

**BYLAWS OF THE COLLEGE OF DUPAGE
FACULTY ASSOCIATION**

PREAMBLE

The full-time faculty of College of DuPage 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 Procedures of the Senate. The Procedures 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 members 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 students can learn to the best of their abilities.
2. To assist individual faculty in carrying out instructional duties and responsibilities, to advance the professional interests of 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.
3. To serve as the exclusive representative of the faculty to the Board and the Administration of the College on issues concerning labor relations, contract issues, and teaching and learning, 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.
4. 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. This organization will be affiliated with, and comply with the Bylaws of the Illinois Education Association and the Constitution and Bylaws of the National Education Association. If there are any conflicts or inconsistencies between these bylaws and the bylaws or constitution of the state or national organization, the state or national documents will govern. 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 eligible to be 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 fee payer as discussed below.)
 - b. Fair Share fee payer – A member who qualifies for full-active membership and elects fair share 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 fee payer 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,
 - ii. Fair Share fee payers will pay fees and the annual fee assessments for fair share fee payers 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 fee payers 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 fee payers 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 Senate Officers.
- c. Fair Share fee payers:
 - 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 other issues determined by the Senate.
 - iii. May not sign nominating petitions for Senators 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 Membership Chair 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.
- e. In the event a charge is filed against a member calling for the censure, suspension, or expulsion of the member, the Executive Committee shall conduct a due process hearing and rule on the charge. The decision of the Committee may be appealed to the Faculty Senate and from there to the IEA Review Board. The local shall deny membership to an individual while that individual is denied membership in the IEA pursuant to NEA Bylaw 2-3.d
- f. This organization shall not deny membership based upon race, color, national origin, religion, gender, sexual orientation, age, disability, marital status or economic status.

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, Membership Chair, Secretary, and Treasurer. All officers must be full share members of the Association.

B. Executive Committee

1. The Executive Committee will consist of the President, the Vice President, the Membership Chair, the Secretary, and the Treasurer.

C. 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. Full/Active and Reserve Members elect officers at large (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, Membership Chair, 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.

D. Duties of the President

1. Preside at all regular meetings and special meetings of the Senate and Assemblies.
2. Enforce and interpret the bylaws, subject to a review by the Faculty Court.
3. Take responsibility for establishing the time, place, and agenda of such meetings and posting such information in appropriate locations.
4. Represent the faculty at meetings of the Board of Trustees and address the Board on behalf of the faculty when appropriate.
5. Represent the faculty on the Governance Council or its successor.
6. Represent the faculty at official College functions and make appropriate remarks when requested.
7. Communicate on behalf of the faculty with the print and electronic media.
8. Communicate with the President of the College on behalf of the faculty and Association.
9. Present communications from the President of the College and/or his/her representatives to the Senate and/or faculty.
10. Establishing 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).
11. Present the charge to any new committees on behalf of the Association.
12. 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.
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 Procedures.
15. Vote on Senate issues when the vote is determinative.

E. 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. Perform other duties as mutually agreed with the President.
5. Be a voting member of the Senate.
6. Coordinate the Association review of Board Policies and Procedures.

F. Duties of the Membership Chair

1. 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 the Chair of Elections, the Chair of Welfare, the Treasurer., and the President
2. Comply with any and all requirements relating to membership established by the affiliation including those relating to fair share notifications.
3. Coordinate meetings with new faculty members to orient and better integrate these members into the Association.
4. Coordinate Committee on Committees.
5. Maintain a membership roster of committees that include CODFA members
6. Chair the Social Committee
7. Serve on the CODFA Communications Committee
8. Perform other duties as mutually agreed with the President.
9. Be a voting member of the Senate.

G. 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.
6. Coordinate with the Membership Chair to maintain the rosters of Senate committees.
7. Distribute notice of assemblies, elections and other materials.

