

# **Constitution and Bylaws**

**of the**

**Minnesota State College Faculty  
(MSCF)**

**Approved by the MSCF Board of Directors on  
April 16, 2010**

# Preamble

We, the members of the Minnesota State College Faculty, Education Minnesota, American Federation of Teachers, and National Education Association, believing that the active participation of non-supervisory professional education personnel in the development of educational policy is essential for sound education in a democratic society, have joined together, as herein defined in this Constitution and Bylaws, for the purpose of exerting a collective and positive influence on education in the Minnesota State Colleges and Universities System.

We, the members of the Minnesota State College Faculty, believing in the unique contributions of our state colleges to American education, have organized to strengthen and secure college education for all who desire it and can benefit therefrom.

Because we so believe, we have formed into this organization, the Minnesota State College Faculty, to provide a liaison between educators in the colleges and all other groups concerned with education, to make our views an integral part of the educational programs of Minnesota State College students, and to enhance the personal and professional lives of our members.

The Minnesota State College Faculty shall provide a united voice for public education, leadership in education innovation, dedication to Minnesota students and families, an unwavering commitment to the welfare of our members and to democracy in the workplace and within the organization.

The Minnesota State College Faculty shall be an organization that provides exemplary professional service to its members. The Minnesota State College Faculty shall strive to maintain high quality technical education and liberal arts education and to keep both accessible throughout the state of Minnesota.

If any provisions of this Constitution and Bylaws conflict or violate the Constitution and Bylaws of Education Minnesota, American Federation of Teachers, or National Education Association, the provisions of the state and national organizations shall supersede those contained herein.

# Constitution

## Article I - Name

The name of this organization shall be the Minnesota State College Faculty, hereinafter referred to as the MSCF.

## Article II - Affiliations

The MSCF is affiliated with Education Minnesota, the American Federation of Teachers, and the National Education Association in accordance with the provisions of the Constitution and Bylaws of these bodies, hereinafter respectively referred to as EM, AFT, and NEA. Through our affiliation with the AFT, MSCF is also affiliated with the AFL-CIO.

## Article III - Purpose

### Section 1

The primary purpose of the MSCF shall be to consolidate the efforts of the faculty in maintaining and improving two-year college education.

### Section 2

The MSCF shall advocate for the terms and conditions of employment of its members and for such policies as are most conducive to the welfare of the members.

### Section 3

The MSCF shall endeavor to achieve the above purposes by thorough study and discussion of issues involving the educational program or the welfare of the faculty, and to present these conclusions to those who are involved in policy making for Minnesota State Colleges.

## **Section 4**

The MSCF shall bargain collectively for the economic and professional well being of all members.

# **Article IV - Membership**

Membership in the MSCF shall be in accordance with the Constitution and Bylaws of EM, AFT, and NEA. The membership year shall be September 1 through August 31. No one shall hold office in the MSCF who is not an active member of EM, AFT, and NEA.

Membership shall be available as defined in the Bylaws.

# **Article V - Officers**

## **Section 1**

The Executive Officers of the organization shall consist of a president, a vice president for technical education, a vice president for liberal arts, a secretary, and a treasurer.

## **Section 2**

The members of the Board of Directors and local Grievance Representatives shall also be considered officers of the organization.

The Executive Committee shall conduct the business of the organization between meetings of the Board of Directors. The Executive Committee shall operate under and administer the policies established by the Board of Directors. A process for communicating the business of the organization to the membership shall be developed by the Executive Committee and reviewed for effectiveness annually.

## **Section 3**

An Executive Officer may be recalled by a two-thirds (2/3) vote of the membership voting on the recall of an officer. Any member of the Board of Directors may be recalled by a two-thirds (2/3) vote of the appropriate chapter membership voting on the recall of its Board of Directors member. A recall vote requires a recall petition signed by one-

third (1/3) of the membership in the recall of an officer, and one-third (1/3) of the chapter membership in the recall of a Board of Directors member. The recall election shall be established by the Board of Directors and must be held no sooner than three weeks following the certification of the receipt of a proper petition.

## **Article VI - Delegate Assembly**

The Delegate Assembly shall consist of the Executive Committee, the Board of Directors, and the delegates. The Delegate Assembly shall be the annual forum for consideration of business and/or resolutions as submitted by the Executive Committee, the Board of Directors, local chapters or individual members. All new business items and/or resolutions that are approved by the Delegate Assembly shall be considered for action by the Executive Committee and the Board of Directors of the MSCF.

