

Bemidji State University Faculty Association Constitution As Amended 3/24/2009

Article I: Title and Purpose

The name of this organization shall be the Bemidji State University Faculty Association, hereinafter referred to as the “BSUFA.”

The purpose of the BSUFA shall be to improve the quality of education at Bemidji State University. The BSUFA shall pursue this improvement by promoting such conditions of faculty employment and University governance as are conducive to optimum faculty morale and performance. The BSUFA shall promote these conditions through collective bargaining, faculty participation in governance, and other appropriate means.

Article II: Subordination

The BSUFA is a subordinate unit of the Inter Faculty Organization (IFO), the state-wide collective bargaining agent for the Minnesota State University System faculty. Provisions of this Constitution or of the BSUFA By-Laws which may become inconsistent with provisions of the Constitution and By-Laws of the IFO shall be deemed null and void.

Article III: Membership

The membership of the BSUFA shall consist of faculty members who pay full dues and who comply with the relevant Articles, By-Laws, and obligations of the IFO. Only BSUFA members may serve as BSUFA officers, senators, faculty representatives on committees (elected or appointed), or in any other capacity representing faculty of Bemidji State University.

Article IV: Elections

Section A: Eligibility

Only members of the BSUFA are eligible to participate in BSUFA elections.

Section B: Nominations

Whenever an election of regular officers, directors, the Chief Grievance Officer, or the Negotiator is required, an open nominations process shall be followed so as to allow all

members of the BSUFA to submit their names for consideration for the appropriate offices to the BSUFA at before a General Meeting. Only self-nomination for any BSUFA office or position is valid. For regular elections the nominations will be presented at the final regular BSUFA meeting of the academic year; additional self-nominations from the floor shall be accepted at that time. If, after the completion of the nominations process, only one eligible BSUFA member has self-nominated for any BSUFA office or position, that member, with the approval of the Senate, will be considered to have been elected to the given office or position.

Section C: Holding Elections

When there is more than one nominee for any BSUFA office or position, an election will be held according to the rules set out in Article IV and the Bylaws.

Section D: Elections Schedule & Vacancies

Regular elections shall be held in April. Elected persons to take office on the first duty day of the fall semester. In the event of a vacancy during the regular terms of regular BSUFA officers, the Executive Board shall, within one month of the effective date of the vacancy, hold a special nominations and election process for the vacant office.

Section E: Recall Elections

Regular officers, senators, committee members, the Chief Grievance Officer, negotiator, and directors elected under the provisions of this Constitution and By-Laws will be subject to a recall election conducted by the Executive Board 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 offices if two-thirds of the eligible voters from the constituency which originally elected the officer or committee member vote in the affirmative for their recall. The positions of dismissed officers or committee members shall be treated as vacancies under Article IV, Section D.

Article V: Officers and Their Duties; The Executive Board

Section A: Regular Officers

There shall be a President, Vice President, Secretary, and Treasurer. These officers shall serve for a term of two calendar years, beginning on the first duty day of the fall semester following their election. No person shall serve in any one of the positions described in this Article for more than two consecutive two-year terms.

Subsection 1: President

It shall be the duty of the president to preside at all meetings of the BSUFA, BSUFA Senate, and BSUFA Executive Board, and to perform all the duties usually devolving on a presiding officer; to serve as a member of the Senate and Executive Board; to be a member

of all committees, ex officio, without voting privileges; and to serve on the IFO Board of Directors.

Subsection 2: Vice President

It shall be the duty of the vice president to preside over meetings of the BSUFA, BSUFA Senate, and BSUFA Executive Board when the president is absent; to serve as a member of the Senate and Executive Board; to assist with generating membership; and to assist the president as requested. In the event of a vacancy during the term of the president, the vice president shall serve as acting president until such time as a president can be elected, pursuant to the Article IV "Elections."

Subsection 3: Secretary

It shall be the duty of the secretary to perform duties usually devolving on a secretary; to serve as recording officer for the BSUFA Executive Board, Meet and Confer, and BSUFA meetings; to serve as a member of the BSUFA Senate and of the Executive Board; and to assist the president as requested. In the absence of the BSUFA Secretary, the Recording Secretary of the Senate may undertake the BSUFA Secretary's duties.

Subsection 4: Treasurer

It shall be the duty of the treasurer to perform duties usually devolving on a treasurer; to serve as a member of the Senate and Executive Board; to submit to the IFO Board of Directors an annual written report of the financial status of the BSUFA as provided in the IFO Constitution; and to assist the president as requested.