H. 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. The treasurer is the chief financial officer of CODFA and maintains financial matters including but not limited to writing checks and maintaining records.
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. An IEA Business Services Department staff member may be used instead of the CPA once every four 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. Provide the roster to Payroll for purposes of Association dues payroll deductions.
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 feepayer 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. Work with and provide information to the Senate Financial Review committee.
 - 9. Perform other duties as mutually agreed with the President.
 - 10. Be a voting member of the Senate.
- I. 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 full share member of the Association may fill these positions. Affiliate Representatives must:
 - 1. Attend Region Council meetings.
 - 2. Report IEA information to all Faculty Association members.
 - 3. Inform the Region Council of issues brought forward by Faculty Association members.
 - 4. Attend training and other Region Council events as scheduled.
- J. Vacancies
 - 1. In the event of a vacancy (resignation, recall, disability/death, incapacity or other disqualification) 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, Membership Chair, 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) vacancies will be filled in the manner of the original election.
- K. Recall. Members of the Association may recall an officer by presenting a petition signed by at least twenty-five percent of the membership stating the specific grounds of the recall. The Election Committee to will conduct a recall election three weeks from the time of filing the petition. An affirmative vote of two thirds of the full share membership will be required for the office to be declared vacant.

IV. Senate

A. Composition of the 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 a majority 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 Procedures.
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. Members in the election unit may recall a Senator by presenting a petition signed by at least twenty-five percent of the members in that election unit stating the specific grounds of the recall. The Election Committee Chair will conduct an election within three weeks of the filing of the petition. An affirmative vote of two thirds 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 six regularly scheduled meetings per academic year (absence is defined as missing more than half of a meeting).

C. Duties of Senators

1. Attend regular and special meetings of the Senate.
2. Vote on issues before the Senate.
3. Vote to decide whether or not a grievance will be processed to final and binding arbitration.
4. Represent the interests of the faculty in his/her election unit and the interests of the faculty as a whole.
5. Be informed of the issues before the Senate and the Association and keep constituents aware of faculty concerns.
6. Communicate the business of the Association with constituents.
7. Establish dues amounts for all members.
8. Vote on expenditures of Association funds.
9. Vote on the annual budget by roll call.
10. Approve all Senate Committee members.
11. Select and approve Committee on Committees appointments.
12. Approve the creation and charge of any new Senate Committees.
13. Set the ballot language and dates of all elections.
14. Represent the Association on various committees by mutual consent of the Senator and the Senate.
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, Degree Requirements, Election and Faculty Court. A comprehensive list of Senate committees is maintained in the Procedures.

B. Committee Chairs

Committees elect their own chairs. Committee chairs must be full share members of the Association. Committee chairs are responsible for:

1. Informing the Secretary 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 all members of the Faculty Association.
5. 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 have set terms.
 3. All committees will have written procedures including membership qualifications and rotation terms which have been approved by the Senate.

C. Senate Standing Committees

1. Committee on Committees

- a. The Committee on Committees consists of the members of the Faculty Senate
- b. The Membership Chair is the Chair of the Committee on Committees
- c. As per the CBA, section A6, A committee is a group of people appointed to attend to any matter of business referred to them, and includes groups alternatively named, such as teams, councils, task forces, or any other alternatively named group.

2. Welfare Committee

a. Membership:

- i. The Committee on Committees will solicit volunteers from tenured full share members.
- ii. The Welfare Committee will review each volunteer. to The Welfare Chair will submit the list of final recommendations to the Chair of Committee on Committees.
- iii. The Committee on Committees will review the full list and final recommendations and vote on appointments to the Welfare committee.

b. Composition and Duties

The Welfare Committee will:

- v. Consist of up to 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 three consecutive terms.
- vi. Regularly rotate its membership based on term expirations. Terms will be staggered. Appointments start the semester in which the Committee on Committees approves it. If a member of the Welfare Committee resigns in the middle of the term, the Committee on Committees will solicit volunteers to

complete the remainder of the vacant term in the manner of the original selection.