Prior to the Delegate Assembly, each chapter shall convene a meeting of all members to fully discuss issues, concerns or ideas which may be forwarded by the chapter to the Delegate Assembly. The agenda for the Delegate Assembly shall provide sufficient time for a full presentation and discussion of the information received from the chapters.

## **Article VII - Board of Directors**

The Board of Directors shall establish the policies, budget, and dues of the organization, and provide direction to the Executive Committee of the MSCF. The Board of Directors shall also consider all items forwarded from the Delegate Assembly.

The Board of Directors shall be composed of the members of the Executive Committee, the chairpersons of the standing committees, and one member from each chapter, elected by that chapter's membership.

## **Article VIII - Non-Discrimination**

The provisions of this Constitution shall be applied to all faculty members in the bargaining unit without discrimination as to race, creed, religion, color, national origin, age, physical disability, reliance on public assistance, sex, marital status, political affiliation, sexual preference, or any other class or group distinction.

# **Article IX - Dues**

## **Section 1 – State and National Dues**

State and National dues will be assessed in accordance with the dues categories established by the Constitution and Bylaws, and policies of EM, AFT, and NEA.

## **Section 2 – MSCF Dues**

Membership dues shall also consist of an MSCF portion, the amount of which shall be determined under the provisions of the MSCF Constitution and Bylaws.

The MSCF budget shall be determined by the Executive Committee based on a proposal prepared by the Treasurer and approved by the Board of Directors according to the provisions of the MSCF Bylaws. The MSCF dues shall be sufficient to fund the budget.

The MSCF portion of the total membership dues shall be represented as a percentage of the statewide average salary of all full-time MSCF faculty, from July 1 to June 30 of the preceding academic year, plus any assessments approved by the Board of Directors.

# **Article X - Amendments**

This Constitution may be amended by a two-thirds (2/3) majority of votes cast by the members voting according to the procedure prescribed by the Board of Directors. In addition, when the Delegate Assembly forwards a proposed amendment, the Constitution may be amended by a two-thirds (2/3) majority vote of the members of the Board of Directors. In either case, the amendment must be circulated in writing to all chapters at least one month in advance of the membership vote, or of the meeting of the Delegate Assembly.

# Bylaws

## Article I - Membership

### Section 1 – Membership

Membership shall be available to those employees of Minnesota State Colleges normally designated as faculty, including: instructors, counselors, and librarians who are paid on the faculty salary schedule. This membership availability is subject to bargaining unit description.

### Section 2 – Associate Membership

Non-voting associate membership shall be available to previously retired members of the Minnesota Community College Faculty Association and the United Technical College Educators and members of MSCF who retire from the Minnesota State Colleges and Universities System(MnSCU). Associate members shall be eligible to serve on committees, but may not run for or be appointed to elected office.

### Section 3 – Dues and Budget

State and national dues will be assessed in accordance with the dues categories and policies of EM, AFT, and NEA.

The MSCF portion of membership dues shall be determined by the MSCF in the following manner:

The Treasurer shall recommend to the Executive Committee the amount of yearly dues required to meet the yearly budget.

The Executive Committee, after discussion and analysis, shall recommend the yearly dues to the Board of Directors who, after discussion and analysis, shall adopt the budget and establish the dues.

No net earnings shall inure to the benefit of any member.

## **Section 4 – Affiliations**

All members of the MSCF shall also be members of EM, AFT, and NEA. If the MSCF chooses to affiliate with any other state or national organization, MSCF members shall also be members of those organizations.

## **Section 5 – Member Discipline**

### **Subsection 1. Grounds for Membership Discipline.**

Disciplinary action, in the form of censure, suspension, or permanent expulsion, shall not be taken against any member except for cause. Cause shall relate to conduct prejudicial to the purposes of the MSCF or local chapter of MSCF which may include any one or more of the following:

1. A substantial violation of any provision of the Constitution or Bylaws.
2. A substantial violation of any policy of the organization established by the Board of Directors or the Executive Committee or local chapter or affiliate.
3. Misrepresentation of the organization's name or logo, including any title of any subdivision of the organization.
4. Discipline may be imposed for engaging in any other conduct substantially prejudicial to the purposes of the organization, and tending to injure the good name of the organization, disturb its well-being, or hamper it in its work.
5. Failure to remain a member in good standing with EM, AFT, and NEA.

