CONSTITUTION OF THE ESSE'X COUNTY COLLEGE

FACULTY ASSOCIATION

## CONTENTS

<table>
<thead>
<tr>
<th>Article</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preamble</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Article I:</td>
<td>Name</td>
<td>4</td>
</tr>
<tr>
<td>Article II:</td>
<td>Membership</td>
<td>4</td>
</tr>
<tr>
<td>Article III:</td>
<td>Scope</td>
<td>5</td>
</tr>
<tr>
<td>Article IV:</td>
<td>Composition</td>
<td>7</td>
</tr>
<tr>
<td>Article V:</td>
<td>Executive Board</td>
<td>7</td>
</tr>
<tr>
<td>Article VI:</td>
<td>Senate</td>
<td>9</td>
</tr>
<tr>
<td>Article VII:</td>
<td>Meetings</td>
<td>12</td>
</tr>
<tr>
<td>Article VIII:</td>
<td>Rules of Order</td>
<td>14</td>
</tr>
<tr>
<td>Article IX:</td>
<td>Amendments</td>
<td>14</td>
</tr>
<tr>
<td>Article X:</td>
<td>By-Laws</td>
<td>14</td>
</tr>
</tbody>
</table>
Preamble

A. We the Faculty of Essex County College do hereby constitute ourselves as a Faculty Association to function as the instrument whereby we may properly discharge our assigned and professional responsibilities. Because of the very nature and competence of the Faculty, we have the right and unavoidable duty of participating in the formulation of policies and procedures applicable to the total educational effort of the College. We bear in mind not only the welfare of the Faculty itself, but also the best interests of the staff, students, alumni, and the corresponding prerogatives and obligations in these matters of the Administration. Working through the Faculty Association and its representative, the Faculty Association Senate and Executive Board, in the spirit of mutual assistance and cooperation with all other bodies and agencies of Essex County College, we address ourselves and our labors to the general welfare of the College and the goal of excellence toward which it strives.

B. This constitution shall be declared ratified and in force by concurrent vote of a majority of the entire membership of the Faculty Association.
Article I: Name

This organization shall be known as the Essex County College Faculty Association, hereinafter referred to as the Faculty Association.

Article II: Membership and Dues

Section 1:

Those eligible for membership shall include, but not be limited to the following employees of the Essex County College:

A. Full-time teaching faculty
B. Part-time teaching faculty
C. Non-teaching faculty
D. Professional staff related to academic functions
E. Department Chairman and Coordinators with Faculty rank

The following employees shall not be included for membership:

Administrators and/or Supervisors, except as noted above.

Section 2:

Annual dues shall be assessed on each member of the Faculty Association to be paid by February 1st (first) of each academic year. The amount shall be set by majority vote of the Faculty Association upon recommendation by the Executive Board.

Section 3:

An Association Member shall be any person eligible for membership who has paid his dues, has contracted to pay his dues in installments and has made an initial payment, or is paying his dues on a check-off basis.
Article III: Scope

Section 1:
Subject to the laws of the State of New Jersey and the regulations of the Board of Trustees of Essex County College, the Faculty Association or body to which it delegates powers, shall be the sole body composed of faculty members as defined by this Constitution, at the College with power to perform the duties enumerated in the Article.

Section 2:
The Faculty Association shall perform an advisory function in the application of policy and in other matters relative to the educational welfare of the County.

Section 3:
The Faculty Association may consult with the Board of Trustees, the Academic Council and the Administrative Council in the formulation of policy in educational areas including but not limited to:

A. Professional rights and responsibilities (academic freedom, ethical standards).
B. Professional standards (professional competence)
C. Professional personnel policies (criteria of personnel, evaluation assignment, teaching load, tenure, sabbatical leave.)
D. Academic policies (development and expansion of curricula and related projects, admissions, honors, graduation and degree requirements, retention of students, textbook policy).
E. Student personnel policies (general student advisement, conduct, discipline, general matters pertaining to student activities and welfare).
F. Institutional philosophy (philosophy of general education).
G. Educational expenditures (budget planning, building planning, long range plans, salaries).
H. Educational projects.