Section B: Other Officers

Subsection 1: Chief Grievance Officer & Chair of Grievance Board:

A Chief Grievance Officer for the BSUFA shall be elected to a two-year term. A Chief Grievance Officer must have completed grievance-training with the IFO or have comparable experience with grievances before entering a term of office. The Chief Grievance Officer shall chair the Grievance Board, process and pursue grievance cases under the IFO/MnSCU Master Agreement, serve in the BSUFA Senate and on the BSUFA Executive Board.

Subsection 2: Negotiator

There shall be one representative to the IFO negotiating team elected and serving in accordance with the IFO By-Laws; to serve on the Senate and Executive Board; and to assist the president as requested.

Subsection 3: Directors

The BSUFA shall elect delegates, herein called "directors," to the IFO Board of Directors at a time, for terms, and in numbers consistent with or as provided by the IFO Constitution. Their duties shall be to serve on the IFO Board of Directors, conveying to it the interests and action of the BSUFA and reporting to the BSUFA the action and decisions of the

Board of Directors; to serve on the Senate and Executive Board; and to assist the president as requested.

Section C: The Executive Board

Subsection 1: Membership

The Executive Board

The Executive Board shall consist of the President, Vice-President, Secretary, Treasurer, Chief Grievance Officer, Negotiator, Directors, and the Recording Secretary of the Senate. A quorum shall consist of a majority of the members.

Subsection 2: Functions

It shall be the function of the Executive Board, under the authority of and subject to review by the BSUFA and Senate, to conduct the business of the BSUFA, including the establishment of such ad interim policies as are essential to the affairs of the BSUFA.

Subsection 3: Duties

The duties of the Executive Board shall include: the receipt and disbursement of BSUFA monies; preparation of an annual budget for carrying on the BSUFA's activities for the ensuing year; provision for an annual audit of the BSUFA's accounts; preparation of agendas for BSUFA and Senate meetings, including all business and resolutions appropriate to those bodies; provision for the publication and distribution of necessary publications; provision for elections; serving as the BSUFA's meet-and-confer body; to solicit, coordinate, and assemble recommendations from other committees and individuals concerning proposals for the Master Contract; to poll the membership to assess support for the Master Contract; to report recommendations and poll results to the Senate for ratification prior to distribution to the BSUFA membership; to assist the vice president in soliciting membership; and such other duties as may be specified in this Constitution, ordered by the BSUFA or Senate, or required for the management of the BSUFA's affairs.

Section D: The Grievance Board

A board of Grievance Officers shall serve with the Chief Grievance officer who shall chair its meetings. This "Grievance Board" shall be considered the "Grievance Committee" required by ARTICLE X Section 3 of the IFO Constitution.

Subsection 1. Membership

The BSUFA Executive Board nominates BSUFA members to serve as Grievance Officers on the Grievance Board with the consent of the BSUFA Senate. The Grievance Board shall have at least five members, the Chief Grievance Officer, and one Deputy Grievance Officer from each of the following: The College of Arts & Sciences; The College of Health Science, Human Ecology, & Graduate Studies; The College of Business Technology and Communication; & Academic & Student Support Services. If necessary, the Grievance

Board may be increased by the nomination of additional members at the discretion of the Executive Board and with the consent of the Senate.

Subsection 2. Terms

Deputy Grievance Officers' have two-year terms. Two of the terms begin on the first duty day of the Fall Semester in even-numbered years, and two of the terms begin on the first duty-day of the Fall Semester in odd-numbered years. In the event of a vacancy, Deputy Grievance Officers nominated by the Executive Board and confirmed by the Senate will complete the existing term of the vacant office.

Subsection 3. Duties

The grievance officers process and pursue grievance cases under the IFO/MnSCU Master Agreement. The grievance officers meet together as a board when called upon by the Chief Grievance Officer. Grievance officers who have not received grievance training with the IFO will obtain this at their earliest opportunity.

Subsection 4. Conflicts of Interest

A Grievance Officer will not serve on a grievance against an administrator against whom the grievance officer also has a grievance.

Article VI: BSUFA General Meetings and Powers

The BSUFA shall have an annual general meeting during the first month of the academic year. The BSUFA shall be responsible for the adoption of the Constitution, By-Laws, and any Amendments. The BSUFA shall have the power to review policies and actions of the Senate and Executive Board and shall receive reports from the Senate and Executive Board including financial reports. The BSUFA shall be responsible for nominations for election of officers, senators, directors, delegates to the IFO Delegate Assembly, Chief Grievance Officer, and the representative to the IFO negotiating team.

Article VII: BSUFA Senate

Section A: Name

There shall be a BSUFA Senate, herein referred to as the "Senate."

