATE REPRESENTATIVES.** Affiliate Representative(s) and Alternate(s) will be selected for a term as specified by the Affiliate or a term of two years if not specified by the Affiliate for each regional, state, and national Affiliate group. These representatives will attend Affiliate meetings, represent the Faculty Association, and report on Affiliate activities to the Senate and/or Membership. The representative(s) and alternate(s) will be selected in accordance to affiliation policy. Any member of the Association may fill these positions.
- H. **VACANCIES**
1. In the event of a vacancy (resignation, recall, or disability/death) in the office of the President, if the remaining term is less than six months, the Senate will appoint a new President, who will serve for the balance of the term to which appointed. If the remaining term is greater or equal to six months, a special election will be held to elect the new President, who will serve only the balance of the current term, The Vice President will serve as President until the election results are ratified. In the event that the Vice President cannot serve, the Senate will appoint a President until the election results are ratified.
 2. In the event of vacancies in the offices of Vice President, Secretary or Treasurer, if the remaining term is less than six months, the Senate will appoint a new officer for the balance of the term to which appointed. If the remaining term is greater or equal to six months, a special election will be held to elect the new officer, who will serve only the balance of the current term. Senate will appoint a new officer to serve until the election results are ratified.
 3. In the event of vacancies in the offices of Affiliate representative(s), Senate will appoint a replacement to serve the remainder of the term.

I. RECALL

If, at any time, members of the Association believe they are being inadequately represented by an officer, a petition signed by at least twenty-five percent of the membership will instruct the Election Committee to conduct a recall election. The election will take place between two and three weeks from the time of filing the petition. An affirmative vote of at least fifty percent plus one of the full-share membership will be required for the office to be declared vacant.

IV. SENATE

A. COMPOSITION OF SENATE

1. The Faculty Senate will consist of officers and at least twelve Senators.
2. Senators must be full-share members and members of their election unit.
3. A quorum for meetings is 50% plus one of those members who can vote in the Senate.

B. ELECTION AND TERM OF SENATORS

1. Designation of election units and their proportional representation will be determined each fall by the Treasurer according to provisions in the Special Rules.
2. Senators are nominated by signature petition of at least 5% of the eligible faculty in their election unit.
3. Election of Senators will take place no later than October 31st.
4. The term of office for a Senator is two years.
5. Approximately one-half of the Senators will be elected each year. In order to maintain alternate year rotation of Senators' terms, the President may shorten the term of an individual Senator upon the mutual agreement of the affected Senator and approval of the full Senate.
6. In the event of a Senator vacancy for an un-expired term that will run for more than one year, an election will be held. In the event of a Senator vacancy for an un-expired term that will run for less than one year, the President will appoint, with Senate approval, a full-share member of that election unit to complete the term.

7. If, at any time, the election unit believes it is being inadequately represented, a petition signed by at least twenty-five percent of the members in that election unit requesting a recall election may be presented to the Election Committee Chair. An affirmative vote of fifty percent plus one of those voting in the election unit is required for the office to be declared vacant.
8. A Senator's term may be declared vacant by the President if that Senator is absent for four regularly scheduled meetings per academic year without proxy (absence is defined as missing more than half of a meeting).

E. DUTIES OF SENATORS

1. Attend regular and special meetings of the Senate.
2. Vote on issues before the Senate.
3. Represent the interests of the faculty in his/her election unit and the interests of the faculty as a whole.
4. Be informed of the issues before the Senate and the Association and keep constituents aware of faculty concerns.
5. Send a proxy (full-share member) to any meeting he/she cannot attend.
6. Communicate the business of the Association with constituents in a timely fashion.
7. Establish dues amounts for all members.
8. Vote on expenditures of Association funds by roll call.
9. Vote on the annual budget by roll call.
10. Approve all Senate Committee members.
11. Approve the creation and charge of any new Senate Committees.
12. Set the ballot language and dates of all elections.
13. Represent the Association on various committees by mutual consent of the Senator and the Senate.
14. Distribute notice of assemblies, elections and other materials.
15. Perform other duties as mutually agreed with the President.

V. COMMITTEES

A. ORGANIZATION

The Senate will establish committees as needed to conduct its business. Standing committees include but are not limited to: Welfare, Instruction, Election and Faculty Court. A comprehensive list of Senate committees is maintained in the Special Rules.

B. COMMITTEE CHAIRS

Committees elect their own chairs (except Committee on Committees). Committee chairs must be full-share members of the Association. Committee chairs are responsible for:

1. Informing the Vice President of vacancies and election unit of member to be replaced.
2. Setting the time, place, and agenda of committee meetings.
3. Directing a member of the committee to take minutes of meetings
4. Communicating the minutes and/or activities of the committee to the Senate and/or President in a timely fashion or at the specific request of the Senate.
5. Communicating such reports in writing to the Association at least once each term.