Section 4:
The Faculty Association shall delegate its powers to the Faculty Association Senate and Executive Board within the limitations set forth in Article IV, except for those it may choose to reserve for itself.
Section 5:

Delegated powers exercised by the Faculty Association Senate and Executive Board shall prevail unless the Faculty Association votes contrariwise as provided in Sections 6 and 7 of Article IV.

Section 6:

An action which has been initiated by the Faculty Association shall be binding on the Faculty, Association, the Faculty Association Senate and Executive Board and shall be carried out when favorable votes on the action are cast by a majority in secret ballot in a Faculty meeting.

Section 7:

The Faculty Association shall be and is hereby declared to be the duly constituted successor to the Faculty Steering Committee, and hereby receives authority to act as the exclusive negotiating body for the Faculty of Essex County College under the provisions of Chapter 303, New Jersey Public Laws of 1968.
Article IV: Composition

The Essex County College Faculty Association shall be governed by an Executive Board (which shall be responsible for negotiation and administration of contract, membership, elections, public relations, communications and other operational and procedural functions) and a Faculty Association Senate (which shall be responsible for the development of policy in regard to academic and student affairs.) In addition the Senate shall have veto power over actions and resolutions of the Executive Board, for which the Senate is responsible, according to Article VI, Section 7.

Article V: Executive Board

Section 1:

Those eligible for election to the Faculty Association Executive Board shall be members of the Faculty, as specified in Article II, Section 1. The composition of the Executive Board shall be: all elected officers of the association, the chairmen of the Grievance, Negotiations, and Membership Committees, as elected by the officers, a designated member of the Senate, the past President, and such other person(s) as deemed appropriate by a majority of the elected officers. In no event shall the total membership of the Executive Board exceed thirteen.¹

Section 2:

The Faculty Association shall elect for two year terms² the following officers: President, Vice-President, Recording Secretary, Corresponding Secretary, and Treasurer. The Faculty Association shall elect for a four-year term a Representative to the Board of Trustees who shall also be an officer of the Executive Board.³ No officer shall serve simultaneously as a Senator. The elections shall be scheduled during the third week prior

¹ Amended May 1976.
² Amended April 30, 1986.
³ Amended May 1976.
to the end of the Winter Semester. Any Faculty Association member may place his name in nomination for any office. Winners will be determined be a single majority of the number of votes cast. In the event a majority is not reached, a run-off election will be held between the two candidates who received the most votes. The run-off election will be held not more than one week after the regular election.

Section 3:
If, during the term of office, the President is temporarily unable to carry out the duties of the office, the Vice-President shall assume these duties. In the event the Vice-President cannot assume these duties the Faculty Association Senate shall elect one of its members to assume them.

Section 4:
If, during the term of office of any Executive Board Member, such officer is unable to carry out the duties of his office due to deaths, resignation, special circumstances beyond his control or as a result of censure by three-fourths of the Executive Board and concurrence by a majority of the Senate, or any other reason., a special election shall be held within one week to replace that officer. This election shall be held under the same conditions as the regular election.

Section 5:
The President or his designate, as established in Section 3 (above), shall establish the agenda for Faculty Association Senate meetings and Executive Board meetings. Any Faculty Association member may submit items for either agenda no less than one hour before the meeting.

Section 6:
The Executive Board shall speak for and exercise the powers of the Faculty Association in all matters and its actions shall be binding or, the Faculty Association and the Faculty
Association Senate except as provided in Section 9 (below), Article III, Section 6, and Article VI, Section 8. In matters of academic and student affairs, the Executive Board shall be governed by resolutions approved by the Faculty Association.

Section 7:
If the direct ramifications of the educational issue extend beyond Essex County College, or no Executive Board action. taken under Sect-ion 6 (above) shall be considered final or put into effect nor released for Publication until two instructional days after the Faculty Association has been directly notified.

Section 8:
Before a matter is reported by the Executive Board to the Board of Trustees, the Faculty Association shall be appraised of its nature.