### **Subsection 2. Authority to Impose Discipline.**

Subdivision 1. A majority of the Executive Committee of an MSCF local chapter, together with a majority of the MSCF State Executive Committee, shall have the power to impose discipline on any member subject to the provisions of the MSCF Bylaw on Member Discipline.

Subdivision 2. If the authority to impose discipline is not exercised in Subdivision 1 above by the Executive Committee of an MSCF local chapter, then a majority of the MSCF State Executive Committee shall have the power to impose discipline by itself.

### **Subsection 3. Procedure for Implementing Discipline.**

Notice of such action having been initiated by a complaint of a majority of the officers of the MSCF State Executive Committee or a majority of the MSCF State Executive Committee and the Executive Committee of the local chapter shall be provided in writing to the member with the proposed action to be taken and the reasons thereof. Such notice shall also include the statement that the member has ten (10) calendar days in which to request a hearing before the chapter executive board, or a special chapter discipline committee, or before the MSCF Faculty Rights Committee at which the member is entitled to a representative of his/her choice to answer the charges and examine those making them.

Subdivision 1. The written notice shall be signed by a majority of the officers of the MSCF local chapter and by a majority of the MSCF State Executive Committee or by the majority of the MSCF State Executive Committee.

Subdivision 2. The written notice shall contain the following specific information:

1. The specific charges against such member.
2. The discipline imposed upon such member.
3. That the member may have a hearing on the matter if a written request is delivered to the MSCF State President within ten (10) days of the date such notice was delivered to such member, but that if there is no such request for a hearing, such member shall be deemed to have agreed to the discipline.
4. The effective date of such discipline if the member does not request a hearing. A copy of any notice signed by the officers of the MSCF local chapter shall be provided by the signing officers to the President of the MSCF, but the failure to do so shall not affect the validity of the proceedings.
5. That the Bylaws of the MSCF contain a provision prohibiting initiation of a civil action, suit, or proceeding in any court against the MSCF or any of its officers, members, or employees on account of any discipline unless the remedies of hearing and appeal provided by the Bylaws have been exhausted.
6. Any action to expel or suspend shall be communicated to EM.
7. If the President is the subject of any disciplinary action, the Vice President will assume the President's responsibilities relative to this section of the Bylaws during the disciplinary procedures.

Subdivision 3. Suspension of Effective Date of Discipline. If a member requests a hearing pursuant to Subsection 3, Subdivision 2, Number 3, the effective date of discipline shall be the date upon which the hearing body renders its decision pursuant to Subdivision 4, Number 1.

Subdivision 4. Hearing. A hearing held upon the request of a member pursuant to Section 3, Subdivision 2, Number 3, shall conform to the provisions as herein set forth:

1. The hearing will be private or public at the choice of the member being disciplined.
2. The hearing shall be before the MSCF Faculty Rights Committee.
3. The rules and procedures governing the hearing shall be determined by the hearing body provided that the member shall have the right to be present during the hearing and to be represented by a person selected by the member; there shall be presentation of evidence in support of the charges; the member shall have the opportunity for cross examination and presentation of rebuttal evidence; a quorum shall be present at the beginning of the presentation of evidence and no evidence shall be presented when there is not present a quorum made up of members who have been present during presentation of all evidence.
4. The discipline shall be void unless supported by a simple majority of the members of the MSCF Faculty Rights Committee who were present during the presentation of all evidence and cast a ballot on the matter. The decision of the hearing body shall be communicated in writing to the member accompanied by a memorandum of findings of fact not later than ten (10) days after the conclusion of the hearing. The President of MSCF, upon recommendation of the Faculty Rights Committee, shall provide the written communication.
5. A tie vote shall indicate no action will be taken.

Subdivision 5. First Appeal.

1. Any member who is subject to discipline after completion of the hearing process in Subdivision 4 may appeal to the MSCF Board of Directors by delivering a written notice of appeal to the President of MSCF not later than ten (10) days after the written decision is issued under Subdivision 4, Number 4.