C. PROCEDURES

1. Important positions taken and issues considered by any committee must have approval of the Senate in order to provide for open, adequate, and accurate communication and to maintain consistency and efficiency in Association actions.
2. Membership on committees will be on a rotational basis.
3. All committees will have procedures including membership qualifications and rotation which have been approved by the Senate.
4. All committees will meet at least once a term during the academic year (unless inappropriate to the charge of said committee), or will be considered automatically disbanded.
5. A committee member may send a proxy to participate in the activities of the committee and vote on behalf of the committee member. Proxy must meet eligibility requirements of the committee.

D. STANDING COMMITTEES

These committees are organized for a purpose, a goal, or an issue, which has a continuous and long-term nature.

1. Welfare Committee

a. Membership of Welfare is determined by the following:

- i. Committee on Committees will solicit volunteers from tenured full-share members.
- ii. Welfare will comment on each volunteer to the Welfare Chair who communicates recommendations to the Chair of Committee on Committees. The Welfare Committee and Committee on Committees will reach consensus on a list of finalists.
- iii. Committee on Committees will recommend finalists to the Senate for approval.

b. Composition and Duties
The Welfare Committee will:

- i. Consist of ten full-share tenured faculty members including a Chair and a Vice Chair of Welfare and a Chair and a Vice Chair of Grievance. Each member of Welfare will serve for four years and may not serve more than two consecutive terms. The Welfare Committee may expand temporarily as needed during the negotiation process.
- ii. Regularly rotate its membership. During even numbered years, three Welfare members will rotate off the committee, and during odd numbered years, two Welfare members will rotate off. No member of Welfare will rotate off during Negotiations.
- iii. Make a good faith effort to have a Welfare member from each of the academic divisions and one member from the nine month faculty.
- iv. Serve as the exclusive representative of the faculty in dealing with the Board and the administration of the College on issues concerning labor relations and contract issues.
- v. Research questions related to labor relations and contract issues.

- vi. Conduct constituent information sessions.
 - vii. Monitor compliance for all faculty with the Contractual Agreement.
 - viii. Monitor College compliance with past practice.
 - ix. Assist in grievances and appeals and, if necessary, join in support of the grievance/appeal.
 - x. Report at the appropriate meeting of the Senate on grievances to be considered for arbitration.
 - xi. Work to insure and preserve academic freedoms and intellectual property rights.
 - xii. Have subcommittees including but not limited to Negotiations and Grievance.
- c. Chairpersons of Welfare
- i. The Welfare Chair will serve on the Negotiation Sub-Committee. The Welfare Vice-Chair will not serve on the Negotiation Sub-Committee, but will be in charge of the routine business of Welfare during the negotiation period. The Welfare Vice-Chair will become the Welfare Chair upon the Faculty ratification and Board approval of the new Contractual Agreement.
 - ii. To retain continuity of the Welfare Committee and its subcommittees, it is recommended that the outgoing chair of Welfare remain on Welfare for at least one year after the ratification of a new contract.
- d. Negotiation Sub-Committee
- i. The Welfare Committee will decide which of its standing members will serve on the Negotiation Sub-Committee.
 - ii. The Negotiation Sub-Committee may select advisory ad-hoc full-share members to assist them and will inform the Senate of these names.

e. Grievance Sub-Committee

i. The purpose of the Grievance Sub-Committee is to address misinterpretations or misapplications of the Contractual Agreement.

ii. The Grievance Sub-Committee will discuss, investigate, evaluate, and prepare responses in regard to grievances or potential grievances.

iii. The Grievance Committee will consist of Welfare members, including outgoing Chair of Grievance, Chair and Vice Chair of Grievance and one other member.

iv. The Grievance Chair will serve for the length of the contract. The Grievance Chair will be responsible for all the necessary processing and filing of grievance matters.

v. In order to conduct the ordinary business of Grievance during the negotiation process, one of the Grievance chairpersons will not serve on the Negotiation Sub-Committee.

vi. The Vice-Chair will become the Grievance Chair upon Faculty ratification and Board Approval of the new Contractual Agreement. The new chair of Grievance will serve for the length of the Contractual Agreement.

2. Instruction Committee

The Instruction Committee will work to:

a. Consider matters of instructional importance and make recommendations to the Senate regarding action.

b. Assist individual faculty in carrying out his or her instructional duties and responsibilities.

c. Advance the professional interests of faculty members.

d. Maintain academic excellence in the curriculum and learning experience by assisting all efforts to improve the quality of instruction and the instructional experience at the College.

e. Assist other Senate committees with input on issues that have an instructional aspect or impact.