Section 9:
An action determined upon or taken by the Faculty Association Executive Board shall be prevented from going into effect or shall be rescinded when negative votes on the Action are cast by a majority of the membership in secret ballot in a Faculty Association meeting.

Section 10:
The Faculty Association Executive Board may adopt its Standing Rules and may amend them. Such Standing Rules shall continue in effect until changed.

Article VI: Senate

Section 1:
Those eligible for election to the Faculty Association Senate shall be members of the Faculty, as specified in Article II, Section 1.
Section 2:

A. Senators will be elected by and from Association Membership in each of the academic departments established by the college and other specified electoral areas recognized by the Senate. Reopening electoral areas include Learning Resources, Counseling and Career Development, and Allied Health Technology.

B. The number of Senators to be elected from each electoral area shall be in accordance with the following formula:

- 1 to 10 Association Members allows one (1) Senator
- 11 to 19 Association Members allows two (2) Senators
- 20 to 24 Association Members allows three (3) Senators
- 25 or more Association Members allows four (4) Senators

C. Any Senator may challenge the membership count of any delegation. If an adjustment is necessary and the area is entitled to Senators, these can be elected to fill the term in a special election. If an adjustment is necessary and the area is entitled to fewer Senators, resignation should commence with those who had fewest votes in the election. Only one challenge per semester shall occur.

Section 3:

The terms of office of members shall be three years beginning at the commencement of the academic year. Elections of Senators shall be held in the last week of the Spring Semester; election of officers shall be held during the third week prior to the scheduled end of the Winter Semester.

(In order to initiate the change in the term of office of Senators the following terms of office will be effective September 1, 1986):

<table>
<thead>
<tr>
<th>Area</th>
<th>Term of Office (yrs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biology/Health Tech</td>
<td>2</td>
</tr>
<tr>
<td>Business</td>
<td>3</td>
</tr>
<tr>
<td>Counseling/Library</td>
<td>1</td>
</tr>
<tr>
<td>Engineering/Science</td>
<td>2</td>
</tr>
</tbody>
</table>
Humanities 3
Mathematics 3
Social Science 1
CIS 3
Bilingual 2

Section 4:

The Faculty Association members of each department and electoral area shall elect its Senators by secret ballot in the last full instructional week in the Winter Semester. The current Senators shall be responsible for conducting the election.

Section 5:

If in the Winter election of area Senators, no candidate receives a majority of the votes of all the voting members in the electoral area, then one or more run-off elections shall be held. In successive elections the name of the candidates receiving the lowest number of votes shall be dropped from the ballot. This procedure shall be continued until one candidate receives a majority whereupon, in areas entitled to more than one Senator the next highest candidates shall also be declared elected, until the required number is reached.

Section 6:

Vacancies in positions representing the electoral areas shall be filled for the unexpired term through normal election procedures by the voters in the area. Faculty Association Senate vacancies shall be filled within a month.

Section 7:

Meetings of the Faculty Senate shall be presided over by the President of the Faculty Association, and all officers including the Representative to the Board of Trustees shall be ex officio members of the Senate, except, that for purposes of a veto, the ex officio members are not eligible to vote. Senators may report Senate business to their respective constituencies; however, official Senate business and resolutions

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4 Amended April 30, 1986.
affecting other areas of the college shall be promalgated through the Association Corresponding Secretary.

Section 8:
An action determined upon or taken by the Faculty Association Senate or Executive Board shall be prevented from going into effect or shall be rescinded when negative votes on the action are cast by a majority of the membership in secret ballot in a Faculty Association meeting.

Section 9:
The Faculty Association Senate may adopt its Standing Rules and may amend them. Such Standing Rules shall continue in effect until changed.

**Article VII: Meetings**

Section 1:
Meeting of the Faculty Association:

1. May be called by the President of the Faculty Association.
2. May be called by one-third of the members of the Faculty Association Senate.
3. May be called by a petition signed by at least one-fifth of the eligible members of the Faculty Association.
4. Shall be presided over by the President of the Faculty Association or, in his absence, the next ranking officer.