2. The rules and procedures governing such an appeal shall be established by the Board of Directors. The appeal hearing shall be presided over by the MSCF President who shall grant a procedure which includes witnesses and right of cross-examination. A quorum shall be present. The decision shall be made by secret ballot with a simple majority of the membership present and voting. In the case of a tie, with the President voting, no action shall be taken. The Board of Directors can delegate the authority to hear evidence and determine the appeal to a group of not less than five (5) Directors.
3. Action to expel or suspend shall be communicated to EM.

Subdivision 6. Second Appeal. Any member who is expelled or suspended from membership in the local chapter of the MSCF and has completed the appeal process in Subdivision 5 shall have the right of appeal to the EM Governing Board in accordance with such policies and procedures as the Board may adopt.

Subdivision 7. Third Appeal. Any member who is subject to discipline after completion of the appeal processes provided by Subdivision 6 may exercise any rights of appeal provided by the AFT and NEA. These appeals shall be governed by the policies and procedures adopted by the AFT and NEA.

Subdivision 8. Discipline imposed shall remain in full force and effect notwithstanding any appeal pending under Subdivision 5, 6, or 7.

## **Section 6 – Lawsuits**

No person shall initiate a civil action, suit or proceeding in any court against the MSCF, the local chapter of MSCF, or any of its officers, members, or employees on account of any discipline unless such person has exhausted the remedies of hearing and appeal as provided in this Constitution and Bylaws.

## **Section 7 – Disciplinary Actions That May Be Imposed**

An individual member may be censured, suspended, or expelled for a violation under Section 1 of this Bylaw.

1. Censure shall consist of a statement of the member's action that gave cause for the disciplinary action to be conveyed to the membership at large. Censure shall be cause for disqualification to run for any office or committee appointment and/or the termination of any currently held office or committee appointment for one year.

2. Suspension shall consist of a member being denied active membership for a specified period of time.
3. Expulsion shall consist of a member being denied active membership for life.
4. In the case of strikebreakers, if a timely hearing is not requested, a member will be expelled or an applicant refused membership effective fourteen (14) days after the notice of expulsion or refusal of membership is delivered. The expulsion of a member or refusal of membership shall continue in full force and effect for life.
5. No member who has been expelled or suspended may receive a refund of dues.
6. Action to expel or suspend shall be communicated to EM.

## **Article II - Affiliation**

Any affiliation or disaffiliation agreement between MSCF and other organizations must be approved by sixty (60) percent of the MSCF membership voting in referendum.

# Article III - Chapters

## Section 1 – Membership

The following comprise the chapters of the MSCF:

- |                            |  |                               |
|----------------------------|--|-------------------------------|
| *Alexandria                | *Mesabi Range  | *Northland, East Grand Forks  |
| *Anoka                     | *Minneapolis   | *Northland, Thief River Falls |
| *Anoka-Ramsey, Cambridge   | *Minnesota West-North, Canby, Pipestone, Granite Falls | *Northwest, Bemidji           |
| *Anoka-Ramsey, Coon Rapids | *Minnesota West-South, Jackson, Worthington            | *Pine                         |
| *Central Lakes             | *Minnesota State, Detroit Lakes                        | *Rainy River                  |
| *Century                   | *Minnesota State, Fergus Falls                         | *Ridgewater                   |
| *Dakota County             | *Minnesota State, Moorhead                             | *Riverland                    |
| *Fond du Lac               | *Minnesota State, Wadena                               | *Rochester                    |
| *Hennepin, Brooklyn Park   | *Minnesota State, North Hennepin                       | *St. Cloud                    |
| *Hennepin, Eden Prairie    |  | *St. Paul                     |
| *Hibbing                   |  | *South Central, Faribault     |
| *Inver Hills               |  | *South Central, Mankato       |
| *Itasca                    |  | *Southeast, Red Wing          |
| *Lake Superior             |  | *Southeast, Winona            |
|                            |  | *Vermilion                    |

Members at remote sites shall be members of the nearest geographically located chapter within the governance structure of the remote site.

## Section 2 – General Powers and Duties

Chapters shall conduct the business of the MSCF subject to the Constitution, these Bylaws, and the Board of Directors. Each chapter shall solicit MSCF members within that chapter.