- f. Maintain the integrity of the educational program.
3. Election Committee
 - a. Consist of four full-share members, including a Chair and a Vice-Chair.
 - b. Conduct all elections of the Association.
 - c. All elections will be held by secured ballot.
 - d. Set the time, manner and other rules and regulations to assure that all eligible members are given the opportunity to vote.
 - e. Election judges will be full-share members provided their name is not on the ballot.
 - f. Election Chair will obtain a copy of the official membership roster for the current term from the Association Treasurer and use that roster to create a list for use during the election process.
 4. Faculty Court (COURT OF APPEALS)
 - a. Will render decisions interpreting these Bylaws and the Special Rules to protect constituent rights under both. Court decisions should be based strictly on interpretations of the Bylaws and the Special Rules, rather than on the merits or faults of the case at hand. In cases of discrepancies between the Bylaws and the Special Rules, the Bylaws take precedence.
 - b. Will consist of six full-share faculty members.
 - c. An appeal may be made by any faculty member in writing directly to a member of the court. Decisions of the Court are final.
 5. External Committees

The Senate by a majority vote may authorize the President to appoint Senators or other faculty to independent or quasi-independent committees, boards, or commissions. The persons so appointed will serve for such term or terms as the Senate provides. The Senate by majority vote may terminate its participation in such independent or quasi-independent committees, boards, and commissions.

VI. AMENDMENT PROCESS

A. Proposition

The Faculty Senate may by majority vote propose amendments to these Bylaws. An amendment to these Bylaws may also be proposed by a petition which sets forth the proposed amendment, is signed by at least ten percent of the eligible faculty, and is filed with the President.

B. Assemblies

Within ten calendar days after filing there will be a faculty forum to discuss the proposed amendment(s). The proponents may accept amendments to their proposed amendment(s). Alternative proposed amendments, signed by ten percent of the eligible faculty, may be filed with the President within five days after the forum.

C. Publication

The Senate will distribute the proposed amendment(s) to each member not more than fourteen calendar days after the faculty forum.

D. Voting Procedures

Any proposed amendment(s) to these Bylaws will be voted on by all faculty. Balloting must take place within thirty calendar days of the faculty forum. An amendment will be considered adopted if it receives the affirmative vote of at least sixty percent of those voting on the amendment, provided at least fifty percent plus one of all faculty vote.

VII. ENABLING CLAUSE

These Bylaws will become effective and supersede any previous Bylaws document five instructional days after their approval by the faculty. These Bylaws will be considered adopted if they receive the affirmative vote of sixty percent of those voting, provided fifty-one percent of all Members and Participants vote in the referendum. Association Officers and Senators elected under the provisions of the previous Bylaws will continue their elected term of office.

Codicil to Bylaws

1. To establish the rotation of Welfare:

The current Welfare members will decide which two members will be replaced in October, 2005, which three will be replaced in October, 2006, which two will be replaced in October, 2007, and which three will be replaced in October, 2008.

If a current Welfare member applies for one of the vacant positions, and is selected, that is a second term. Any past service on Welfare is considered one term.

2. To establish the rotation for Senators, and the new two (2) year terms for Senate Officers: President, Vice-President, Secretary and Treasurer.

Terms of Office for transition years:

Chris Russell – elected as President-elect, March 2004, becomes President April, 2005-December 31, 2005.

Senators elected in March 2004 will serve until December 2005.

Elections held in March 2005:

Elect President-elect to serve from April 1, 2005-December 31, 2005, will serve as President from January 2006-December 2006.

Senators elected will serve from April 1, 2005-December, 2006.

Secretary elected will serve from April 1, 2005-December 31, 2005.

Treasurer elected will serve from April 1, 2005-December 31, 2006.

Elections held in October, 2005:

Senators elected in March, 2005 will serve until December 2006.

Elect Vice President to serve from January 2006-December 2007.

Senators elected will replace the Senators elected in March 2004 and will serve from January 2006-December 2007.

Secretary elected will serve from January 2006-December 2007.

No Treasurer elected.

No President elected.

Elections held in October 2006:

Senators elected will replace the Senators elected in March, 2005.

President elected will serve from January 2007-December 2008.

Treasurer elected will serve from January 2007-December 2008.

No Secretary elected.

No Vice President elected.

All future elections:

Senators will serve two years.

President and Treasurer will be elected in even years, to serve two years, ending in an odd year, and Vice President and Secretary will be elected in odd years to serve two years ending in an even year.