Section 2:
Any calls for meeting of the Faculty Association under the provisions of Section 1 above, must be made to the President of the Faculty Association. The date and time of any meeting of the Faculty Association shall be set by the Association President not less than three (3), or more than seven (7) instructional days after the call. No meetings shall be called on Saturdays and Sundays. The agenda must include only those items requested in writing by those calling the meeting under the provisions of
Section I. The date, time and agenda for any Faculty Association Meeting shall be publicized by the Faculty Association President at least three (3) instructional days prior to the meeting.

Section 3:

Any meeting of the Faculty Association shall be open unless a majority of those present vote to close all or parts of the meeting to visitors.

Section 4:

A quorum shall be a majority of the membership of the Faculty Association to conduct its business.

Section 5:

Resolutions that indicate the positions of the Faculty Association on an issue may be passed by a majority vote of those present and sent to the Faculty Association Senate and Executive Board for further action.

Section 6:

Meetings of the Faculty Senate shall be presided over by the President of the Faculty Association and all officers and the Representative to the Board of Trustees shall be ex officio members of the senate, except that for purposes of a veto vote, the ex officio members are not eligible to vote. Senators may report Senate business to their respective constituencies; however, official Senate business and resolutions affecting other areas of the college shall be promulgated through the Association Corresponding Secretary.

Section 7:

The meetings of the Faculty Association Senate shall be held every month during the academic year. The meetings of the Executive Board shall be held at least once every two weeks. Additional meetings as needed may be called by the President or by petition of one-third members of the Faculty Association Senate and Executive Board. Faculty Association Senate meetings and Executive Board meetings shall be
open to Faculty Association Members unless the Faculty Association Senate or Executive Board goes into Executive Session as provided for in the Standing Rules of these bodies. The same meetings shall be open to non-faculty guests on the invitation of any Senator or Executive Board Member.

A quorum shall be a majority of the membership of the Faculty Association Senate and Executive Board. A quorum must be present in order for the Faculty Association Senate and Executive Board to conduct business.

**Article VIII: Rules of Order**

*Robert's Rules of Order (Revised-75th Edition)* shall prevail in all meetings except when otherwise provided through bylaws.

**Article IX: Amendments to this Constitution**

An Amendment to this Constitution may be proposed in writing by any member of the Faculty Association. Any proposed amendment must:

A. First, be considered by the Faculty Association Senate which will make a written recommendation to the Faculty Association, although this will not be binding.

B. Second, be approved by a two-thirds majority of those voting in a secret ballot conducted by departmental and electoral Senators in their respective areas during the week following the one in which the Faculty Association Senate made its recommendation.

**Article X: Bylaws**

The Faculty Association Senate shall adopt bylaws to define and regulate details of its organization and to function under this Constitution, but no bylaws shall alter in any way the provisions herein laid down.

**Proposed Senate Bylaws**

1. Policy:
The Senate shall be charged with the formulation and publications of broad policy with reference to each item specified in PART 1, Article III, Section 3 of the revised Essex County College Faculty Association Constitution. The implementation, enforcement, and interpretation of said policy shall be the responsibility of the Executive Board subject to the restrictions specified in the following bylaw (#2) on Veto Power.

2. **Veto Power:**

   The Senate representative to the Executive Board, in consultation with the President and Recording Secretary of the Executive Board shall report to the Senate on the following matters which the Executive Board has considered and which may require Amendment or Veto by the Senate:
   
   A. Matters which affect changes in proposals or policies which have been made by the Senate and ...
   
   B. Matters in which a position by the Senate is deemed to be appropriate by the above mentioned three parties.
   
   C. In cases where there is not agreement by said parties as to the appropriateness of Senate consideration, a Synopsis will be presented to the Senate and this body will make the final decision,

Date: January 28, 1975
Submitted by the Senate Bylaws Committee:
August Ruggiero
Len Parrino (Chairman)

Revision - Adopted May, 1976
Respectfully Submitted
Kermit Friedland, President

Revisions Adopted April 30, 1986
Charles Larkin
President, ECCFA