## Section 3 – Organization

Each chapter shall establish rules and procedures controlling the conduct of the chapter subject to the MSCF Constitution, these Bylaws, and the Board of Directors. Each chapter shall elect its own officers who will arrange for the meetings, for elections, for effective communication between the chapter and the Board of Directors, and for such other chapter activities as may be required to achieve the goals of the MSCF.

Each chapter shall elect a member to represent it at the Board of Directors.

Each chapter shall elect delegates to represent it at the annual Delegate Assembly.

## **Section 4 – Statewide Contract Enforcement**

Each chapter shall have an MSCF member appointed as a Grievance Representative to officially represent the organization as authorized in the master contract. For chapters with more than one campus, a grievance representative shall be appointed at the other site(s) as requested by the chapter if approved by the Board of Directors. Said appointment shall be made annually on July 1 by the MSCF President after consultation with the chapter leadership. Only the MSCF Executive Committee may recall such representatives.

## **Article IV - Elections**

Election Procedures: All elections shall be governed by applicable state and federal laws.

1. Each member must receive at least 15 days notice of the procedures and deadlines to file as a candidate for the election and the date, time, and place of the election.
2. Every member must have a fair and equal opportunity to participate in the election without unreasonable impediments.
3. Voting must be by secret ballot.
4. In a contested election, candidates must be allowed to station observers at the polling places.
5. Representatives of the competing candidates should be allowed to observe, but not actually participate in, the counting of ballots.
6. The used, unused, and challenged ballots; the envelopes used to return ballots; and other documents related to the election should be safely stored for one year in case there is a challenge to the election.
7. No union funds may be used to support any candidate.
8. The union should comply with reasonable requests to distribute campaign literature at the candidate's expense.

9. Candidates have the right to inspect the membership list once within 30 days prior to the election. No candidate can have preferential access to the list.
10. There shall be an open nomination process for all elections.
11. If there is only one candidate for a position, the election for the position may be waived and the candidate declared elected by the Board of Directors. In order to waive such an election, a reasonable period of time must have been provided for nominations, and there shall be no provision allowed for write in votes for any election.
12. The Elections Committee will resolve questions of interpretation not explicitly addressed within the bylaws in accordance with Article VII, Section 2, of the bylaws.

## **Article V - Delegate Assembly**

### **Section 1 – Membership**

The Delegate Assembly shall be composed of the Executive Committee, the members of the Board of Directors and of the delegates from each chapter according to the following proportions:

<b><u>Members of Chapter</u></b>	<b><u>Number of Delegates</u></b>
1 – 20	1
21 – 40	2
41 – 60	3
61 – 80	4
81 – 100	5
(etc.)	(etc.)

The number of delegates that each chapter is entitled to shall be determined and confirmed at the opening of each Delegate Assembly meeting. Each chapter shall select its own delegates.

### **Section 2 – Meeting**

The Delegate Assembly shall convene once each year as designated by the Board of Directors.

### **Section 3 – Voting and Quorum**

Each member is entitled to one vote with the exception of the State Committee chairs who shall be non-voting delegates. Forty (40) percent of the authorized members of the Delegate Assembly shall constitute a quorum.

### **Section 4 – Powers and Duties**

The Delegate Assembly shall have the authority:

- a. to propose new policies to the Board of Directors;
- b. to review the existing policies of the organization and advise the Board of Directors thereon;
- c. to consider and recommend new business items as proposed by chapters, the Board of Directors, the Executive Committee or individual members;
- d. to recommend amendments to the Constitution and Bylaws to the Board of Directors. Proposals for amendments shall be submitted to each chapter thirty (30) days prior to the Delegate Assembly or may be introduced at the Delegate Assembly with agreement of two-thirds (2/3) of the delegates;
- e. to consider and establish resolutions for the organization.

### **Section 5 – Resolutions**

All resolutions shall be submitted to the members of the Delegate Assembly thirty (30) days prior to convening of the Delegate Assembly in order to be introduced at that Delegate Assembly meeting. Resolutions which have not been submitted thirty (30) days prior to the Delegate Assembly meeting can be introduced with the agreement of two-thirds (2/3) of the delegates.