b. Duties

- i. Serve as the exclusive representative of the faculty to the COD Board of Trustees and the administration of the College on issues concerning labor relations and contract issues, including but not limited to Negotiations, Memorandums of Understanding (MOU), Contract Extensions, Letters of Agreement (LOA), Unfair Labor Practice lawsuits (ULP), and settlements.
 - i. Research questions related to labor relations and contract issues.
 - ii. Conduct constituent information sessions as needed.
 - iii. Monitor compliance for all faculty with the Contractual Agreement by faculty and the College.
 - iv. Monitor College compliance with past practice
 - v. Assist in grievances and appeals and, if necessary, join in support of the grievance/appeal.
 - vi. Report at the appropriate meeting of the Senate on grievances to be considered for arbitration.
 - vii. Recommend to the Faculty Senate whether or not a grievance will be processed to final and binding arbitration.
 - viii. Work to protect academic freedoms and intellectual property rights.
 - ix. Have subcommittees as needed, including but not limited to Negotiations and Grievance. Election Committee
- a. Consist of at least four full share members, including a Chair of Elections and a Vice-Chair of Elections. No person running for office may serve on the Elections Committee for that election.
- b. Conduct all elections of the Association.
- c. Establish procedures subject to the approval of the Faculty Senate for nomination of candidates, distribution of notices concerning the election and conduct of the election, and tabulation of the ballots consistent with procedures established by the IEA Elections Committee.
- d. All elections will be held by conducted by open nomination and secured ballot.
- e. Reasonable notice will be given for nomination to all offices to be filled. Notice will include time, place, and method for submitting nominations.
- f. A write-in provision is required if the number of declared candidates is less than the number of positions available.
- g. Election judges will be full share members provided their name is not on the ballot.
- h. Election Chair will obtain a copy of the official membership roster for the current term from the Membership Chair and use that roster to create a list for use during the election process. All active dues paying members must be afforded the opportunity to run for and/or vote in any election representing active members. This does not include fair share feepayers or reserved members.
- i. Hear initial election challenges.
- j. All local election challenges must be filed with the Elections Chair in writing no later than five (5) days after the results are reported.

- k. Establish a local election calendar with nominations and election timelines. IEA and NEA set the local election dates for delegates to their respective representative assemblies.
 - l. A fifteen (15) day notice of local elections will be given by posting or by other means.
 - m. All election procedures will be consistent with Regional, State, and Federal requirements.
 - n. No dues may be used in support of a candidate for any Local, Regional, State or National office.
 - o. In the event that there is no candidate who has received a majority of the votes cast for a particular office, the Elections Committee shall immediately conduct a runoff election between the two candidates who had received the highest number of votes for that office. Runoff elections will be run in the same manner as the original election.
 - p. The results of the election must be published in a timely manner which allows members to obtain the information without unusual effort.
1. Faculty Court (COURT OF APPEALS)
- a. Will render decisions interpreting these Bylaws. Court decisions should be based strictly on interpretations of the Bylaws, rather than on the merits or faults of the case at hand.
 - b. Will consist of five faculty members.
 - c. An appeal of the President's interpretation and enforcement of the bylaws may be made by any faculty member in writing directly to a member of the court. Decisions of the Court are final.

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 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 members, 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. 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 a majority of all faculty vote.

VII. Voting

Unless otherwise provided herein, the adoption of all business by the Faculty Senate and the membership must be by a majority of those voting. Proxy voting is not permitted.

VIII. Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the proceedings of the Association in all cases to which they are applicable and in which they are not inconsistent with the bylaws of NEA, IEA, these bylaws, or any Procedures the Association may adopt.

IX. Notice

Wherever the word "notice" is used, notice may be given by personal delivery, on paper, electronically or other method to reasonably assure receipt by the necessary parties.

X. Savings Clause

In the event a portion or portions of these Bylaws are found to be inconsistent with state or federal law, such portions to the extent that they violate the law will be deemed deleted and of no force and effect.

Date adopted: December 1, 2017

Date amended: October 5, 2017