Section B: Meetings

The Senate shall meet at least once a month during the regular academic year. Such regular meetings shall be scheduled in accordance with specifications in the BSUFA By-Laws. Notification of a regular meeting and its agenda shall be issued no less than three calendar days before the date of the meeting. Special meetings of the Senate may be called by the

Executive Board. Additionally, the Executive Board shall call a special meeting at the written request of seven members of the Senate or of twenty-five members of the BSUFA. Notification of a special meeting and its agenda shall be issued no less than two duty days before the date of the meeting. A quorum shall consist of a 60 percent majority of the Senate membership.

Section C: Membership

The Senate shall consist of:

Subsection 1

Officers

The BSUFA President, Vice-President, Treasurer, Secretary, Chief Grievance Officer, Negotiator, and BSU IFO-Board Directors are members of the Senate. The BSUFA President & Vice-President are also President and Vice-President of the Senate.

Subsection 2

Senators representative of the various academic departments and equivalent units of the university, as specified in the BSUFA By-Laws. These senators shall be known as representative senators.

Section D: Election of Representative Senators

Each department, unit, or pool of departments or units shall elect its own representative senator[s] for [a] two-year term[s] using an open nominations and election process that allows all BSUFA members within the department, unit, or pool to submit their names for consideration. Only self-nominations will be valid. In the event of a vacancy among the representative senators, the Executive Board shall instruct the respective department, unit, or pool to elect a replacement within one month of the effective date of the vacancy. Senators elected by such special elections shall serve only for the remaining portion of the interrupted term. In cases of split assignments that are uneven, the faculty member shall vote in the department or unit of the larger part of her or his assignment. In all other cases, the individual involved shall petition the Senate for a determination of voting eligibility.

Section E: Function and Duties of the Senate

It shall be the function of the BSUFA Senate, under the authority of and subject to review by the BSUFA, to establish the policies of the BSUFA for implementation by the Executive Board. The duties of the Senate shall include: Establishing its committees and approving the membership thereof; charging its committees and acting on their recommendations; establishing such rules as may be necessary for its continued functioning during academic vacations and summer sessions, or for insuring consistent attendance of its membership; and performing such other duties as may be specified in this Constitution and By-Laws, ordered by the BSUFA, or required for the management of the

BSUFA's affairs. The written record of the Senate proceedings shall be archived in an enduring form and in a place where it can be consulted by members of the BSUFA. The Recording Secretary of the Senate shall see to it that the written records of Senate proceedings are archived.

Section F: Recording Secretary of the Senate

The Senate shall elect from among the representative senators one member to serve as recording secretary of the Senate. It shall be the duty of the recording secretary to serve as recording officer and custodian of records for the Senate; to publish promptly a written record of Senate proceedings; and to serve as a voting member of the Executive Board. In the absence of the Recording Secretary of the Senate, the duties of the Recording Secretary devolve upon the BSUFA Secretary. In the absence of both, the President may designate a member of the BSUFA to make a written record of Senate Proceedings.

Section G: Parliamentarian of the Senate.

The president of the Senate shall appoint a BSUFA member to act as parliamentarian of the Senate; such person shall perform the usual duties of a parliamentarian. If the parliamentarian is not a senator, he/she shall have no voice or vote in the senate.

Section H: Attendance and Duty Requirements of Senators

Active participation in the Senate is vital to the very existence of the Senate. Senators are expected to attend Senate meetings. Senators who fail to attend three meetings within a single semester without just cause shall forfeit their seats. Such seats shall be considered vacant as under Article VII, Section D.

Article VIII: Committees

Section A: Establishment

The committees of the BSUFA shall include those specified in the BSUFA Constitution and By-Laws and any additional ad hoc committees established by the Executive Board or the Senate. The Senate shall approve the policies, procedures, structures and general charge of all committees. When modification of such policies, procedures, structures, and general charge is proposed, the Senate shall publish the proposed changes to the BSUFA membership at least ten working days before the Senate votes on the proposal.

Subsection 1: Relation to University-wide Committees

The Executive Board, with the approval of the Senate, may refer specific issues or requests for BSUFA representation on university-wide committees to appropriate BSUFA committees. Such referrals will not be construed to be a change in the general charge of the

committee; rather, the charge of the committee should indicate that such referrals are appropriate. BSUFA members serving on University-wide committees represent the BSUFA as a whole. Since the BSUFA Senate represents the highest authority within the BSUFA, in any issue taken up in a university-wide committee process on which the BSUFA Senate has issued specific instructions, BSUFA members serving on such university-wide committees shall follow those instructions.

Subsection 2: University-wide Committee Review

BSUFA members' participation in university-wide committees shall be reviewed annually by the Committee on Committees and a recommendation shall be brought forth to the Senate for any recommended changes in terms, participation, and/or charges.