## **Article VI - Board of Directors**

### **Section 1 – Membership**

The Board of Directors shall be composed of the Executive Officers and one member elected from each chapter by the members of that chapter. The members of the Board of Directors shall be delegates to all state assemblies and conventions of the MSCF affiliates. The MSCF representative to the EM Board of Directors, if not an elected

MSCF officer, and the chairperson of each state standing committee shall be ex-officio, non-voting members of the Board of Directors.

## **Section 2 – Meetings**

The Board of Directors shall convene at least three times per year upon the direction of the MSCF President or upon the request of one third (1/3) of the voting members of the Board.

### **Subsection 1. Electronic Meetings**

An electronic meeting may be called when an event requires immediate board action.

## **Section 3 – Voting and Quorum**

Each member of the Board of Directors elected from a chapter would cast a block vote equal to the number of delegates of the chapter they represent as determined and specified in the MSCF Constitution and Bylaws, Article V, Section 1.

The Executive Officers, the President, Vice President – Liberal Arts, Vice President – Technical, Treasurer, and Secretary shall each have a vote equal to 1/39 of the total number of block votes of the members of the MSCF Board of Directors who represent the chapters.

## **Section 4 – Powers and Duties**

All administrative responsibilities of the organization shall be vested in the Board of Directors. However, the Board may delegate certain administrative tasks. It shall have the authority and responsibility:

- a. to establish, amend and administer the policies of the organization;
- b. to recommend new business items or resolutions to the Delegate Assembly;
- c. to adopt procedures for conducting the business of the organization;
- d. to receive reports and recommendations from standing committees;
- e. to ratify appointments to standing committees;
- f. to convene the Delegate Assembly;
- g. to appoint ad hoc committees to administrative concerns;
- h. to hire and direct personnel as is necessary to carry out the business of the organization;

- i. to conduct the ratification procedure for the master contract;
- j. to declare a vacancy on the Executive Committee for reasons of resignation and/or ineligibility;
- k. to consider items as forwarded by the Delegate Assembly;
- l. to certify election results;
- m. to dissolve the organization by an affirmative vote of two-thirds (2/3) of the Board of Directors and two-thirds (2/3) of the present and voting membership of the Delegate Assembly. The existence of the organization terminates upon the conclusion of the organization's affairs and the distribution of its property and assets in the following order of priority:
  - 1. All debts, liabilities, and obligations of the organization shall be paid, satisfied, and discharged or adequate provision shall be made for such debts, liabilities, and obligations.
  - 2. Any assets or property of the organization remaining after full satisfaction of the organization's debts, liabilities, and obligations shall be distributed by authorized officers of the organization as directed by the Board of Directors provided that such distribution must be consistent with the purposes of the organization as stated in its Articles.

## **Section 5 – Executive Committee**

A committee composed of the Executive Officers of the organization and four (4) At-Large members shall serve as the management arm of the organization. The four At-Large members shall be elected for a one-year term by the Board of Directors from the Board of Directors at its first meeting. The Executive Committee shall be directly responsible to the Board of Directors and, as such, shall provide direction to the Board by recommending specific procedures and actions. The Executive Committee shall have the specific responsibility of appointing members and chairpersons to the standing committees subject to ratification by the Board of Directors. The Executive Committee shall also have the responsibility of appointing members and chairpersons to other groups or task forces as deemed necessary.

The Executive Committee shall have an external audit conducted annually and shall report the results of the audit to the Board of Directors.

# **Article VII - Committees**

## **Section 1 – Standing Committees**

There shall be five standing committees. They shall be called the Legislative Committee, the Negotiations Committee, the Technology and e-Learning Committee, the Faculty Rights Committee, and the Academic Affairs Committee.

The MSCF State Executive Committee may establish and abolish ad hoc or special committees as necessary. The MSCF President shall appoint a chairperson and members of these committees.

No committee is authorized to financially obligate the MSCF in any manner without prior approval of the MSCF State Executive Committee. No committee is authorized to make public statements regarding their activities without the prior approval of either the MSCF President or the MSCF State Executive committee.

### **Subsection 1. Legislative Committee**

The Legislative Committee shall consist of six members appointed by the MSCF State Executive Committee and ratified by the Board of Directors. That number shall include faculty lobbyists. The Legislative Committee shall serve as a source of information on national and state legislation affecting the membership and shall promote local involvement in the legislative process. The committee shall develop and advocate for a list of legislative goals for each legislative session. Said goals shall be approved by the Board of Directors. The committee shall coordinate the selection of a local campus representative to act as a liaison to the committee. The committee will also coordinate the activities of the MSCF Lobby Fund and make recommendations on campaign and contribution policy to the MSCF State Executive Committee and Board of Directors. EM Political Action Committee funds are not to be commingled with MSCF funds.

### **Subsection 2. Negotiations Committee**

The Negotiations Committee shall consist of eight members, including the MSCF President. Seven members shall be appointed by the MSCF State Executive Committee and ratified by the Board of Directors. The Negotiations Committee shall inform itself on those matters affecting the personal and professional welfare of the members. This committee shall undertake the responsibility for meeting with any authority necessary for the purpose of informing and negotiating issues relative to the welfare and benefit of the members of the MSCF.

### **Subsection 3. Technology and e-Learning Committee**

The Technology and e-Learning Committee shall consist of six members appointed by the MSCF State Executive Committee and ratified by the Board of Directors. The

committee shall monitor activities within the system related to faculty use of technology and all aspects thereof, including, but not limited to, hardware, software, intellectual property rights, security, academic integrity, and faculty terms and conditions of employment. The committee shall advise the state leadership on these matters and others as the committee or the leadership deem appropriate. The committee shall report to, coordinate its work with, and advise the Academic Affairs Committee. The committee shall recruit and recommend to the President faculty members to represent MSCF on committees, task forces, and related groups in the area of technology and e-learning.

#### Subsection 4. Faculty Rights Committee

The Faculty Rights Committee shall consist of six members appointed by the MSCF State Executive Committee and ratified by the Board of Directors. This committee shall monitor the grievance process, keep faculty members informed on matters relating to faculty rights, and encourage the faculty to be aware of their rights and responsibilities. The Grievance Representative of each chapter not represented on this committee shall act as a liaison to this committee. The Faculty Rights Committee shall report to the State Executive Committee and to the Negotiations Committee.

#### Subsection 5. Academic Affairs Committee

The Academic Affairs Committee shall consist of six members appointed by the MSCF State Executive Committee and ratified by the Board of Directors. The Academic Affairs Committee shall inform itself on issues related to academic standards and practices at the colleges and within the system as well as issues related to the transfer of awards, courses, or their components. The committee shall advise the MSCF State Executive Committee, the Negotiations Committee, the Board of Directors, or the membership at large on such issues as appropriate.

### **Section 2 – Non Standing Committee**

There shall be one non-standing committee. The non-standing committee shall be the Elections Committee. The Elections Committee shall consist of three members appointed by the MSCF State Executive Committee and ratified by the Board of Directors. The committee is responsible for the supervision of the elections and voting procedures in accordance with Board policy and procedures. The Elections Committee will report its election recommendations for the current academic year to the Board of Directors as necessary.

# **Article VIII – Officers**

## **Section 1 – Executive Officers**

The Executive Officers shall be a president, a vice president for liberal arts, a vice president for technical education, a secretary, and a treasurer elected by secret ballot distributed to each of the members during the spring of the appropriate year – the date to be set by the Board of Directors.

The Executive Officers shall be delegates to all state and national assemblies/conventions of the MSCF affiliates.

Except as provided below, when the Board of Directors declares a vacancy in the office of President, Vice President, Secretary, or Treasurer with more than twelve months remaining in the term, the replacement shall be elected by secret ballot distributed to each of the members. When a vacancy has been declared in the office of President, Vice President, Secretary, or Treasurer with fewer than twelve months remaining in the term, the Board of Directors shall fill the vacancy for the unexpired term. In the event of a vacancy in the office of President, a Vice President shall serve as the acting President until an election is held. The selection of the Vice President to serve as the President shall be made by the Board of Directors. The Board of Directors shall then select a temporary Vice President.

## **Section 2 – President**

The President shall preside at all meetings of the Board of Directors, the MSCF State Executive Committee and the Delegate Assembly. The President shall be the Chief Executive Officer of the organization, the official spokesperson of the organization and shall provide the general supervision of the affairs of the organization between meetings of the Board of Directors. The President shall be an ex-officio member of all committees except the Negotiations and Elections Committees.