Subsection 3: Membership Requirement

BSUFA membership is required for committee membership and for participation in all BSUFA committee elections.

Subsection 4: Meeting Requirement

All committees of the BSUFA with the exception of the Action Committee shall meet at least once each semester and beyond that shall elect a chair and may establish any number of meetings, their time, and place, as is appropriate to the work of the committee.

Subsection 5: Ad hoc Committees

Ad hoc Committees may be formed to deal with specific issues and shall disband at the conclusion of their specific charge.

A sunset date will be established when any ad hoc committee is established. Ad hoc committees that have not concluded their charge by the designated sunset date will be reviewed by the Senate to ensure that they are carrying out their charge in a timely fashion.

Section B: Elections

BSUFA Committee seats shall be filled through an open nominations and election process held according to rules set down in Article IV and in the Bylaws.

Section C: Unfilled Committee Vacancies

Vacancies occurring after completion of the open nominations and election process may be filled by a special nominations and election process or by appointment of the BSUFA president subject to confirmation by the Senate. Appointment by the BSUFA president will be deemed appropriate in those cases where the nominations and election process has failed to fill positions or in cases where there is less than a year left on a committee term. In those cases where the appointed committee member would represent a particular college or the Student and Academic Support unit of the university, the president of the BSUFA must appoint a member from that college or the Student and Academic Support unit.

Section D: Committee Terms

All elected committee members shall serve staggered three year terms after the initial terms are established in a manner approved by the Senate. The term for membership on any University-wide committee for which membership on a BSUFA committee is a prerequisite shall follow the term on the BSUFA committee. When membership on a BSUFA committee ends, membership on any University-wide committee for which the membership on the BSUFA committee is the prerequisite shall end at the same time.

Section E: Reporting Responsibility to the BSUFA

All committees have the responsibility to make timely reports to the Senate and to bring all policy, procedural or financial recommendations made by the committee to the Senate for general approval before they are forwarded to other governing bodies.

Subsection 1: Responsibility of the Committee Chair

The chairperson of each standing committee shall be responsible to:

- (a) furnish each member of the committee with a copy of the charge and duties of the committee;
- (b) submit timely, written or oral reports to the Senate during the academic year;
- (c) represent Bemidji State University when there is an IFO statewide counterpart to the committee;
- (d) submit an annual report of the committee's activities and recommendations to be distributed to the Senate by April 1 of each year; and
- (e) report to the Executive Board and the BSUFA office secretary the results of the chair election.

Subsection 2: Responsibility of Committee Members

Committee members appointed to university-wide committees as representatives of the BSUFA shall be responsible to make timely, written and oral reports to their BSUFA committees and to bring any policy, procedural or financial decisions made by the university-wide committee to their BSUFA committees and to the Senate for general approval.

Section F: Committee Types

There shall be two types of committees: (1) those whose membership is determined by college and Student and Academic Support unit; and (2) those whose membership is determined by the function of the committee. In addition, all committees may invite appropriate members of the faculty, staff, or administration to meet with the committee as resource persons for the committee.

Subsection 1: Membership Determined by College and Unit and Committee List

College and unit committee membership is defined as two representatives from each of the three colleges within the university and one representative from the combined Student and Academic Support unit. Committees whose membership is determined by college and Student and Academic Support unit are:

- Academic Affairs Committee
- Academic Computing Committee
- Budget, Finance, and Allocation Committee
- Curriculum Committee
- Governmental Relations Committee
- Liberal Education Committee
- Professional Improvement and Development Committee
- Rules Committee
- Student Services Committee
- Teacher Education Committee

Subsection 2: Membership Determined by Committee Function and Committee List
Function committee membership is defined as applying to those committees on which there must be several seats designated for particular BSUFA offices, staff members, or academic areas. Such committees, with the exception of the Graduate Committee shall be limited to seven members, and all non-designated seats shall be elected at-large. Committees represented by function are:

- Action Committee
- Graduate Studies Committee

Article IX: Ratification and Amendment of this Constitution

Article IX: Ratification and Amendment of this Constitution and the Bylaws.
Amendments to the BSUFA Constitution shall first be approved by a two-thirds vote of the BSUFA Senate. If so-approved, the text of any amendments shall be presented to the BSUFA Membership by mail within seven duty days following Senate approval. A member of the Constitutional Review Committee shall present approved amendments for explanation at a BSUFA meeting between 10 and 25 duty days following Senate-approval. A ratification election will then be conducted by secret ballot mailed to all BSUFA members immediately following the BSUFA meeting. The changes will take effect immediately upon their adoption by at least a two-thirds majority of those BSUFA members voting in the ratification election. The Bylaws may be amended by a simple two-thirds vote of the BSUFA Senate.