## **Section 3 – Vice Presidents**

The Vice Presidents shall preside in the absence of the president. The Vice Presidents shall carry out all duties as assigned by the President and assist the President as requested. At the first meeting for which the President is absent, the Technical Vice President shall preside. During the next meeting absence, the Liberal Arts Vice President shall preside. Thereafter, this alternation shall continue. The MSCF Secretary shall keep a record of the rotation.

## **Section 4 – Secretary**

The Secretary shall be responsible for keeping the minutes of all meetings of the Board of Directors, the Delegate Assembly, and the MSCF State Executive Committee.

The Secretary shall carry out all duties assigned by the President and those duties assigned to the Secretary in *Robert's Rules of Order, Newly Revised*.

## **Section 5–Treasurer**

The Treasurer shall be responsible for the collections, deposits, and disbursements of the organization. The Treasurer must be bonded.

The Treasurer shall carry out all duties assigned by the President and those duties assigned to the Treasurer in *Robert's Rules of Order, Newly Revised*.

## **Section 6**

Terms of office shall be three years.

## **Section 7**

An officer no longer eligible for full, active membership shall vacate that office when such a loss of eligibility is confirmed by vote of the Board of Directors.

# **Article IX - Master Contract Ratification and Strike Vote**

## **Section 1**

When a tentative collective bargaining agreement has been made with MnSCU, the MSCF Negotiations Committee shall submit the agreement to the Board of Directors at a special meeting called by the MSCF State Executive Committee. The Board of Directors shall review the agreement and give its tentative approval or rejection.

In the instance where changes to the master contract are negligible, the Board of Directors special meeting for tentative approval or rejection may be conducted electronically in lieu of a physical meeting. This provision may be invoked only by the MSCF President.

### Subsection 1.

The agreement together with the Board of Directors' reasons for approval or rejection shall be communicated to the members of each chapter. The ratification meeting and vote of the members of each chapter shall be carried out and completed as directed by the Board of Directors at its special meeting, but must be completed no later than midnight of the fifteenth (15<sup>th</sup>) working day following the special Board meeting.

### Subsection 2.

The local chapter representative on the Board of Directors shall convene the ratification meeting of the general membership of the local chapter according to the time limits specified by the Board of Directors. Upon completion of a full and fair discussion of the proposed contract, members of each chapter shall vote by secret ballot on the question of whether to accept or reject the proposed contract. The vote will be conducted as prescribed by the Board of Directors following the completion of all the chapter meetings.

### Subsection 3.

Each member of the Board of Directors shall immediately communicate the results of the chapter's vote to the MSCF President and shall be responsible for submitting all ballots to the MSCF office in a timely manner. The manner of communicating the results of each chapter vote will be established by the Board of Directors.

## **Section 2**

If a majority of the members casting a ballot vote to reject the proposed contract, the MSCF President, on behalf of the Board of Directors, shall be bound to reject the contract and to take appropriate action to meet the wishes of the membership.

## **Section 3**

If a majority of the members casting a ballot vote to accept the proposed contract, the appropriate officers and members of the Negotiations Committee shall sign the agreement.

## **Section 4**

During a strike or in the event of an emergency, the MSCF State Executive Committee and the Negotiations Committee shall have the authority to establish alternative timelines for notification and balloting.

## **Section 5**

In the event that a tentative agreement cannot be reached between MSCF and MnSCU, the MSCF shall conduct a vote authorizing the MSCF State Executive Committee to call a strike. Such strike authorization vote shall be conducted at a general membership meeting of each chapter called expressly for that purpose. The vote shall be by secret ballot. Absentee balloting will not be allowed. If a majority of the voting membership authorizes a strike, the MSCF State Executive Committee shall be authorized to initiate the strike as deemed appropriate.

## **Article X - Parliamentary Authority**

The rules contained in *Robert's Rules of Order, Newly Revised* shall govern the organization in all cases to which they are applicable and which are not inconsistent with these Bylaws.

## **Article XI – Amendments**

These Bylaws may be amended by a simple majority vote of the membership voting according to the procedure prescribed by the Board of Directors. In addition, when the Delegate Assembly forwards a proposed amendment, the Bylaws may be amended by a simple majority vote of the members of the Board of Directors. In either case, the amendment must be circulated in writing to all chapters at least one month in advance of the membership vote, or of the meeting of the Delegate Assembly.